

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

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:

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Note: This table relates only to the provisions of this Act as originally enacted.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

Note: See sections 6 and 14.

|  |  |
| --- | --- |
| **Abstract** |  |
| Portfolio | Total |
|  | $'000 |
|  |  |
| Defence |  397 |
| Education, Skills and Employment |  3,750 |
| Health |  740,050 |
|  |  |
| **Total** |  **744,197** |

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| **APPROPRIATIONS** |
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|  |
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| **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* |

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| **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 | New Administered Outcomes | Non‑operating | Total |
|  | $'000 | $'000 | $'000 | $'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* |
|  |  |  |  |  |
| *Payments to corporate entities:* |  |  |  |  |
|  |  |  |  |  |
| Australian War Memorial |  |  |  **‑** |  **‑** |
|  |  |  |  *35,246* |  *35,246* |
|  |  |  |  |  |
| **Total: Defence** |  **‑** |  **‑** |  **397** |  **397** |
|  |  *‑* |  *‑* |  *4,157,909* |  *4,157,909* |

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| **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** |
|  |  |  |  *2,780* |
|  |  |  |  13,360 |
|  |  |  |  |
| **Total: Department of Veterans' Affairs** |  **‑** |  **‑** |  **397** |

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| **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  |  **‑** |  **‑** |  **3,750** |  **3,750** |
| Employment |  *96,243* |  *‑* |  *33,982* |  *130,225* |
|  |  |  |  |  |
| Australian Skills Quality Authority |  **‑** |  **‑** |  **‑** |  **‑** |
|  |  *‑* |  *‑* |  *3,013* |  *3,013* |
|  |  |  |  |  |
| **Total: Education, Skills and**  |  **‑** |  **‑** |  **3,750** |  **3,750** |
| **Employment** |  *96,243* |  *‑* |  *36,995* |  *133,238* |

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| **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** |
|  |  |  |  *33,982* |
|  |  |  |  9,210 |
|  |  |  |  |
| **Total: Department of Education, Skills and**  |  **‑** |  **‑** |  **3,750** |
| **Employment** |  |  |  |

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| **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 | New Administered Outcomes | Non‑operating | Total |
|  | $'000 | $'000 | $'000 | $'000 |
|  |  |  |  |  |
| Department of Health |  **‑** |  **‑** |  **740,050** |  **740,050** |
|  |  *‑* |  *‑* |  *357,120* |  *357,120* |
|  |  |  |  |  |
| *Payments to corporate entities:* |  |  |  |  |
|  |  |  |  |  |
| Australian Digital Health Agency |  |  |  **‑** |  **‑** |
|  |  |  |  *20,400* |  *20,400* |
|  |  |  |  |  |
| Australian Institute of Health and  |  |  |  **‑** |  **‑** |
| Welfare |  |  |  *1,875* |  *1,875* |
|  |  |  |  |  |
| Australian Sports Anti‑Doping Authority |  **‑** |  **‑** |  **‑** |  **‑** |
|  |  *‑* |  *‑* |  *1,000* |  *1,000* |
|  |  |  |  |  |
| National Health and Medical Research  |  **‑** |  **‑** |  **‑** |  **‑** |
| Council |  *‑* |  *‑* |  *250* |  *250* |
|  |  |  |  |  |
| **Total: Health** |  **‑** |  **‑** |  **740,050** |  **740,050** |
|  |  *‑* |  *‑* |  *380,645* |  *380,645* |

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| **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** |
|  |  |  |  *32,120* |
|  |  |  |  19,246 |
| Administered Assets and Liabilities |  |  |  **739,970** |
|  |  |  |  *325,000* |
|  |  |  |  120,133 |
|  |  |  |  |
| **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)