**EXPLANATORY STATEMENT**

**Ordinance No. 10, 2016**

Issued by the authority of the Minister for Territories, Local Government and Major Projects

*Norfolk Island Act 1979*

*Norfolk Island Appropriation Amendment (2016 Measures No. 2) Ordinance 2016*

*Authority*

The *Norfolk Island Act 1979* (the Norfolk Island Act) provides for the Government of the Territory of Norfolk Island. It defines the roles, responsibilities and powers of the Governor General, the responsible Commonwealth Minister, the Administrator of Norfolk Island, and the Executive Director of Norfolk Island.

Section 19A of the Norfolk Island Actprovides that the Governor-General may make Ordinances for the peace, order and good government of the Territory of Norfolk Island.

The *Norfolk Island Appropriation Amendment (2016 Measures No. 2) Ordinance 2016* is made under section 19A of the Norfolk Island Act*.*

*Purpose and operation*

The purpose of this Ordinance is to amend the *Norfolk Island Appropriation Ordinance 2015-2016* (the Principal Ordinance) by repealing Schedule 1 of the Principal Ordinance and substituting a new Schedule 1. The amendments to Schedule 1 of the Principal Ordinance provide the Administration of Norfolk Island (the Administration) with the necessary adjustments to appropriation amounts for the remainder of the current financial year.

Subsection 48(1) of the Norfolk Island Actrequires money in the Public Account to only be expended if authorised by appropriation. The Principal Ordinance authorises the Administration to expend money out of the Public Account of Norfolk Island, for the purposes outlined in Schedule 1, consistent with the requirements of subsection 48(1) of the Norfolk Island Act.

*Consultation*

As the outcomes of the Ordinance are largely machinery in nature and are the result of the arrangements introduced by the *Norfolk Island Legislation Amendment Act 2015*, public consultation was not undertaken.

*Statement of compatibility with human rights*

Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011.*

The instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

The instrument does not engage any of the applicable rights or freedoms. It is compatible with human rights as it does not raise any human rights issues.

*Detailed description of the Ordinance*

**Section 1 – Name**

This section provides that the title of the Ordinance is the *Norfolk Island Appropriation Amendment (2016 Measures No. 2) Ordinance 2016*.

**Section 2 – Commencement**

This section provides the whole of the Ordinance commences on the day after the Ordinance is registered.

**Section 3 – Authority**

This section provides that the Ordinance is made under section 19A of the *Norfolk Island Act 1979*.

**Section 4 – Authority for expenditure**

This section provides that each instrument specified in a Schedule to this Ordinance is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Ordinance has effect according to its terms.

The Administration has the authority to expend money from the Public Account of Norfolk Island in accordance with the appropriation amounts in Schedule 1 of this Ordinance from the day after this Ordinance is registered until 30 June 2016.

**Schedule 1 – Appropriations**

Schedule 1 sets out the appropriation amounts and provides for the inclusion of a budget for the period commencing the day after this Ordinance is registered and ending on 30 June 2016. The preparation of an annual budget is a requirement under section 48A of the *Norfolk Island Act 1979* and specifies for what purpose the Administration can expend money.