Appropriation Bill (No. 6) 2011-2012

No.      , 2012

(Finance and Deregulation)

A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes
Contents

Part 1—Preliminary
1 Short title ................................................................. 1
2 Commencement ....................................................... 2
3 Definitions ............................................................. 2
4 Portfolio Statements ................................................ 4
5 Notional payments, receipts etc. .............................. 4

Part 2—Appropriation items
6 Summary of appropriations ....................................... 5
7 State, ACT, NT and local government items ............... 5
8 Administered items ................................................ 5
9 Administered assets and liabilities items .................... 6
10 Other departmental items ......................................... 6
11 CAC Act body payment items ................................. 6

Part 3—Adjusting appropriation items
12 Reducing State, ACT, NT and local government items and administered items ........................................... 8
13 Reducing administered assets and liabilities items and other departmental items ........................................ 8
14 Reducing CAC Act body payment items .................... 9
15 Advance to the Finance Minister ................................ 10

Part 4—General drawing rights limits
16 General drawing rights limits ...................................... 12

Part 5—Miscellaneous
17 Crediting amounts to Special Accounts .................... 13
18 Conditions etc. applying to State, ACT, NT and local government items .................................................. 13
19 Appropriation of the Consolidated Revenue Fund ......... 14

Schedule 1—Payments to or for the States, ACT, NT and local government

Schedule 2—Services for which money is appropriated
A Bill for an Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure, and for related purposes

The Parliament of Australia enacts:

Part 1—Preliminary

1 Short title

This Act may be cited as the Appropriation Act (No. 6) 2011-2012.
Part 1 Preliminary

Section 2

2 Commencement

This Act commences on the day this Act receives the Royal Assent.

3 Definitions

In this Act:

administered assets and liabilities item means an amount set out in Schedule 2 in relation to an Agency opposite the heading “Administered Assets and Liabilities”.

administered item means an amount set out in Schedule 2 opposite an outcome for an Agency under the heading “New Administered Outcomes”.

Agency means:

(a) an Agency within the meaning of the Financial Management and Accountability Act 1997; or

(b) the High Court of Australia.

CAC Act body means:

(a) a Commonwealth authority within the meaning of the Commonwealth Authorities and Companies Act 1997; or

(b) a Commonwealth company within the meaning of the Commonwealth Authorities and Companies Act 1997.

CAC Act body payment item means the amount set out in Schedule 2 in relation to a CAC Act body under the heading “Non-operating”.

Chief Executive has the same meaning as in the Financial Management and Accountability Act 1997.

current year means the financial year ending on 30 June 2012.

expenditure means payments for expenses, acquiring assets, making loans or paying liabilities.

Finance Minister means the Minister administering this Act.
item means any of the following:

(a) a State, ACT, NT and local government item;
(b) an administered item;
(c) an administered assets and liabilities item;
(d) an other departmental item;
(e) a CAC Act body payment item.

other departmental item means an amount set out in Schedule 2 in relation to an Agency opposite the heading “Equity Injections”.

Portfolio Additional Estimates Statements means the Portfolio Additional Estimates Statements that were tabled in the Senate or the House of Representatives in relation to the Bill for the Appropriation Act (No. 3) 2011-2012 and the Bill for the Appropriation Act (No. 4) 2011-2012.

Portfolio Budget Statements means the Portfolio Budget Statements that were tabled in the Senate or the House of Representatives in relation to the Bill for the Appropriation Act (No. 1) 2011-2012 and the Bill for the Appropriation Act (No. 2) 2011-2012.

Portfolio Statements means:

(a) the Portfolio Budget Statements; and
(b) the Portfolio Additional Estimates Statements; and
(c) the Portfolio Supplementary Additional Estimates Statements.

Portfolio Supplementary Additional Estimates Statements means the Portfolio Supplementary Additional Estimates Statements that were tabled in the Senate or the House of Representatives in relation to the Bill for this Act and the Bill for the Appropriation Act (No. 5) 2011-2012.

Special Account has the same meaning as in the Financial Management and Accountability Act 1997.

State, ACT, NT and local government item means an amount set out in Schedule 2 opposite an outcome for an Agency under the heading “Payments to States, ACT, NT and local government”.

State, ACT, NT and local government item
Part 1 Preliminary

Section 4

4 Portfolio Statements

The Portfolio Statements are hereby declared to be relevant documents for the purposes of section 15AB of the Acts Interpretation Act 1901.

Note: See paragraph 15AB(2)(g) of the Acts Interpretation Act 1901.

5 Notional payments, receipts etc.

For the purposes of this Act, notional transactions between Agencies are to be treated as if they were real transactions.

Note: This section applies, for example, to a “payment” between Agencies that are both part of the Commonwealth. One of the effects of this section is that the payment will be debited from an appropriation for the paying Agency, even though no payment is actually made from the Consolidated Revenue Fund.
Part 2—Appropriation items

6 Summary of appropriations

The total of the items specified in Schedule 2 is $140,531,000.

Note 1: Items in Schedule 2 can be adjusted under Part 3 of this Act.

Note 2: Sections 30 to 32 of the Financial Management and Accountability Act 1997 also provide for adjustments of amounts appropriated by this Act.

7 State, ACT, NT and local government items

(1) The amount specified in a State, ACT, NT and local government item for an outcome for an Agency may be applied for the purpose of making payments to or for the States, the Australian Capital Territory, the Northern Territory and local government authorities for the purpose of contributing to achieving that outcome.

Note: The Finance Minister manages the expenditure of public money through the issue of drawing rights under the Financial Management and Accountability Act 1997.

(2) If the Portfolio Statements indicate that activities of a particular kind were intended to be treated as activities in respect of a particular outcome, then expenditure for the purpose of carrying out those activities is taken to be expenditure for the purpose of contributing to achieving the outcome.

8 Administered items

(1) The amount specified in an administered item for an outcome for an Agency may be applied for expenditure for the purpose of contributing to achieving that outcome.

Note: The Finance Minister manages the expenditure of public money through the issue of drawing rights under the Financial Management and Accountability Act 1997.

(2) If the Portfolio Statements indicate that activities of a particular kind were intended to be treated as activities in respect of a particular outcome, then expenditure for the purpose of carrying

Appropriation Bill (No. 6) 2011-2012 No. , 2012 5
Part 2  Appropriation items

Section 9

out those activities is taken to be expenditure for the purpose of contributing to achieving the outcome.

9 Administered assets and liabilities items

(1) The amount specified in an administered assets and liabilities item for an Agency may be applied for expenditure for the purpose of contributing to achieving any outcome specified for the Agency:

(a) in Schedule 2 to this Act; or
(b) in Schedule 1 to the Appropriation Act (No. 5) 2011-2012; or
(c) in Schedule 2 to the Appropriation Act (No. 4) 2011-2012; or
(d) in Schedule 1 to the Appropriation Act (No. 3) 2011-2012; or
(e) in Schedule 2 to the Appropriation Act (No. 2) 2011-2012; or
(f) in Schedule 1 to the Appropriation Act (No. 1) 2011-2012.

Note: The Finance Minister manages the expenditure of public money through the issue of drawing rights under the Financial Management and Accountability Act 1997.

(2) If the Portfolio Statements indicate that activities of a particular kind were intended to be treated as activities in respect of a particular outcome, then expenditure for the purpose of carrying out those activities is taken to be expenditure for the purpose of contributing to achieving the outcome.

10 Other departmental items

The amount specified in an other departmental item for an Agency may be applied for the departmental expenditure of the Agency.

Note: The Finance Minister manages the expenditure of public money through the issue of drawing rights under the Financial Management and Accountability Act 1997.

11 CAC Act body payment items

(1) The amount specified in a CAC Act body payment item for a CAC Act body may be paid to the body to be applied for the purposes of the body.

Note: The Finance Minister manages the expenditure of public money through the issue of drawing rights under the Financial Management and Accountability Act 1997.
Section 11

(2) If:

(a) an Act provides that a CAC Act body must be paid amounts that are appropriated by the Parliament for the purposes of the body; and

(b) Schedule 2 contains a CAC Act body payment item for that body;

then the body must be paid the full amount specified in the item.
Part 3—Adjusting appropriation items

12 Reducing State, ACT, NT and local government items and administered items

(1) If:
   (a) an annual report for an Agency for the current year is tabled in the Parliament; and
   (b) the report specifies the amount required by an Agency in respect of:
      (i) a State, ACT, NT and local government item for the Agency; or
      (ii) an administered item for the Agency; and
   (c) the required amount is less than the amount of the item; the item is taken to be reduced to the required amount.

(2) The Finance Minister may, by writing:
   (a) determine that subsection (1):
      (i) does not apply in relation to the item; or
      (ii) applies as if the amount specified in the annual report were the amount specified in the determination; or
   (b) if the report does not specify the required amount—determine an amount that is taken to be the required amount for the purposes of subsection (1).

(3) A determination made under subsection (2) is a legislative instrument and, despite subsection 44(2) of the Legislative Instruments Act 2003, section 42 (disallowance) of that Act applies to the determination. However, Part 6 (sunsetting) of that Act does not apply to the determination.

13 Reducing administered assets and liabilities items and other departmental items

(1) A written request to reduce an administered assets and liabilities item or an other departmental item for an Agency may be made to the Finance Minister by:
Section 14

(a) the Prime Minister or a Minister acting on behalf of the Prime Minister; or
(b) the Minister who is responsible for the Agency; or
(c) if the Finance Minister is responsible for the Agency—the Chief Executive of the Agency.

(2) If a request is made under subsection (1), the Finance Minister may, by writing, determine that the item is to be reduced by the amount specified in the request.

(3) However, the determination has no effect to the extent that it would reduce the item below nil, after subtracting amounts that have been applied under Part 2 in respect of the item.

(4) The item is taken to be reduced in accordance with the determination.

(5) Despite subsection 33(3) of the Acts Interpretation Act 1901, the determination must not be rescinded, revoked, amended or varied.

(6) A request made under subsection (1) is not a legislative instrument.

(7) A determination made under subsection (2) is a legislative instrument and, despite subsection 44(2) of the Legislative Instruments Act 2003, section 42 (disallowance) of that Act applies to the determination. However, Part 6 (sunsetting) of that Act does not apply to the determination.

14 Reducing CAC Act body payment items

(1) A written request to reduce a CAC Act body payment item for a CAC Act body may be made to the Finance Minister by:
(a) the Prime Minister or a Minister acting on behalf of the Prime Minister; or
(b) the Minister who is responsible for the body; or
(c) if the Finance Minister is responsible for the body—the Secretary of the Department.

Note: For Department, see subsection 19A(3) of the Acts Interpretation Act 1901.
Part 3 Adjusting appropriation items

Section 15

(2) If a request is made under subsection (1), the Finance Minister may, by writing, determine that the item is to be reduced by the amount specified in the request.

(3) However, the determination has no effect to the extent that it would reduce the item below nil, after subtracting amounts that have been paid to the body in respect of the item.

(4) The item is taken to be reduced in accordance with the determination.

(5) Despite subsection 33(3) of the Acts Interpretation Act 1901, the determination must not be rescinded, revoked, amended or varied.

(6) Subsection 11(2) does not limit the reduction of a CAC Act body payment item under this section.

(7) A request made under subsection (1) is not a legislative instrument.

(8) A determination made under subsection (2) is a legislative instrument and, despite subsection 44(2) of the Legislative Instruments Act 2003, section 42 (disallowance) of that Act applies to the determination. However, Part 6 (sunsetting) of that Act does not apply to the determination.

15 Advance to the Finance Minister

(1) If the Finance Minister determined an amount under subsection 15(2) of the Appropriation Act (No. 2) 2011-2012 before the commencement of this Act, the amount is to be disregarded for the purposes of subsection 15(3) of that Act.

Note: This means that, after the commencement of this Act, the Finance Minister has access to $380 million under section 15 of the Appropriation Act (No. 2) 2011-2012, regardless of amounts that have already been determined under that section.

(2) If:

(a) this Act appropriates an amount for particular expenditure; and

(b) before the commencement of this Act, the Finance Minister determines an amount (the advanced amount) under
section 15 of the *Appropriation Act (No. 2) 2011-2012* for the expenditure; the amount appropriated by this Act for the expenditure is taken to be reduced (but not below nil) by the advanced amount.
Part 4 General drawing rights limits

Section 16

Part 4—General drawing rights limits

16 General drawing rights limits

Building Australia Fund

On and after the commencement of this Act, subsection 16(1) of the Appropriation Act (No. 2) 2011-2012 has effect as if the general drawing rights limit specified in that subsection were $2,236,700,000.

Note: This increases the Building Australia Fund general drawing rights limit for the current year by $11,000,000.
Part 5—Miscellaneous

17 Crediting amounts to Special Accounts

If any of the purposes of a Special Account is a purpose that is covered by an item (whether or not the item expressly refers to the Special Account), then amounts may be debited against the appropriation for that item and credited to that Special Account.

18 Conditions etc. applying to State, ACT, NT and local government items

(1) This section applies to any payment made out of money appropriated by a State, ACT, NT and local government item for an outcome specified in column 2 of the table in Schedule 1.

(2) The payment:

(a) must be made on the terms and conditions (if any) from time to time determined, in the way described in subsection (3), as applying to payments made:
   (i) in relation to the outcome; and
   (ii) to or for a State, the Australian Capital Territory, the Northern Territory or a local government authority; and
   (iii) out of money appropriated by an annual Appropriation Act; and

(b) must be made in accordance with any determination in writing made by the Minister specified, in column 4 of the table in Schedule 1, for the outcome as to amounts and times of payments.

(3) The way of determining the terms and conditions applying to payments described in paragraph (2)(a) is for the Minister specified, in column 3 of the table in Schedule 1, for the outcome to make the determination in writing before or after the commencement of this Act.

(4) Determinations mentioned in paragraph (2)(a) and determinations made under paragraph (2)(b) are not legislative instruments.
Part 5 Miscellaneous

Section 19

(5) This section does not limit the Commonwealth’s power to:

(a) apply terms and conditions to payments made out of money that is not appropriated by a State, ACT, NT and local government item; or

(b) determine the amounts and times of those payments.

19 Appropriation of the Consolidated Revenue Fund

The Consolidated Revenue Fund is appropriated as necessary for the purposes of this Act, including the operation of this Act as affected by the Financial Management and Accountability Act 1997.
## Schedule 1—Payments to or for the States, ACT, NT and local government

Note: See section 18.

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<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
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<td>Minister determining payments</td>
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<td>Minister for Regional Australia, Regional Development and Local Government</td>
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## Schedule 2—Services for which money is appropriated

Note: See sections 6 and 19.

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<td>Regional Australia, Local Government, Arts and Sport</td>
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APPROPRIATIONS
## SUMMARY

**Summary of Appropriations (bold figures)—2011-2012**

**Actual Available Appropriation (italic figures)—2011-2012**

<table>
<thead>
<tr>
<th>Portfolio</th>
<th>Payments to States, ACT, NT and local government</th>
<th>New Administered Outcomes</th>
<th>Non-operating</th>
<th>Total</th>
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18  Appropriation Bill (No. 6) 2011-2012  No. , 2012
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## BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY PORTFOLIO

### SUMMARY

Summary of Appropriations (bold figures)—2011-2012
Actual Available Appropriation (italic figures)—2011-2012

<table>
<thead>
<tr>
<th>Entity</th>
<th>Payments to States, ACT, NT and local government</th>
<th>New Administered Outcomes</th>
<th>Non-operating</th>
<th>Total</th>
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| | | | 2,362,503 | 2,362,503 |
### BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY PORTFOLIO

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HEALTH AND AGEING PORTFOLIO

SUMMARY

Summary of Appropriations (bold figures)—2011-2012
Actual Available Appropriation (italic figures)—2011-2012

<table>
<thead>
<tr>
<th>Entity</th>
<th>Payments to States, ACT, NT and local government</th>
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# HEALTH AND AGEING PORTFOLIO

**Additional Appropriation (bold figures)—2011-2012**

**Actual Available Appropriation (italic figures)—2011-2012**

**Actual Available Appropriation (light figures)—2010-2011**

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<thead>
<tr>
<th>Payments to States, ACT, NT and local government</th>
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**DEPARTMENT OF HEALTH AND AGEING**

**Non-operating**

Administered Assets and Liabilities

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**Total: Department of Health and Ageing**

- - 119,927
<table>
<thead>
<tr>
<th>Entity</th>
<th>Payments to States, ACT, NT and local government</th>
<th>New Administered Outcomes</th>
<th>Non-operating</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Industry, Innovation, Science, Research and Tertiary Education</td>
<td>-</td>
<td>2,500</td>
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<tr>
<td>Australian Institute of Aboriginal and Torres Strait Islander Studies</td>
<td>71</td>
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<tr>
<td>Australian Nuclear Science and Technology Organisation</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Australian Research Council</td>
<td>-</td>
<td>-</td>
<td>1,480</td>
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<tr>
<td>National Vocational Education and Training Regulator (Australian Skills Quality Authority)</td>
<td>-</td>
<td>-</td>
<td>3,524</td>
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<tr>
<td>Tertiary Education Quality and Standards Agency</td>
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<tr>
<td><strong>Total: Industry, Innovation, Science, Research and Tertiary Education</strong></td>
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<td>2,500</td>
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<tr>
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<td>96,118</td>
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</tbody>
</table>
### INDUSTRY, INNOVATION, SCIENCE, RESEARCH AND TERTIARY EDUCATION PORTFOLIO

**Additional Appropriation (bold figures)—2011-2012**
**Actual Available Appropriation (italic figures)—2011-2012**
**Actual Available Appropriation (light figures)—2010-2011**

<table>
<thead>
<tr>
<th>Payments to States, ACT, NT and local government</th>
<th>New Administered Outcomes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$'000</td>
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</tbody>
</table>

**DEPARTMENT OF INDUSTRY, INNOVATION, SCIENCE, RESEARCH AND TERTIARY EDUCATION**

**Non-operating**
- Administered Assets and Liabilities: $2,500
- 82,247
- 37,695

**Total: Department of Industry, Innovation, Science, Research and Tertiary Education**
- -
- $2,500
## REGIONAL AUSTRALIA, LOCAL GOVERNMENT, ARTS AND SPORT PORTFOLIO

### SUMMARY

**Summary of Appropriations (bold figures)—2011-2012**

Actual Available Appropriation (italic figures)—2011-2012

<table>
<thead>
<tr>
<th>Entity</th>
<th>Payments to States, ACT, NT and local government</th>
<th>New Administered Outcomes</th>
<th>Non-operating</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td>Department of Regional Australia, Local Government, Arts and Sport</td>
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<td>-</td>
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<tr>
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<td>120,388</td>
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<td>33,982</td>
<td>154,370</td>
</tr>
</tbody>
</table>

**Payments to CAC Act bodies:**

- **Australian National Maritime Museum**
  - 1,668
  - 1,668

- **National Film and Sound Archive**
  - 766
  - 766

- **National Gallery of Australia**
  - 16,219
  - 16,219

- **National Library of Australia**
  - 9,779
  - 9,779

- **National Museum of Australia**
  - 1,924
  - 1,924

- **Old Parliament House**
  - -
  - -

Total: **Regional Australia, Local Government, Arts and Sport**

- 8,621
- -
- -
- 8,621
REGIONAL AUSTRALIA, LOCAL GOVERNMENT, ARTS AND SPORT PORTFOLIO

Additional Appropriation (bold figures)—2011-2012
Actual Available Appropriation (italic figures)—2011-2012
Actual Available Appropriation (light figures)—2010-2011

<table>
<thead>
<tr>
<th>Payments to States, ACT, NT and local government</th>
<th>New Administered Outcomes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$000</td>
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</tbody>
</table>

DEPARTMENT OF REGIONAL AUSTRALIA, LOCAL GOVERNMENT, ARTS AND SPORT

Operating

Outcome 1 - Strengthening the sustainability, capacity and diversity of regional economies including through facilitating local partnerships between all levels of government and local communities; and providing grants and financial assistance

8,621                                             -       8,621

-                                                -       -

Total: Department of Regional Australia, Local Government, Arts and Sport

8,621                                             -       8,621
## TREASURY PORTFOLIO

### SUMMARY

**Summary of Appropriations (bold figures)—2011-2012**

**Actual Available Appropriation (italic figures)—2011-2012**

<table>
<thead>
<tr>
<th>Entity</th>
<th>Payments to States, ACT, NT and local government $’000</th>
<th>New Administered Outcomes $’000</th>
<th>Non-operating $’000</th>
<th>Total $’000</th>
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<tbody>
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<td>Australian Securities and Investments Commission</td>
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<td>-</td>
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<td><strong>Total: Treasury</strong></td>
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### TREASURY PORTFOLIO

**Additional Appropriation (bold figures)—2011-2012**  
**Actual Available Appropriation (italic figures)—2011-2012**  
**Actual Available Appropriation (light figures)—2010-2011**

<table>
<thead>
<tr>
<th>Payments to</th>
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<th>Total</th>
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<tbody>
<tr>
<td>States, ACT, NT and local government</td>
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<td><strong>AUSTRALIAN TAXATION OFFICE</strong></td>
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<tr>
<td>Non-operating</td>
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<td>Equity Injections</td>
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<tr>
<td></td>
<td>28,639</td>
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<tr>
<td><strong>Total: Australian Taxation Office</strong></td>
<td>-</td>
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