



Appropriation (Parliamentary Departments) Act (No. 1) 2012-2013

No. 80, 2012

**An Act to appropriate money out of the
Consolidated Revenue Fund for expenditure in
relation to the Parliamentary Departments, and for
related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

Contents

Part 1—Preliminary	2
1 Short title	2
2 Commencement	2
3 Definitions	2
4 Portfolio Statements	4
5 Notional payments, receipts etc.	4
Part 2—Appropriation items	5
6 Summary of appropriations	5
7 Departmental items.....	5
8 Administered items.....	5
9 Administered assets and liabilities items	5
10 Other departmental items.....	6
Part 3—Adjusting appropriation items	7
11 Reducing departmental items, administered assets and liabilities items and other departmental items.....	7
12 Reducing administered items.....	7
13 Advance to the responsible Presiding Officer.....	8
Part 4—Miscellaneous	10
14 Crediting amounts to Special Accounts.....	10
15 Appropriation of the Consolidated Revenue Fund	10
Schedule 1—Services for which money is appropriated	11



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[Assented to 28 June 2012]

The Parliament of Australia enacts:

Appropriation (Parliamentary Departments) Act (No. 1) 2012-2013 No. 80, 2012 1

Part 1—Preliminary

1 Short title

This Act may be cited as the *Appropriation (Parliamentary Departments) Act (No. 1) 2012-2013*.

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 1 in relation to a Parliamentary Department opposite the heading “Administered Assets and Liabilities”.

administered item means an amount set out in Schedule 1 opposite an outcome for a Parliamentary Department under the heading “Administered”.

Agency has the same meaning as in the *Financial Management and Accountability Act 1997*.

Note: Each Parliamentary Department is an Agency for the purposes of the *Financial Management and Accountability Act 1997*.

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 2013.

departmental item means the total amount set out in Schedule 1 in relation to a Parliamentary Department under the heading “Departmental”.

Note: The amounts set out opposite outcomes, under the heading “Departmental”, are “notional”. They are not part of the item, and do not in any way restrict the scope of the expenditure authorised by the item.

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 departmental item;
- (b) an administered item;
- (c) an administered assets and liabilities item;
- (d) an other departmental item.

other departmental item means an amount set out in Schedule 1 in relation to a Parliamentary Department opposite the heading “Equity Injections”.

Parliamentary Department means any of the following:

- (a) the Department of the Senate;
- (b) the Department of the House of Representatives;
- (c) the Department of Parliamentary Services;
- (d) the Parliamentary Budget Office.

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 this Act.

Portfolio Statements means the Portfolio Budget Statements.

President means the President of the Senate.

responsible Presiding Officer means:

- (a) in relation to the Department of the Senate—the President; or
- (b) in relation to the Department of the House of Representatives—the Speaker; or
- (c) in relation to the Department of Parliamentary Services—the President and the Speaker together; or
- (d) in relation to the Parliamentary Budget Office—the Parliamentary Budget Officer.

Speaker means the Speaker of the House of Representatives.

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

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 1 is \$174,550,000.

Note 1: Items in Schedule 1 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 Departmental items

The amount specified in a departmental item for a Parliamentary Department may be applied for the departmental expenditure of the Parliamentary Department.

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

8 Administered items

- (1) The amount specified in an administered item for an outcome for a Parliamentary Department 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 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 a Parliamentary Department may be applied for expenditure for

Section 10

the purpose of contributing to achieving any outcome specified in Schedule 1 for the Parliamentary Department.

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 a Parliamentary Department may be applied for the departmental expenditure of the Parliamentary Department.

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

Part 3—Adjusting appropriation items

11 Reducing departmental items, administered assets and liabilities items and other departmental items

- (1) A written request to reduce a departmental item, an administered assets and liabilities item or an other departmental item for a Parliamentary Department may be made to the Finance Minister by the responsible Presiding Officer.
- (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.

12 Reducing administered items

- (1) If:
 - (a) an annual report for a Parliamentary Department for the current year is tabled in the Parliament; and

Section 13

- (b) the report specifies an amount required by the Parliamentary Department in respect of an administered item; 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 Advance to the responsible Presiding Officer

- (1) This section applies if the responsible Presiding Officer is satisfied that there is an urgent need for expenditure in relation to a Parliamentary Department, in the current year, that is not provided for, or is insufficiently provided for, in Schedule 1:
 - (a) because of an erroneous omission or understatement; or
 - (b) because the expenditure was unforeseen until after the last day on which it was practicable to provide for it in the Bill for this Act before that Bill was introduced into the House of Representatives.
- (2) This Act has effect as if Schedule 1 were amended, in accordance with a determination of the responsible Presiding Officer, to make provision for so much (if any) of the additional expenditure as the responsible Presiding Officer determines.
- (3) The total of the amounts determined under subsection (2) for the Department of the Senate cannot be more than \$300,000.

- (4) The total of the amounts determined under subsection (2) for the Department of the House of Representatives cannot be more than \$300,000.
- (5) The total of the amounts determined under subsection (2) for the Department of Parliamentary Services cannot be more than \$1 million.
- (6) A determination made under subsection (2) is a legislative instrument, but neither section 42 (disallowance) nor Part 6 (sunsetting) of the *Legislative Instruments Act 2003* applies to the determination.

Part 4—Miscellaneous

14 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.

15 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—Services for which money is appropriated

Note: See sections 6 and 15.

Abstract

Page		Total
Reference	Department	\$'000
14	Department of the Senate	21,141
15	Department of the House of Representatives	22,691
16	Department of Parliamentary Services	124,635
17	Parliamentary Budget Office	6,083
Total		174,550

APPROPRIATIONS

SUMMARY

Summary of Appropriations (plain figures)—2012-2013
Actual Available Appropriation (italic figures)—2011-2012

Entity	Departmental \$'000	Administered \$'000	Non- operating \$'000	Total \$'000
Department of the Senate	21,141	-	-	21,141
	<i>21,569</i>	-	-	<i>21,569</i>
Department of the House of Representatives	22,691	-	-	22,691
	<i>23,253</i>	-	-	<i>23,253</i>
Department of Parliamentary Services	111,739	-	12,896	124,635
	<i>123,774</i>	-	<i>12,279</i>	<i>136,053</i>
Parliamentary Budget Office	6,083	-	-	6,083
	-	-	-	-
Total: Parliamentary Departments	161,654	-	12,896	174,550
	<i>168,596</i>	-	<i>12,279</i>	<i>180,875</i>

Schedule 1 Services for which money is appropriated

PARLIAMENT

Appropriation (plain figures)—2012-2013
Actual Available Appropriation (italic figures)—2011-2012

	Departmental	Administered	Total
	\$'000	\$'000	\$'000
DEPARTMENT OF THE SENATE			
Operating			
Outcome 1-			
Advisory and administrative support services to	21,141	-	21,141
enable the Senate and Senators to fulfil their	21,569	-	21,569
representative and legislative duties			
Total: Department of the Senate	21,141	-	21,141
	21,569	-	21,569

PARLIAMENT

Appropriation (plain figures)—2012-2013
Actual Available Appropriation (italic figures)—2011-2012

	Departmental \$'000	Administered \$'000	Total \$'000
DEPARTMENT OF THE HOUSE OF REPRESENTATIVES			
Operating			
Outcome 1-			
Advisory and administrative services support	22,691	-	22,691
the House of Representatives to fulfil its	23,253	-	23,253
representative and legislative role			
Total: Department of the House of Representatives	22,691 23,253	- -	22,691 23,253

Schedule 1 Services for which money is appropriated**PARLIAMENT**

Appropriation (plain figures)—2012-2013
Actual Available Appropriation (italic figures)—2011-2012

	Departmental \$'000	Administered \$'000	Total \$'000
DEPARTMENT OF PARLIAMENTARY SERVICES			
Operating			
Outcome 1-			
Occupants of Parliament House are supported by integrated services and facilities, Parliament functions effectively and its work and building are accessible to the public	111,739 <i>123,774</i>	- -	111,739 <i>123,774</i>
Total: Operating	111,739 <i>123,774</i>	- -	111,739 <i>123,774</i>
Non-operating			
Administered Assets and Liabilities			12,896 <i>12,279</i>
Total: Non-operating			12,896 <i>12,279</i>
Total: Department of Parliamentary Services	111,739 <i>123,774</i>	- -	124,635 <i>136,053</i>

PARLIAMENT

Appropriation (plain figures)—2012-2013
Actual Available Appropriation (italic figures)—2011-2012

	Departmental	Administered	Total
	\$'000	\$'000	\$'000
PARLIAMENTARY BUDGET OFFICE			
Operating			
Outcome 1-			
Inform the Parliament by providing independent and non-partisan analysis of the budget cycle, fiscal policy and the financial implications of proposals	6,083	-	6,083
	-	-	-
Total: Parliamentary Budget Office	6,083	-	6,083
	-	-	-

*[Minister's second reading speech made in—
House of Representatives on 8 May 2012
Senate on 21 June 2012]*

(70/12)

18 Appropriation (Parliamentary Departments) Act (No. 1) 2012-2013 No. 80, 2012