



Appropriation (Coronavirus Economic Response Package) Act (No. 2) 2019-2020

No. 26, 2020

An Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure in relation to the Coronavirus Economic Response, and for related purposes

Note: An electronic version of this Act is available on the Federal Register of Legislation (<https://www.legislation.gov.au/>)

Contents

Part 1—Preliminary	2
1 Short title	2
2 Commencement	2
3 Definitions	2
4 Portfolio statements	4
5 Notional transactions between entities that are part of the Commonwealth	4
Part 2—Appropriation items	5
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 Corporate entity items	6
Part 3—Advance to the Finance Minister	8
12 Advance to the Finance Minister	8
Part 4—Miscellaneous	9
13 Crediting amounts to special accounts	9
14 Appropriation of the Consolidated Revenue Fund	9
15 Repeal of this Act	9
Schedule 1—Services for which money is appropriated	10



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An Act to appropriate additional money out of the Consolidated Revenue Fund for certain expenditure in relation to the Coronavirus Economic Response, and for related purposes

[Assented to 24 March 2020]

The Parliament of Australia enacts:

No. 26, 2020 Appropriation (Coronavirus Economic Response Package) Act (No. 2) 1
2019-2020

Part 1—Preliminary

1 Short title

This Act is the *Appropriation (Coronavirus Economic Response Package) Act (No. 2) 2019-2020*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day this Act receives the Royal Assent.	24 March 2020

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Definitions

In this Act:

administered assets and liabilities item means an amount set out in Schedule 1 in relation to a non-corporate entity opposite the heading “Administered Assets and Liabilities”.

administered item means an amount set out in Schedule 1 opposite an outcome for a non-corporate entity under the heading “New Administered Outcomes”.

corporate entity means:

- (a) a corporate Commonwealth entity within the meaning of the *Public Governance, Performance and Accountability Act 2013*; or
- (b) a Commonwealth company within the meaning of that Act.

corporate entity item means the amount set out in Schedule 1 in relation to a corporate entity under the heading “Non-operating”.

current year means the financial year ending on 30 June 2020.

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 corporate entity item.

non-corporate entity means:

- (a) a non-corporate Commonwealth entity within the meaning of the *Public Governance, Performance and Accountability Act 2013*; or
- (b) the High Court.

other departmental item means an amount set out in Schedule 1 in relation to a non-corporate entity 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) 2019-2020 and the Bill for the *Appropriation Act (No. 4) 2019-2020*.

Portfolio Budget Statements means the Portfolio Budget Statements 2019-20.

portfolio statements means:

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

special account has the same meaning as in the *Public Governance, Performance and Accountability Act 2013*.

State, ACT, NT and local government item means an amount set out in Schedule 1 opposite an outcome for a non-corporate entity under the heading “Payments to States, ACT, NT and local government”.

4 Portfolio statements

The portfolio statements are 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* which provides that the material that may be considered in the interpretation of a provision of an Act includes any document that is declared by the Act to be a relevant document.

5 Notional transactions between entities that are part of the Commonwealth

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

Note: This section applies, for example, to a “payment” between non-corporate entities 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 non-corporate entity, even though no payment is actually made from the Consolidated Revenue Fund. This is consistent with section 76 of the *Public Governance, Performance and Accountability Act 2013*.

Part 2—Appropriation items

6 Summary of appropriations

The total of the items specified in Schedule 1 is \$744,197,000.

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

Note 2: Sections 74 to 75 of the *Public Governance, Performance and Accountability Act 2013* also provide for the adjustment 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 a non-corporate entity 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.
- (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 a non-corporate entity may be applied for expenditure for the purpose of contributing to achieving that outcome.
- (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 non-corporate entity may be applied for expenditure for the purpose of contributing to achieving any outcome specified for the entity:
 - (a) in Schedule 1 to this Act; or
 - (b) in Schedule 1 to the *Appropriation (Coronavirus Economic Response Package) Act (No. 1) 2019-2020*; or
 - (c) in Schedule 1 to the *Appropriation Act (No. 1) 2019-2020*; or
 - (d) in Schedule 1 to the *Supply Act (No. 1) 2019-2020*; or
 - (e) in Schedule 2 to the *Appropriation Act (No. 2) 2019-2020*; or
 - (f) in Schedule 2 to the *Supply Act (No. 2) 2019-2020*; or
 - (g) in Schedule 1 to the *Appropriation Act (No. 3) 2019-2020*; or
 - (h) in Schedule 2 to the *Appropriation Act (No. 4) 2019-2020*.
- (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 non-corporate entity may be applied for the departmental expenditure of the entity.

11 Corporate entity items

- (1) The amount specified in a corporate entity item for a corporate entity may be paid to the entity to be applied for the purposes of the entity.
- (2) If:
 - (a) an Act provides that a corporate entity must be paid amounts that are appropriated by the Parliament for the purposes of the entity; and

(b) Schedule 1 contains a corporate entity item for that entity;
then the entity must be paid the full amount specified in the item.

Part 3—Advance to the Finance Minister

12 Advance to the Finance Minister

- (1) This section applies if the Finance Minister is satisfied that there is an urgent need for expenditure, 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 Finance Minister, to make provision for so much (if any) of the expenditure as the Finance Minister determines.
- (3) The total of the amounts determined under subsection (2) cannot be more than \$1,200 million.
- (4) A determination made under subsection (2) is a legislative instrument, but neither section 42 (disallowance) nor Part 4 of Chapter 3 (sunsetting) of the *Legislation Act 2003* applies to the determination.

Part 4—Miscellaneous

13 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.

14 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 *Public Governance, Performance and Accountability Act 2013*.

15 Repeal of this Act

This Act is repealed at the start of 1 July 2022.

Schedule 1 Services for which money is appropriated

Schedule 1—Services for which money is appropriated

Note: See sections 6 and 14.

Abstract

Portfolio	Total \$'000
Defence	397
Education, Skills and Employment	3,750
Health	740,050
Total	744,197

APPROPRIATIONS

No. 26, 2020 Appropriation (Coronavirus Economic Response Package) Act (No. 2) 11
2019-2020

Schedule 1 Services for which money is appropriated

SUMMARY

Summary of Appropriations (bold figures)—2019-2020
Budget Appropriation (italic figures)—2019-2020

Portfolio	Payments to States, ACT, NT and local government	New Administered Outcomes	Non- operating	Total
	\$'000	\$'000	\$'000	\$'000
Agriculture, Water and the Environment	-	-	-	-
	-	-	546,531	546,531
Attorney-General's	-	-	-	-
	-	-	31,787	31,787
Defence	-	-	397	397
	-	-	4,157,909	4,157,909
Education, Skills and Employment	-	-	3,750	3,750
	96,243	-	36,995	133,238
Finance	-	-	-	-
	-	-	284,373	284,373
Foreign Affairs and Trade	-	-	-	-
	-	-	698,044	698,044
Health	-	-	740,050	740,050
	-	-	380,645	380,645
Home Affairs	-	-	-	-
	-	-	180,429	180,429
Industry, Science, Energy and Resources	-	-	-	-
	-	-	293,922	293,922
Infrastructure, Transport, Regional Development and Communications	-	-	-	-
	528,613	-	3,149,326	3,677,939
Prime Minister and Cabinet	-	-	-	-
	4,779	-	28,452	33,231
Social Services	-	-	-	-
	-	-	140,055	140,055
Treasury	-	-	-	-
	-	-	216,238	216,238
Total:	-	-	744,197	744,197
	629,635	-	10,144,706	10,774,341

DEFENCE PORTFOLIO**SUMMARY****Summary of Appropriations (bold figures)—2019-2020***Budget Appropriation (italic figures)—2019-2020*

Entity	Payments to States, ACT, NT and local government \$'000	New Administered Outcomes \$'000	Non- operating \$'000	Total \$'000
Department of Defence	-	-	-	-
	-	-	3,946,642	3,946,642
Australian Signals Directorate	-	-	-	-
	-	-	173,241	173,241
Department of Veterans' Affairs	-	-	397	397
	-	-	2,780	2,780
<i>Payments to corporate entities:</i>				
Australian War Memorial			-	-
			35,246	35,246
Total: Defence	-	-	397	397
	-	-	4,157,909	4,157,909

Schedule 1 Services for which money is appropriated

DEFENCE PORTFOLIO

Additional Appropriation (bold figures)—2019-2020
Budget Appropriation (italic figures)—2019-2020
 Actual Available Appropriation (light figures)—2018-2019

	Payments to States, ACT, NT and local government	New Administered Outcomes	Total
	\$'000	\$'000	\$'000
DEPARTMENT OF VETERANS' AFFAIRS			
Non-operating			
Equity Injections			397
			<i>2,780</i>
			13,360
Total: Department of Veterans' Affairs	-	-	397

EDUCATION, SKILLS AND EMPLOYMENT PORTFOLIO

SUMMARY

Summary of Appropriations (bold figures)—2019-2020

Budget Appropriation (italic figures)—2019-2020

Entity	Payments to States, ACT, NT and local government	New Administered Outcomes	Non- operating	Total
	\$'000	\$'000	\$'000	\$'000
Department of Education, Skills and Employment	- <i>96,243</i>	-	3,750 <i>33,982</i>	3,750 <i>130,225</i>
Australian Skills Quality Authority	- <i>-</i>	-	- <i>3,013</i>	- <i>3,013</i>
Total: Education, Skills and Employment	- <i>96,243</i>	-	3,750 <i>36,995</i>	3,750 <i>133,238</i>

Schedule 1 Services for which money is appropriated

EDUCATION, SKILLS AND EMPLOYMENT PORTFOLIO

Additional Appropriation (bold figures)—2019-2020
Budget Appropriation (italic figures)—2019-2020
 Actual Available Appropriation (light figures)—2018-2019

	Payments to States, ACT, NT and local government	New Administered Outcomes	Total
	\$'000	\$'000	\$'000
DEPARTMENT OF EDUCATION, SKILLS AND EMPLOYMENT			
Non-operating			
Equity Injections			3,750
			<i>33,982</i>
			<i>9,210</i>
Total: Department of Education, Skills and Employment	-	-	3,750

HEALTH PORTFOLIO**SUMMARY****Summary of Appropriations (bold figures)—2019-2020***Budget Appropriation (italic figures)—2019-2020*

Entity	Payments to States, ACT, NT and local government \$'000	New Administered Outcomes \$'000	Non- operating \$'000	Total \$'000
Department of Health	-	-	740,050	740,050
	-	-	<i>357,120</i>	<i>357,120</i>
<i>Payments to corporate entities:</i>				
Australian Digital Health Agency			-	-
			<i>20,400</i>	<i>20,400</i>
Australian Institute of Health and Welfare			-	-
			<i>1,875</i>	<i>1,875</i>
Australian Sports Anti-Doping Authority	-	-	-	-
	-	-	<i>1,000</i>	<i>1,000</i>
National Health and Medical Research Council	-	-	-	-
	-	-	<i>250</i>	<i>250</i>
Total: Health	-	-	740,050	740,050
	-	-	<i>380,645</i>	<i>380,645</i>

Schedule 1 Services for which money is appropriated

HEALTH PORTFOLIO

Additional Appropriation (bold figures)—2019-2020
Budget Appropriation (italic figures)—2019-2020
 Actual Available Appropriation (light figures)—2018-2019

	Payments to States, ACT, NT and local government	New Administered Outcomes	Total
	\$'000	\$'000	\$'000
DEPARTMENT OF HEALTH			
Non-operating			
Equity Injections			80
			<i>32,120</i>
			<i>19,246</i>
Administered Assets and Liabilities			739,970
			<i>325,000</i>
			<i>120,133</i>
Total: Department of Health	-	-	740,050

*[Minister's second reading speech made in—
House of Representatives on 23 March 2020
Senate on 23 March 2020]*

(47/20)

*No. 26, 2020 Appropriation (Coronavirus Economic Response Package) Act (No. 2) 19
2019-2020*