

**Supply (Parliamentary Departments) 1996‑97**

**No. 12 of 1996**

**An Act to make interim provision for the appropriation of money out of the Consolidated Revenue Fund for certain expenditure in relation to the Parliamentary Departments in respect of the year ending on 30 June 1997, and for related purposes**

[*Assented to 14 June 1996*]

The Parliament of Australia enacts:

**PART 1 ‑ GENERAL**

**Short title**

**1.** This Act may be cited as the *Supply (Parliamentary Departments) Act 1996‑97.*

**Commencement**

**2.** This Act commences on the day on which it receives the Royal Assent.

**Issue and application of $67 670 000**

**3.** **(1)** The Minister may issue out of the Consolidated Revenue Fund and apply for the services specified in the Schedule, in respect of the year ending on 30 June 1997, the sum of $67 670 000.

**(2)** The Consolidated Revenue Fund is appropriated as necessary for the purposes of subsection (1).

**Additional appropriation in respect of increases in salaries**

**4. (1)** In addition to the sum referred to in section 3 the Minister may, at any time before 1 December 1996, issue out of the Consolidated Revenue Fund for the service of the year ending on 30 June 1997 amounts not exceeding the amounts determined by the President, by the Speaker, or by the President and the Speaker, under subsection (2), (3) or (4) (as the case may be).

1. For the purposes of subsection (1), the President may determine amounts not exceeding the amounts estimated to be necessary for the payment of such increases in salaries, and in payments in the nature of salary, for which provision is made in subdivision 1 of Division 101 in the Schedule, as have become payable or become payable, or have commenced or commence to be paid, after 23 April 1996, under a law, or an award, order or determination made under a law.
2. For the purposes of subsection (1), the Speaker may determine amounts not exceeding the amounts estimated to be necessary for the payment of such increases in salaries, and in payments in the nature of salary, for which provision is made in subdivision 1 of Division 104 in the Schedule, as have become payable or become payable, or have commenced or commence to be paid, after 23 April 1996, under a law, or an award, order or determination made under a law.
3. For the purposes of subsection (1), the President and the Speaker may jointly determine amounts not exceeding the amounts estimated to be necessary for the payment of such increases in salaries, and in payments in the nature of salary, for which provision is made in subdivision 1 of Division 107, subdivision 1 of Division 108, or subdivision 1 of Division 109, in the Schedule, as have become payable or become payable, or have commenced or commence to be paid, after 23 April 1996, under a law, or an award, order or determination made under a law.
4. Amounts issued under subsection (1) may be applied only for the purpose of expenditure in respect of increases referred to in subsection (2), (3) or (4) in salaries and in payments in the nature of salary and the Minister must report the amounts so issued to the Parliament.

**(6)** The Consolidated Revenue Fund is appropriated as necessary for the purposes of this section.

**(7)** In this section:

**"President"** means the President of the Senate.

**"Speaker"** means the Speaker of the House of Representatives.

**Net annotated appropriations**

**5. (1)** If the description of the purpose of an appropriation set out in a subdivision or Division in the Schedule includes the words "(net appropriation — see section 5)", the Schedule is taken, for the purposes of this Act and the *Audit Act 1901,* to provide that any money received by the Parliamentary Department for which the appropriation is made:

1. from the sale, leasing or hiring out of, or other dealing with, goods or personal property; or
2. from the sale of real property used for the purpose of providing staff residential accommodation or from the leasing of real property for that purpose; or
3. from the provision of services; or
4. from a person **("employee")** appointed or employed by, or performing services for, the Commonwealth as payment for any benefit provided (whether to the employee or another person) in respect of the appointment or employment of, or the services performed by, the employee; or
5. from the sub‑leasing of real property, or the resale of goods used in fitting out premises, under a property resource agreement between the Minister and the Presiding Officer or Presiding Officers responsible for that Department;

may be credited to that subdivision or Division, to the extent and on the conditions agreed between the Minister and the Presiding Officer or Presiding Officers.

**(2)** If the Consolidated Revenue Fund is credited with an amount purported to have been paid in respect of:

1. a sale, or other transaction, referred to in paragraph (1)(a), (b) or (e); or
2. the provision of services; or
3. any benefit referred to in paragraph (1)(d);

that amount is taken, for the purposes of subsection (1), to be money received from that sale or other transaction or from the provision of those services or as payment for that benefit (as the case may be), whether or not money has in fact been received in payment of that amount.

**Payments to Departments out of money appropriated for the purposes of certain employment subsidy schemes or programs**

**6. (1)** If:

1. a payment (whether real or notional) is made to a Parliamentary Department out of money appropriated for the purposes of an approved employment subsidy scheme or program; and
2. the payment is an approved payment; and
3. a subdivision or Division in the Schedule appropriates money to that Department for running costs;

the Schedule is taken, for the purposes of this Act and the *Audit Act 1901,* to provide that any money received by the Department by way of such a payment may be credited to that subdivision or Division.

**(2)** If:

1. the Consolidated Revenue Fund is credited with an amount purporting to be a payment to a Parliamentary Department; and
2. that payment is an approved payment;

that amount is taken, for the purposes of subsection (1), to be money received by the Department by way of such a payment, whether or not money has in fact been received in respect of the payment.

**(3)** In this section:

**"approved employment subsidy scheme or program"** means an employment subsidy scheme or program determined by the Minister, under subsection 9(1) of the *Supply Act (No. 1) 1996‑97,* to be an approved employment subsidy scheme or program for the purposes of that Act.

**"approved payment"** means a payment (out of money appropriated for an approved employment subsidy scheme or program) declared by the Minister, under subsection 9(2) of the *Supply Act (No. 1) 1996‑97,* to be an approved payment for the purposes of that Act.

**Advances to President, Speaker or President and Speaker**

**7. (1)** Expenditure in relation to the Senate in excess of specific appropriation may be charged to any subdivision of Division 101 in the Schedule as the President directs but the total expenditure so charged in the year ending on 30 June 1997, after deduction of amounts of repayments, must not at any time exceed the amount appropriated for that year under the head "Advance to the President of the Senate".

1. Expenditure in relation to the House of Representatives in excess of specific appropriation may be charged to any subdivision of Division 104 in the Schedule as the Speaker directs but the total expenditure so charged in the year ending 30 June 1997, after deduction of amounts of repayments, must not at any time exceed the amount appropriated for that year under the head "Advance to the Speaker of the House of Representatives".
2. Expenditure in relation to the Parliamentary Reporting Staff, the Parliamentary Library or the Joint House Department in excess of specific appropriation may be charged to any subdivision of Division 107, 108 or 109 in the Schedule as the President and the Speaker both direct but the total expenditure so charged in the year ending 30 June 1997, after deduction of amounts of repayments, must not at any time exceed the amount appropriated for mat year under the head "Joint Advance to the President and the Speaker".

**Accounting errors etc. may be corrected after close of financial year**

**8.** Section 36 of the *Audit Act 1901* does not prevent the Minister from taking action after 30 June 1997:

1. to correct errors or mispostings in the official accounting records of the Commonwealth for the year ending on that day; or
2. to balance the Consolidated Revenue Fund, the Trust Fund or the Loan Fund;

if the action does not result in an amount being debited from one of those Funds otherwise than for the purpose of being credited to another of those Funds.

Note: Section 36 of the *Audit Act 1901* provides that (except in a particular case provided for in that section) every appropriation out of the Consolidated Revenue Fund for the service of a financial year lapses and ceases to have effect at the end of that year (the unspent balance of any appropriated amount lapsing) and that the accounts of the year are then closed.

**PART 2 ‑ SPECIAL APPLICATION OF ACT**

**Definitions**

**9.** In this Part:

**"Financial Management and Accountability Act"** means the Act to be cited as:

1. the *Financial Management and Accountability Act 1996;* or
2. the *Financial Management and Accountability Act 1997.*

**Application of Part**

**10.** This Part applies if the Financial Management and Accountability Act commences before 30 June 1997.

**Act to have effect subject to modifications**

**11. (1)** This Act has effect after the commencement of the Financial Management and Accountability Act subject to the modifications set out in the following subsections.

**(2)** After section 2 the following section is inserted:

**Interpretation**

"2A. In this Part:

**'Financial Management and Accountability Act'** means:

1. the *Financial Management and Accountability Act 1996;* or
2. the *Financial Management and Accountability Act 1997;*

whichever is in force.".

**(3)** Section 5 is repealed and the following section is substituted:

**Net annotated appropriations**

"5. If:

(a) the description of the purpose of an appropriation set out in a subdivision or Division in the Schedule includes the words "net appropriation — see section 5"; and

(b) there is in force an agreement (entered into under the Financial Management Accountability Act) between:

(i) the Minister; and

(ii) the Presiding Officer or Presiding Officers responsible for the Parliamentary Department for which the appropriation is made;

to the effect that payments to the Commonwealth in consideration for any service, benefit, activity, transaction or other matter specified in the agreement can be added to the amount appropriated to the Department under the subdivision or Division, to the extent and on the conditions set out in the agreement;

the subdivision or Division is taken to specify that those payments (whether real or notional) may be credited to the subdivision or Division to the extent and on the conditions set out in the agreement.".

**(4)** Section 6 is modified:

1. by omitting from subsection (1) all the words from and including "the Schedule" (second occuring) and substituting "the subdivision or Division is taken to specify that the payment may be credited to the subdivision or Division";
2. by omitting subsection (2).

**(5)** After section 6 the following section is inserted:

**Certain amounts taken to be appropriated**

"6A. If a subdivision or Division in the Schedule specifies, or is taken to specify, that payments (whether the word 'payments' or 'money' or any other word is used) of a certain description may be credited to the subdivision or Division:

1. amounts equal to payments (whether real or notional) of that description credited to the Consolidated Revenue Fund during the year ending on 30 June 1997 are taken to have been appropriated for the purpose or services referred to in that subdivision or Division; and
2. the Minister is authorised to issue and apply those amounts accordingly.".

**(6)** Section 8 is repealed and the following section is substituted:

**Consolidated Revenue Fund not to be debited after close of financial year**

"8. (1) An amount appropriated under this Act may not be debited from the Consolidated Revenue Fund after 30 June 1997.

(2) Subsection (1) does not prevent the Minister from taking action after 30 June 1997:

1. to correct errors or mispostings in the financial accounting records of the Commonwealth for the year ending on that day; or
2. to balance the Funds (within the meaning of the Financial Management and Accountability Act);

if the action does not result in an amount being debited from a Fund otherwise than for the purpose of being credited to another Fund.".

**SCHEDULE** Section 3

ABSTRACT

|  |  |  |
| --- | --- | --- |
| Page Reference | Departments and Services | Total |
|  |  | $ |
| 10 | Senate  | 11 600 000 |
| 10 | Advance to the President of the Senate  | 300 000 |
| 11 | Provision for Running Costs Borrowings  | 50 000 |
| 12 | House of Representatives  | 12 162 000 |
| 12 | Advance to the Speaker of the House of Representatives  | 300 000 |
| 13 | Provision for Running Costs Borrowings  | 50 000 |
| 14 | Parliamentary Reporting Staff  | 17 324 000 |
| 14 | Parliamentary Library  | 6 826 000 |
| 14 | Joint House Department  | 17 858 000 |
| 15 | Joint Advance to the President and the Speaker  | 1 000 000 |
| 15 | Provision for Running Costs Borrowings  | 200 000 |
|  | **Total**  | **67 670 000** |

**SUMMARY**

**Supply (Parliamentary Departments) Act — 1996‑97, Heavy figures**

Appropriation — 1995‑96 \*, Light figures

|  |  |  |  |
| --- | --- | --- | --- |
| Division | Running Costs | Other Services | Total |
|  |  | $ | $ | **$** |
| 101 | Senate  | **11 243 000** | **357 000** | **11 600 000** |
|  |  | 23 696 000 | 450 000 | 24 146 000 |
| 104 | House of Representatives  | **11 810 000** | **352 000** | **12 162 000** |
|  |  | 23 669 000 | 448 000 | 24 117 000 |
| 107 | Parliamentary Reporting Staff  | **14 074 000** | **3 250 000** | **17 324 000** |
|  |  | 33 364 000 | 7 572 000 | 40 936 000 |
| 108 | Parliamentary Library  | **6 826 000** | — | **6 826 000** |
|  |  | 16 639 000 | — | 16 639 000 |
| 109 | Joint House Department  | **16 764 000** | **1 094 000** | **17 858 000** |
|  |  | 39 734 000 | 2 548 000 | 42 282 000 |
|  | **Total**  | **60 717 000** | **5 053 000** | **65 770 000** |
|  |  | 137 102 000 | 11 018 000 | 148 120 000 |

\* Includes amounts issued or estimated to be under Division 102 — Advance to the President of the Senate ($300 000), Division 105 — Advance to the Speaker of the House of Representatives ($300 000) and Division 110 — Joint Advance to the President and the Speaker ($1 000 000), Divisions 103, 106 and 111 — Provisions for Running Costs Borrowings and amounts appropriated or estimated to be appropriated under subsection 35(3) of *the Audit Act 1901.*

**SCHEDULE** — *Continued*

|  |  |  |
| --- | --- | --- |
|  | Supply Appropriation 1996‑97 | Appropriation 1995‑96 \* |
| Division 101.—SENATE | $ |  |
| **1.**— **Running Costs (net appropriation — see section 5) (see also section 6)**  | 11 243 000 | 23 696 000 |
| **2.— Other Services**  | 357 000 | 450 000 |
| **Total: Senate**  | **11 600 000** | **24 146 000** |

\* Includes amounts issued or estimated to be issued under Division 102 — Advance to the President of the Senate and Division 103 — Provision for Running Costs Borrowings and amounts appropriated or estimated to be appropriated under subsection 35(3) of the *Audit Act 1901.*

|  |  |  |
| --- | --- | --- |
|  | Supply Appropriation 1996‑97 | Appropriation 1995‑96 \*\* |
|  | $ | $ |
| **ADVANCE TO THE PRESIDENT OF THE SENATE** |  |  |
| Division 102.— ADVANCE TO THE PRESIDENT OF THE SENATE |  |  |
| To enable the President of the Senate to make money available for expenditure: |  |  |
| (a) that the President of the Senate is satisfied is urgently required and: |  |  |
| (i) was unforeseen until after the last day on which it was practicable to include appropriation for that expenditure in the Bill for this Act before the introduction of that Bill into the House of Representatives; or |  |  |
| (ii) was erroneously omitted from, or understated in, the Bill for this Act; and |  |  |
| (b) particulars of which will afterwards be submitted to the Parliament; |  |  |
| being expenditure for the service of the year ending on 30 June1997 in relation to the Senate  | **300 000** | **300 000** |

\*\* Issues and estimated issues of funds from the Advance to the President of the Senate are included in the appropriations to which the relevant amounts have been or will be charged.

**SCHEDULE** — *Continued*

|  |  |  |
| --- | --- | --- |
|  | Supply Appropriation 1996‑97 | Appropriation 1995‑96 \* |
|  | $ | $ |
| **PROVISION FOR RUNNING COSTS BORROWINGS** |  |  |
| Division 103.— PROVISION FOR RUNNING COSTS BORROWINGS |  |  |
| To enable the President to make money available for expenditure: |  |  |
| (a) for the purposes of running costs for which an appropriation has been made under an item, subdivision or Division in this Schedule; and |  |  |
| (b) particulars of which will afterwards be submitted to the Parliament  | **50 000** | **50 000** |

\* Issues and estimated issues of funds from the Provision for Running Costs Borrowings are included in the appropriations to which the relevant amounts have been or will be charged.

**SCHEDULE** — *Continued*

|  |  |  |
| --- | --- | --- |
|  | Supply Appropriation 1996‑97 | Appropriation 1995‑96 \* |
| Division 104.— HOUSE OF REPRESENTATIVES | $ |  |
| **1.— Running Costs (net appropriation — see section 5) (see also section 6)**  | 11 810 000 | 23 669 000 |
| **2.— Other Services**  | 352 000 | 448 000 |
| **Total: House of Representatives**  | **12 162 000** | **24 117 000** |

\* Includes amounts issued or estimated to be issued under Division 105 — Advance to the Speaker of the House of Representatives and Division 106 — Provision for Running Costs Borrowings and amounts appropriated or estimated to be appropriated under subsection 35(3) of the *Audit Act 1901.*

|  |  |  |
| --- | --- | --- |
|  | Supply Appropriation 1996‑97 | Appropriation 1995‑96 \*\* |
|  | $ | $ |
| **ADVANCE TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES** |  |  |
| Division 105 — ADVANCE TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES |  |  |
| To enable the Speaker of the House of Representatives to make money available for expenditure: |  |  |
| (a) that the Speaker of the House of Representatives is satisfied is urgently required and: |  |  |
| (i) was unforeseen until after the last day on which it was practicable to include appropriation for that expenditure in the Bill for this Act before the introduction of that Bill into the House of Representatives; or |  |  |
| (ii) was erroneously omitted from, or understated in, the Bill for this Act; and |  |  |
| (b) particulars of which will afterwards be submitted to the Parliament; |  |  |
| being expenditure for the service of the year ending on 30 June 1997 in relation to the House of Representatives  | **300 000** | **300 000** |

\*\* Issues and estimated issues of funds from the Advance to the Speaker of the House of Representatives are included in the appropriations to which the relevant amounts have been or will be charged.

**SCHEDULE** — *Continued*

|  |  |  |
| --- | --- | --- |
|  | Supply Appropriation 1996‑97 | Appropriation 1995‑96 \* |
|  | $ | $ |
| **PROVISION FOR RUNNING COSTS BORROWINGS** |  |  |
| Division 106.— PROVISION FOR RUNNING COSTS BORROWINGS |  |  |
| To enable the Speaker of the House of Representatives to make money available for expenditure: |  |  |
| (a) for the purposes of running costs for which an appropriation has been made under an item, subdivision or Division in this Schedule; and |  |  |
| (b) particulars of which will afterwards be submitted to theParliament  | **50 000** | **50 000** |

\* Issues and estimated issues of funds from the Provision for Running Costs Borrowings are included in the appropriations to which the relevant amounts have been or will be charged.

**SCHEDULE** — *Continued*

|  |  |  |
| --- | --- | --- |
|  | Supply Appropriation 1996‑97 | Appropriation 1995‑96 \* |
|  | $ | $ |
| Division 107.— PARLIAMENTARY REPORTING STAFF |  |  |
| **1.**— **Running Costs (net appropriation — see section 5) (see also section 6)**  | 14 074 000 | 33 364 000 |
| **2.— Capital expenditure**  | 3 250 000 | 7 572 000 |
| **Total: Parliamentary Reporting Staff**  | **17 324 000** | **40 936 000** |
| Division 108.— PARLIAMENTARY LIBRARY |  |  |
| **1.**— **Running Costs (net appropriation — see section 5) (see also section 6)**  | 6 826 000 | 16 639 000 |
| **Total: Parliamentary Library**  | **6 826 000** | **16 639 000** |
| Division 109.— JOINT HOUSE DEPARTMENT |  |  |
| **1.**— **Running Costs (net appropriation — see section 5) (see also section 6)**  | 16 764 000 | 39 734 000 |
| **2.— Capital expenditure**  | 1 094 000 | 2 548 000 |
| **Total: Joint House Department**  | **17 858 000** | **42 282 000** |

\* Includes amounts issued or estimated to be issued under Division 110 — Joint Advance to the President and the Speaker and Division 111— Provision for Running Costs Borrowings and amounts appropriated or estimated to be appropriated under subsection 35(3) of the *Audit Act 1901.*

**SCHEDULE** — *Continued*

|  |  |  |
| --- | --- | --- |
|  | Supply Appropriation 1996‑97 | Appropriation 1995‑96 \* |
|  | $ | $ |
| **JOINT ADVANCE TO THE PRESIDENT** **AND THE SPEAKER** |  |  |
| Division 110. — JOINT ADVANCE TO THE PRESIDENT AND THE SPEAKER |  |  |
| To enable the President of the Senate and the Speaker of the House of Representatives to make money available for expenditure: |  |  |
| (a) that both are satisfied is urgently required and: |  |  |
| (i) was unforeseen until after the last day on which it was practicable to include appropriation for that expenditure in the Bill for this Act before the introduction of that Bill into the House of Representatives; or |  |  |
| (ii) was erroneously omitted from, or understated in, the Bill for this Act; and |  |  |
| (b) particulars of which will afterwards be submitted to the Parliament; |  |  |
| being expenditure for the service of the year ending on 30 June 1997 in relation to the Parliamentary Reporting Staff, the Parliamentary Library or the Joint House Department  | **1 000 000** | **1 000 000** |
| **PROVISION FOR RUNNING COSTS BORROWINGS** |  |  |
| Division 111.— PROVISION FOR RUNNING COSTS BORROWINGS |  |  |
| To enable the President of the Senate and the Speaker of the House of Representatives to make money available for expenditure: |  |  |
| (a) for the purposes of running costs for which an appropriation has been made under an item, subdivision or Division in this Schedule; and |  |  |
| (b) particulars of which will afterwards be submitted to the Parliament  | **200 000** | **200 000** |

\* Issues and estimated issues of funds from the Joint Advance to the President and the Speaker of the House of Representatives and from the Provision for Running Costs Borrowings are included in the appropriations to which the relevant amounts have been or will be charged.

[*Minister's second reading speech made in*—

*House of Representatives on 8 May 1996*

*Senate on 30 May 1996*]

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