

[This Bill was formerly Part II of the Fiscal Responsibility Bill, as reported from the Finance and Expenditure Committee.

[AS REPORTED FROM THE FINANCE AND EXPENDITURE
COMMITTEE]

House of Representatives, 26 May 1994.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]

House of Representatives, 21 June 1994.

Words struck out are shown in italics within double bold round brackets; words inserted are shown in roman underlined with a double rule.

Rt. Hon. W. F. Birch

PUBLIC FINANCE AMENDMENT

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A BILL INTITULED

An Act to amend the Public Finance Act 1989

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Public Finance Amendment Act 1994, and shall be read together with and deemed part of the Public Finance Act 1989 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of July 1994.

[Part I of the Fiscal Responsibility Bill, as reported from the Finance and Expenditure Committee, is now the Fiscal Responsibility Bill, as reported from the Committee of the whole House.]

17. Commencement of principal Act—Section 1 of the principal Act (as amended by section 2 of the Public Finance Amendment Act 1991) is hereby amended by repealing subsections (3) and (3A).

Struck Out

18. Interpretation—(1) Section 2 (1) of the principal Act is hereby amended by adding to the definition of the term “Crown entity” (as inserted by section 3 (7) of the Public Finance Amendment Act 1992) the following paragraph:

5 “(d) Means any company where other Crown entities directly or indirectly own, or control the exercise of, more than 50 percent of the voting rights attaching to the equity share capital (as defined in section 158 of the Companies Act 1955) of the company:”

10 (2) The said section 2 (1) is hereby further amended by omitting from the definition of the term “Estimates” the word “expenses” (as substituted by section 3 (8) of the Public Finance Amendment Act 1992), and substituting the words “expenses or liabilities”.

15 (3) The said section 2 (1) is hereby further amended by inserting, after the definition of the term “Government”, the following definition:

20 “‘Liability’ means, in relation to a payment on behalf of the Crown, a liability measured in accrual accounting terms:”.

(4) The said section 2 (1) is hereby further amended by repealing paragraph (c) of the definition of the term “Mode B” (as substituted by section 3 (14) of the Public Finance Amendment Act 1992), and substituting the following paragraph:

25 “(c) In the case of payments on behalf of the Crown, an appropriation for the liabilities to be incurred for the making of such payments:”.

30 (5) The said section 2 (1) is hereby further amended by repealing paragraph (c) of the definition of the term “Mode C” (as substituted by section 3 (16) of the Public Finance Amendment Act 1992), and substituting the following paragraph:

35 “(c) In the case of payments on behalf of the Crown, an appropriation for the liabilities to be incurred for the making of such payments:”.

(6) The said section 2 (1) is hereby further amended by repealing the definition of the term “Payment on behalf of the Crown” (as inserted by section 3 (20) of the Public Finance

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Struck Out

Amendment Act 1992), and substituting the following definition:

- “ ‘Payment on behalf of the Crown’ means a liability incurred on behalf of the Crown for— 5
- “ (a) Any class of outputs to be supplied by another person (other than an Office of Parliament);
- “ (b) Any category of benefits or other unrequited transfer payments;
- “ (c) The purchase or development of capital assets: 10
- “ (d) Any capital investment in another organisation (other than an Office of Parliament);
- “ (e) The making of any interest or other payments in respect of any loan or under any public security, including any guarantee or indemnity given under section 59 of this Act:” 15

(7) The said section 2 (1) is hereby further amended by inserting, after the definition of the term “subsidiary” (as inserted by section 3 (25) of the Public Finance Amendment Act 1992), the following definition: 20

- “ ‘Supplementary Estimates’—
- “ (a) Means Estimates that are supplementary to Estimates relating to the same financial year; and
- “ (b) Includes Estimates that are supplementary to Estimates that are Supplementary Estimates by virtue of paragraph (a) of this definition:” 25

(8) The said section 2 (1) is hereby further amended by repealing the definition of the term “Vote” (as amended by section 3 (26) of the Public Finance Amendment Act 1992), and substituting the following definition: 30

- “ ‘Vote’ means a grouping of one or more appropriations for—
- “ (a) Classes of outputs to be supplied by departments; or
- “ (b) Categories of other expenses; or 35
- “ (c) Capital contributions; or
- “ (d) Payments on behalf of the Crown,—

which are the responsibility of one Minister of the Crown and which are administered by one department.”

(9) Section 2 of the principal Act is hereby amended by inserting, after subsection (1B) (as inserted by section 3 (27) of 40

Struck Out

the Public Finance Amendment Act 1992), the following subsection:

5 “(1c) Where any company is a Crown entity by virtue of paragraph (d) of the definition of the term ‘Crown entity’ in subsection (1) of this section, that company shall, so long as the other Crown entities referred to in that paragraph in relation to that company continue to be Crown entities, be deemed to be named or described in the same Schedules to this Act as those
10 other Crown entities.”

(10) Section 3 of the Public Finance Amendment Act 1992 is hereby consequentially amended by repealing subsections (8), (14), (16), (20), and (26).

15 (11) Subsection (7) of this section shall come into force on the 1st day of July 1995.

New

18. Interpretation—(1) The principal Act is hereby amended by repealing section 2, and substituting the following section:

20 “2. (1) In this Act, unless the context otherwise requires,—
“‘Annual financial statements of the Crown’ means the annual financial statements of the Crown prepared under section 27 of this Act:
25 “‘Audit Office’ has the same meaning as in section 14 of the Public Finance Act 1977:
“‘Bank’, in relation to a bank operating within New Zealand, means the Reserve Bank of New Zealand or a registered bank under the Reserve Bank of New Zealand Act 1989:
30 “‘Benefit’ means an amount of public money provided by the Crown for the benefit of some person:
“‘Borrowing expenses’ means any interest or other financing expenses in respect of any loan or under any public security, including any guarantee or
35 indemnity given under any Act:
“‘Capital contribution’ means—
“(a) The amount of money to be provided to increase the Crown’s net asset holding in a department or Office of Parliament:

New

- “(b) The liability to be incurred by the Crown for any capital investment by way of equity or loan in another person or organisation (other than an Office of Parliament): 5
- “ ‘Chief Executive’ means,—
- “(a) In the case of a department, the head of the department and includes a Chief Executive appointed under the State Sector Act 1988:
- “(b) In the case of a Crown entity, the chief executive officer of the Crown entity: 10
- “(c) In the case of an Office of Parliament, the head of the Office concerned:
- “ ‘Class of outputs’ or ‘class’ means a grouping of similar outputs: 15
- “ ‘Commitment’ means future expenses and liabilities to be incurred on contracts that have been entered into at balance date:
- “ ‘Company’ means a company within the meaning of the Companies Act 1955, or the Companies Act 1993, as the case may be: 20
- “ ‘Contingent liability’, in relation to any person,—
- “(a) Means a liability that, by reason of something done by a person, will necessarily arise or come into being in relation to that person if one or more certain events occur or do not occur; but 25
- “(b) Does not include a liability, or category of liabilities, described in the Third Schedule to this Act:
- “ ‘Cost’ means the full cost of producing outputs measured in accrual accounting terms; and includes the full allocation of overhead and non-cash costs: 30
- “ ‘Crown’ or ‘Her Majesty’—
- “(a) Means Her Majesty the Queen in right of New Zealand; and
- “(b) Includes all Ministers of the Crown and all departments; but 35
- “(c) Does not include—
- “(i) An Office of Parliament; or
- “(ii) A Crown entity; or
- “(iii) A State enterprise named in the First Schedule to the State-Owned Enterprises Act 1986: 40

New

“ ‘Crown Bank Account’ means a bank account established under section 18 of this Act:

“ ‘Crown entity’—

5 “(a) Means a body or statutory officer named or described in the Fourth Schedule to this Act; and

“(b) Where a body named or described in the Fourth Schedule to this Act is a company, includes any subsidiary of that body; and

10 “(c) Where a body or statutory officer or trust named or described in the Fourth Schedule to this Act is a member of a company that would, if that body or statutory officer or trust were a company, be a subsidiary of that body or statutory officer or trust, includes that company and every subsidiary of that company; and

15 “(d) Means—

20 “(i) Any company where other Crown entities directly or indirectly own, or control the exercise of, more than 50 percent of the voting rights attaching to the equity share capital (as defined in section 158 of the Companies Act 1955) of the company; or

25 “(ii) Any company where other Crown entities are in a position to exercise, or control the exercise of, more than one-half the maximum number of votes that can be exercised at a meeting of the company; or

30 “(iii) Any company where other Crown entities hold more than one-half of the issued shares of the company, other than shares that carry no right to participate beyond a specified amount in a distribution of either profits or capital:

35 “ ‘Crown entity group’ means a group comprising a Crown entity and its subsidiaries and any companies or subsidiaries of companies that are Crown entities by virtue of paragraph (c) of the definition of the term ‘Crown entity’:

40 “ ‘Department’ means any department or instrument of the Government, or any branch or division thereof; but does not include a body corporate or other legal

New

entity that has the power to contract, or an Office of Parliament, or the Public Trust Office, or the Export Guarantee Office:

- “ ‘Departmental Bank Account’ means a bank account established under section 19 of this Act: 5
- “ ‘Departmental revenue’ means revenue generated by a department or an Office of Parliament resulting from the supply by the department or Office of goods, services, rights, or money to other parties, including the Crown: 10
- “ ‘Estimates’ means a statement of the proposed expenses and liabilities to be incurred by the Crown or the Crown’s proposed expenditure of public money prepared in accordance with **section 9** of this Act: 15
- “ ‘Expenses’ means expenses measured in accordance with generally accepted accounting practice; and includes costs:
- “ ‘Financial year’ means a period of 12 months commencing on the 1st day of July and ending with the 30th day of June: 20
- “ ‘Generally accepted accounting practice’ means—
- “(a) Approved financial reporting standards (within the meaning of section 2 of the Financial Reporting Act 1993) so far as those standards apply to the Crown or the department or the Office of Parliament or the Crown entity, as the case may be: 25
- “(b) In relation to matters for which no provision is made in approved financial reporting standards (within the meaning of section 2 of the Financial Reporting Act 1993) and which are not subject to any applicable rule of law, accounting policies that— 30
- “(i) Are appropriate in relation to the Crown or the department or the Office of Parliament or the Crown entity, as the case may be; and 35
- “(ii) Have authoritative support within the accounting profession in New Zealand:
- “ ‘Government’ means the Executive Government of New Zealand: 40

New

- “‘Liability’ means, in relation to appropriation, a liability measured in accordance with generally accepted accounting practice:
- 5 “‘Local authority’ means a local authority within the meaning of the Local Government Act 1974, whether by virtue of section 2 (1) of that Act or any other Act; and includes all persons or organisations, or classes of persons or organisations, that by any Act, or by the
- 10 Governor-General by Order in Council, are from time to time declared to be local authorities for the purposes of this Act:
- “‘Minister’ means the Minister of Finance or any member of the Executive Council acting on behalf of the
- 15 Minister of Finance:
- “‘Mode B’ means an appropriation for the costs to be incurred by a department or Office of Parliament in the supply of a specified class of outputs:
- 20 “‘Mode C’ means an appropriation for the expenses to be incurred on a specified class of outputs produced by a department and purchased by the Crown or by another person:
- “‘Office of Parliament’ means the Parliamentary Commissioner for the Environment (and that Commissioner’s office), the Office of Ombudsmen, and the Audit Office (including the Audit
- 25 Department):
- “‘Operating surplus’ means the amount by which departmental revenue exceeds the expenses of a
- 30 department:
- “‘Other expenses’ means—
- “‘(a) Any expenses incurred by a department or Office of Parliament other than as costs; and
- 35 “‘(b) Any expenses incurred by the Crown (other than by a department or Office of Parliament) by disposing of or extinguishing an asset for less than fair market value; and
- “‘(c) Any expenses incurred by the Crown (other than by a department or Office of Parliament), other than expenses to which **paragraph (a)** or **paragraph (b)** or **paragraph (c)** of **section 4 (3)** of this Act applies, which
- 40 result directly in the expenditure of public money:

New

- “ ‘Outcomes’ means the impacts on, or the consequences for, the community of the outputs or activities of the Government: 5
- “ ‘Outputs’ means the goods or services that are produced by a department, Crown entity, Office of Parliament, or other person or body: 5
- “ ‘Public money’ means all money received by the Crown, including the proceeds of all loans raised on behalf of the Crown, and any other money that the Minister or the Secretary directs to be paid into a Crown Bank Account or Departmental Bank Account and any money held by an Office of Parliament; but does not include money held in trust as trust money or money received and held by Crown entities: 10
- “ ‘Public security’ means any security issued under section 53 of this Act or any provision of any other Act; and includes any loan or credit agreement, guarantee, indemnity, bond, note, debenture, bill of exchange, Treasury bill, Government stock, and any other security representing part of the public debt of New Zealand: 15
- “ ‘Raising a loan’ includes— 20
- “(a) Borrowing: 25
- “(b) Entering into hire purchase agreements: 25
- “(c) Entering into financing lease arrangements: 25
- “(d) Accepting debt on assignment from other persons: 25
- “ ‘Responsible Minister’ means,— 30
- “(a) In relation to a department, the Minister or Ministers for the time being responsible for the financial performance of the department: 30
- “(b) In relation to a Crown entity in respect of which there are shareholding Ministers, those shareholding Ministers: 35
- “(c) In relation to a Crown entity (other than one of the kind described in paragraph (b) of this definition), the Minister or Ministers for the time being responsible for the financial performance of the Crown entity: 40
- “(d) In relation to an Office of Parliament, the Speaker: 40

New

- “ ‘Secretary’ means the Secretary to the Treasury, being the Chief Executive of the Treasury:
- 5 “ ‘Speaker’ means—
- “(a) The Speaker of the House of Representatives; or
- “(b) On the dissolution or expiration of Parliament until the first meeting of the new Parliament, the person holding the office of Speaker of the House of Representatives at the time of the dissolution or expiration, or, if there was at that time a vacancy in the office of Speaker of the House of Representatives or if the person holding that office at that time dies, the person holding the office of ((*Chairman of Committees*)) Deputy Speaker at the time of the dissolution or expiration:
- 10 “ ‘Subsidiary’ has the same meaning as in sections 158 and 158A of the Companies Act 1955 or sections 5 and 6 of the Companies Act 1993, as the case may require:
- 15 “ ‘Supplementary Estimates’, in relation to a financial year,—
- “(a) Means Estimates that are supplementary to Estimates relating to the same financial year; and
- “(b) Includes Estimates that are supplementary to Estimates that are Supplementary Estimates by virtue of **paragraph (a)** of this definition:
- 20 “ ‘Trading revenue’ means departmental revenue, other than revenue generated in circumstances where—
- “(a) The department has a statutory right to be the sole supplier of the goods, services, rights, or money; and
- “(b) There are no independently competing sources of supply for the goods, services, rights, or money within the department:
- 25 “ ‘Treasury’ means the department of that name and, in relation to any particular function, duty, or power, means the Secretary; and includes any person for the time being authorised, by the Secretary or otherwise, to exercise that function, duty, or power:
- 30 “ ‘Treasury instructions’ means Treasury instructions issued under section 80 of this Act:
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New

“ ‘Trust Bank Account’ means a Trust Bank Account established under Part VII of this Act:	
“ ‘Trust money’ means trust money within the meaning of section 66 (1) of this Act:	5
“ ‘Vote’ means a grouping of one or more appropriations for—	
“(a) Classes of outputs; or	
“(b) Categories of benefits or other unrequited expenses; or	10
“(c) Categories of borrowing expenses; or	
“(d) Categories of other expenses; or	
“(e) Capital contributions; or	
“(f) Purchase or development of assets by the Crown; or	15
“(g) Repayment of debt,—	
which are the responsibility of one Minister of the Crown and which are administered by one department.	
“(2) Where any subsidiary of a company is a Crown entity by virtue of paragraph (b) of the definition of the term ‘Crown entity’ in subsection (1) of this section, that subsidiary shall, so long as that company continues to be a Crown entity, be deemed to be named or described in the same Schedules to this Act as that company.	20
“(3) Where any company or subsidiary of a company is a Crown entity by virtue of paragraph (c) of the definition of the term ‘Crown entity’ in subsection (1) of this section, that company or subsidiary of a company shall, so long as the body or statutory officer or trust referred to in that paragraph in relation to that company or subsidiary of a company continues to be a Crown entity, be deemed to be named or described in the same Schedules to this Act as that body or statutory officer or trust.	25
“(4) Where any company is a Crown entity by virtue of paragraph (d) of the definition of the term ‘Crown entity’ in subsection (1) of this section, that company shall, so long as the other Crown entities referred to in that paragraph in relation to that company continue to be Crown entities, be deemed to be named or described in the same Schedules to this Act as those other Crown entities.	30
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New

5 “(5) Notwithstanding any other provisions of this Act, where this Act provides that a power may be exercised by both the Minister and the Secretary, the power may be exercised by the Secretary only in so far as the Minister has not otherwise directed.”

(2) The following enactments are hereby consequentially repealed:

- 10 (a) Section 3AA of the principal Act (as inserted by section 48 (2) of the Financial Reporting Act 1993):
- (b) So much of the First Schedule to the State Insurance Act 1990 as relates to the principal Act:
- (c) Section 11 of the Export Guarantee Amendment Act (No. 2) 1990:
- 15 (d) Section 3 of the Public Finance Amendment Act 1992:
- (e) So much of the Sixth Schedule to the Privacy Act 1993 as relates to the principal Act:
- (f) Subsections (1) and (2) of section 48 of the Financial Reporting Act 1993.

20 **19. Power to amend Fourth, Fifth, Sixth, and Seventh Schedules by Order in Council**—Section 3A (1) (a) of the principal Act (as inserted by section 4 of the Public Finance Amendment Act 1992) is hereby amended by repealing subparagraph (i), and substituting the following subparagraph:

25 “(i) The name of any body established by a public Act of Parliament or by an Order in Council made under a public Act of Parliament.”

Struck Out

30 **20. Appropriation required**—(1) Section 4 of the principal Act is hereby amended by inserting, after subsection (2) (as substituted by section 5 (1) of the Public Finance Amendment Act 1992), the following subsection:

35 “(2A) No liability in relation to a payment on behalf of the Crown shall be incurred except pursuant to an appropriation by Act of Parliament.”

(2) Section 4 of the principal Act is hereby amended by repealing subsection (3) (as substituted by section 5 (1) of the

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Public Finance Amendment Act 1992), and substituting the following subsection:

- “(3) A separate appropriation shall be made for—
- “(a) Each class of outputs contained in the Estimates in accordance with section 9 (2) (g) of this Act; and
- “(b) Each category of other expenses contained in the Estimates in accordance with section 9 (2) (h) of this Act; and
- “(c) Each capital contribution contained in the Estimates in accordance with section 9 (2) (i) of this Act; and
- “(d) Each payment on behalf of the Crown contained in the Estimates in accordance with section 9 (2) (j) of this Act.”

(3) Section 4 of the principal Act is hereby further amended by omitting from subsections (4) to (6) the word “expenses” (as substituted by section 5 (2) of the Public Finance Amendment Act 1992) wherever it occurs, and substituting in each case the words “expenses or liabilities”.

(4) Subsections (2) and (3) of section 5 of the Public Finance Amendment Act 1992 are hereby consequentially repealed.

(5) **Subsection (2)** of this section shall come into force on the 1st day of July 1995.

New

20. Appropriation required—(1) The principal Act is hereby amended by repealing section 4 (as amended by section 5 (1) of the Public Finance Amendment Act 1992), and substituting the following section:

“4. (1) No expenditure of public money shall be made other than in accordance with an appropriation by an Act of Parliament.

“(2) No expense or liability shall be incurred by the Crown in relation to any transaction for which expenses or liabilities are required to be appropriated under **subsection (3)** of this section other than in accordance with an appropriation by Act of Parliament.

“(3) A separate appropriation shall be made for—

New

- “(a) Each class of outputs contained in the Estimates in accordance with **section 9 (2A) (c)** or **section 9 (2A) (d)** of this Act; and
- 5 “(b) Each category of benefits or other unrequited expenses contained in the Estimates in accordance with **section 9 (2A) (g)** of this Act; and
- “(c) Each category of borrowing expenses contained in the Estimates in accordance with **section 9 (2A) (h)** of this Act; and
- 10 “(d) Each category of other expenses contained in the Estimates in accordance with **section 9 (2A) (i)** of this Act; and
- “(e) Each capital contribution contained in the Estimates in accordance with **section 9 (2A) (j)** of this Act; and
- 15 “(f) Each purchase or development of capital assets contained in the Estimates in accordance with **section 9 (2A) (k)** of this Act; and
- “(g) Each repayment of debt contained in the Estimates in accordance with **section 9 (2A) (l)** of this Act.
- 20 “(4) Any money or expenses or liabilities appropriated under **subsection (3)** of this section may be incurred only in relation to that appropriation and for no other purpose.
- “**(5)** The authority to expend cash or incur expenses or liabilities under an Appropriation Act shall lapse at the end of the financial year to which that Act relates.
- 25 “**(6)** Notwithstanding **subsection (5)** of this section, where an Appropriation Act stipulates that the authority to expend cash or to incur expenses or liabilities is to apply for more than one financial year, that authority shall lapse at the end of the period specified in that Act:
- 30 “Provided that no such authority shall be for more than 5 financial years.”
- (2) Section 5 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.
- 35

Struck Out

21. Transfer of resources between classes of outputs—
Section 5 (1) of the principal Act (as substituted by section 6 of the Public Finance Amendment Act 1992) is hereby amended

Struck Out

by repealing paragraph (b), and substituting the following paragraph:

“(b) No other transfer under this section to that class of outputs has occurred during that financial year; and”.

New

21. Transfer of resources between classes of outputs— Section 5 of the principal Act (as substituted by section 6 of the Public Finance Amendment Act 1992) is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) Notwithstanding section 4 of this Act, the Governor-General may from time to time, by Order in Council, direct that an amount appropriated in a Vote for a specified class of outputs in that Vote be transferred to another class of outputs in that Vote where—

“(a) The amount transferred does not increase an appropriation for a financial year for a class of outputs by more than 5 percent; and

“(b) No other transfer under this section to that class of outputs has occurred during that financial year; and

“(c) The total amount appropriated for that financial year for all classes of outputs in that Vote is unaltered.”

22. Votes and appropriation Modes—(1) The principal Act is hereby amended by repealing section 7 (as substituted by section 7 of the Public Finance Amendment Act 1992), and substituting the following section:

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“7. (1) All payments of money to be made and all expenses or liabilities to be incurred in any financial year under an Appropriation Act shall be allocated to a class of outputs, a category of other expenses, a capital contribution, or a payment on behalf of the Crown, within a Vote specified in the Appropriation Act.

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5 “(2) An Appropriation Act shall classify each class of outputs, each category of other expenses, each capital contribution, and each payment on behalf of the Crown into one of the following modes:
“(a) Mode A:
“(b) Mode B:
“(c) Mode C.

New

10 “7. (1) All expenses or liabilities to be incurred and all payments of money to be made in any financial year under an Appropriation Act shall be allocated to one of the types of appropriation specified in section 4 (3) of this Act within a vote specified in the Appropriation Act.

15 “(2) An Appropriation Act shall classify each appropriation for a class of outputs to be supplied by a department or Office of Parliament into one of the following modes:
“(a) Mode B:
“(b) Mode C.

20 “(3) No change from one mode to *(another)* the other may be made except by an Act of Parliament.”

(2) Section 7 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

Struck Out

25 **23. Accounting for payments or expenses or liabilities appropriated other than by an Appropriation Act—**
(1) Section 8 of the principal Act is hereby amended by omitting the word “expense” (as substituted by section 8 of the Public Finance Amendment Act 1992) in both places where it
30 occurs, and substituting in each case the words “expense or liability”.

New

23. Expenses or liabilities or payments appropriated other than by an Appropriation Act—(1) The principal Act is hereby amended by repealing section 8 (as amended by section 8 of the Public Finance Amendment Act 1992), and substituting the following section: 5

“8. (1) Each appropriation other than by an Appropriation Act shall be deemed to be an appropriation of one of the types specified in section 4 (3) of this Act.

“(2) Each expense or liability incurred or each payment to be made in respect of any appropriation other than by an Appropriation Act shall be managed and accounted for in the same manner as are expenses or liabilities incurred or payments made under an Appropriation Act.” 10

(2) Section 8 of the Public Finance Amendment Act 1992 is hereby consequentially repealed. 15

Struck Out

24. Estimates—Section 9 (6) of the principal Act is hereby repealed.

New

24. Estimates—(1) Section 9 of the principal Act is hereby amended by repealing subsections (1) and (2) (as amended by section 9 (1) of the Public Finance Amendment Act 1992), and substituting the following subsections: 20

“(1) The Minister shall for each financial year, after the introduction of the first Appropriation Bill relating to that financial year, but on the day of the introduction of that Bill, lay before the House of Representatives the Estimates for that financial year setting out the amounts to be charged to each appropriation within each Vote. 25

“(2) Subject to subsection (2A) of this section, the Estimates shall include such information as the Minister thinks necessary. 30

“(2A) The Estimates shall, in relation to each Vote,—

“(a) Identify the Minister of the Crown responsible for the Vote and state whether that Minister is also the 35

New

- Responsible Minister for the department or Office of Parliament administering the Vote:
- 5 “(b) Identify the department or Office of Parliament administering the Vote:
- “ (c) Identify, for each class of outputs to be supplied by the department or Office of Parliament, the proposed costs or expenses to be incurred and the Mode applicable to the class:
- 10 “(d) Identify, for each class of outputs to be purchased by the Crown from another person (other than an Office of Parliament), the proposed expenses to be incurred:
- “ (e) Include a description of each class of outputs to be purchased by the Crown:
- 15 “(f) Identify the link between the classes of outputs to be purchased by the Crown and the Government’s desired outcomes:
- “ (g) Identify the proposed expenses to be incurred for each category of benefits or other unrequited expenses:
- 20 “(h) Identify the proposed expenses to be incurred for each category of borrowing expenses:
- “ (i) Identify the proposed expenses to be incurred for each category of other expenses to be incurred—
- 25 “(i) By the department or Office of Parliament; and
- “ (ii) By the Crown (other than by the department or Office of Parliament):
- “ (j) Identify for each capital contribution,—
- 30 “(i) The amount of any increase to be made in the Crown’s net asset holding in the department or Office of Parliament; or
- “ (ii) The proposed liability to be incurred by the Crown for any capital investment by way of equity or loan in another person or organisation (other than an Office of Parliament):
- 35 “(k) Identify the proposed liability to be incurred for the purchase or development of capital assets by the Crown (other than by a department or Office of Parliament):
- 40 “(l) Identify the amount of debt to be repaid by the Crown:

New

- “(m) Identify the intended purpose of each appropriation, other than appropriations for classes of outputs to be purchased by the Crown:
- “(n) Include comparative budgeted and estimated actual figures for the previous appropriation period for each of the items specified in paragraphs (c) and (d) and (g) to (l) of this subsection.” 5
- (2) Section 9 (2A) of the principal Act (as substituted by subsection (1) of this section) is hereby amended by adding the following paragraphs: 10
- “(o) Include budgeted figures for the financial year, comparative budgeted and estimated actual figures for the previous financial year, and comparative actual figures for each of the 4 financial years before the previous financial year, for— 15
- “(i) Total expenses incurred in relation to classes of outputs; and
- “(ii) Total benefits and other unrequited expenses; and 20
- “(iii) Total borrowing expenses; and
- “(iv) Total other expenses; and
- “(v) Total capital contributions; and
- “(vi) Total liabilities incurred for the purchase or development of capital assets by the Crown (other than by the department or Office of Parliament); and 25
- “(vii) Total debt repaid by the Crown; and
- “(viii) Total Crown revenue:
- “(p) Include a statement of the estimated net worth at the start of the financial year and the forecast net worth at the end of that financial year of— 30
- “(i) The department or Office of Parliament, where the Minister responsible for the Vote is also the Responsible Minister for that department or Office of Parliament; and 35
- “(ii) The Crown’s interest in each Crown entity or in each group of similar Crown entities or in each Crown entity group for which the Minister responsible for the Vote is also the Responsible Minister and in each State enterprise named in the First Schedule to the State-Owned Enterprises Act 40

New

1986 for which the Minister responsible for the Vote is also the responsible Minister under that Act.”

(3) Section 9 (3) of the principal Act is hereby repealed.

5 (4) Section 9 of the principal Act is hereby further amended by repealing subsections (4) to (7), and substituting the following subsection:

10 “(4) The Estimates shall include any expense or liability to be incurred and any payment to be made in respect of any appropriation other than by an Appropriation Act and shall state the legislative authority for each such expense, liability, or payment.”

(5) Section 9 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

15 (6) Notwithstanding subsections (2) and (3) of this section, section 9 of the principal Act shall have effect in relation to the financial year commencing on the 1st day of July 1994 as if those subsections had not been enacted.

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20 **25. New sections substituted**—(1) The principal Act is hereby amended by repealing section 9 (as amended by section 24 of this Act) and section 9A (as inserted by section 10 of the Public Finance Amendment Act 1992), and substituting the following sections:

25 “9. **Estimates**—(1) The Minister shall in each financial year, on the day on which the first Appropriation Bill relating to that financial year is introduced and after the delivery of the Financial Statement, lay before the House of Representatives the Estimates for that financial year setting out the amounts to be charged to each Vote.

30 “(2) The Estimates shall include the following information in respect of each Vote:

35 “(a) The Minister of the Crown responsible for the Vote (with information stating whether or not that Minister is also the Responsible Minister for the department or Office of Parliament administering the Vote);

“(b) The department or Office of Parliament administering the Vote:

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- “(c) The Responsible Minister for the department or Office of Parliament administering the Vote where the Minister is not the Minister responsible for the Vote: 5
- “(d) The Mode or Modes applicable to the Vote: 5
- “(e) A description of each class of outputs to be purchased by the Crown:
- “(f) The intended purpose of each appropriation, other than appropriations for classes of outputs to be purchased by the Crown: 10
- “(g) For each class of outputs to be supplied by the department or Office of Parliament, the proposed costs to be incurred or the expenditure of money to be made, however they may be appropriated: 10
- “(h) The amount of each category of other expenses to be incurred by the department or Office of Parliament, however it may be appropriated: 15
- “(i) The amount of any increase to be made in the Crown’s net asset holding in the department or Office of Parliament, or the value of capital assets to be purchased or developed, however it may be appropriated: 20
- “(j) The amount of each payment on behalf of the Crown, however it may be appropriated:
- “(k) Comparative budgeted and estimated actual figures for the previous appropriation period for each of the items specified in paragraphs (g) to (j) of this subsection: 25
- “(l) The link between the classes of outputs to be purchased by the Crown and the Government’s desired outcomes: 30
- “(m) Budgeted figures for the financial year, comparative budgeted and estimated actual figures for the previous financial year, and comparative actual figures for each of the 4 financial years before the previous financial year, for total departmental revenue from the Crown, total other expenses, capital contributions to the department, capital withdrawals from the department, total payments on behalf of the Crown, and total revenue on behalf of the Crown: 35 40

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“(n) A statement of the estimated net worth at the start of the financial year and the forecast net worth at the end of that financial year of—

5 “(i) The department or Office of Parliament administering the Vote, where the Minister responsible for the Vote is also the Responsible Minister for that department or Office of Parliament; and

10 “(ii) The Crown’s interest in each Crown entity for which the Minister responsible for the Vote is the Responsible Minister and in each State enterprise named in the First Schedule to the State-Owned Enterprises Act 1986 for which the Minister responsible for the Vote is the responsible Minister under that Act.

15 “(3) The Estimates shall state the legislative authority for any expense or liability to be incurred or expenditure to be made by the Crown in respect of any appropriation other than pursuant to an Appropriation Act.

20 “9A. **Supplementary Estimates**—(1) The Minister shall, on the introduction of any Appropriation Bill other than the first Appropriation Bill relating to a financial year or an Appropriation Bill that deals solely with matters relating to a previous financial year, lay before the House of Representatives Supplementary Estimates.

25 “(2) Supplementary Estimates shall, in respect of any Vote included in the Estimates or in any previous Supplementary Estimates relating to the same financial year,—

30 “(a) Include the information required by **section 9** of this Act to be included in Estimates other than the information specified in **paragraphs (e), (f), (k), (l), (m), and (n)** of **section 9 (2)** of this Act; and

35 “(b) Specify any changes in the information included in the Estimates or Supplementary Estimates being supplemented, being information so included under **paragraph (e)** or **paragraph (f)** or **paragraph (l)** of **section 9 (2)** of this Act.

40 “(3) Supplementary Estimates shall, in respect of any Vote not included in the Estimates or in any previous Supplementary Estimates relating to the same financial year, include the

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information required by **section 9** of this Act to be included in Estimates.

“9B. Power of Secretary to obtain information—(1) The Secretary may from time to time request any department or any entity mentioned in **section 27 (3)** of this Act, or any entity that manages an asset or liability of the Crown, to supply to the Secretary such information as is necessary to enable—

“**(a)** The preparation of the Estimates referred to in **section 9** of this Act; or

“**(b)** The preparation of Supplementary Estimates referred to in **section 9A** of this Act.

“(2) Any request under **subsection (1)** of this section may specify the date by which and the manner in which the information requested is to be provided.

“(3) Where a date is specified under **subsection (2)** of this section, that date shall be reasonable having regard to the time limits prescribed by this Act for the laying before the House of Representatives of the Estimates or Supplementary Estimates for which the information is being requested.

“(4) Where any request under **subsection (1)** of this section is made to a department or entity, that request shall be in writing and that department or entity shall comply with that request.”

(2) Sections 9 and 10 of the Public Finance Amendment Act 1992 and **section 24** of this Act are hereby consequentially repealed.

(3) **Subsections (1)** and (2) of this section shall come into force on the 1st day of July 1995.

New

25. New sections substituted—(1) The principal Act is hereby amended by repealing section 9A (as inserted by section 10 of the Public Finance Amendment Act 1992), and substituting the following sections:

“9A. Supplementary Estimates—(1) The Minister shall, on the introduction of any Appropriation Bill other than the first Appropriation Bill relating to a financial year or an Appropriation Bill that deals solely with matters relating to a

New

previous financial year, lay before the House of Representatives Supplementary Estimates.

5 “(2) Supplementary Estimates shall, in respect of any Vote included in the Estimates or in any previous Supplementary Estimates relating to the same financial year,—

“(a) Include the information required by **section 9** of this Act to be included in Estimates other than the information specified in **paragraphs (e), (f), (m), and (n) of section 9 (2A)** of this Act and in paragraph (c) of section 9 (3) of this Act; and

10 “(b) Specify any changes in the information included in the Estimates or Supplementary Estimates being supplemented, being information so included under **paragraph (e) or paragraph (f) or paragraph (m) of section 9 (2A)** of this Act or under paragraph (c) of section 9 (3) of this Act.

15 “(3) Supplementary Estimates shall, in respect of any Vote not included in the Estimates or in any previous Supplementary Estimates relating to the same financial year, include the information required by **section 9** of this Act to be included in Estimates.

20 “**9B. Power of Secretary to obtain information**—(1) The Secretary may from time to time request any department or any entity mentioned in section 27 (3) of this Act, or any entity that manages an asset or liability of the Crown, to supply to the Secretary such information as is necessary to enable—

25 “(a) The preparation of the Estimates referred to in **section 9** of this Act; or

30 “(b) The preparation of Supplementary Estimates referred to in **section 9A** of this Act.

“(2) Any request under **subsection (1)** of this section may specify the date by which and the manner in which the information requested is to be provided.

35 “(3) Where a date is specified under **subsection (2)** of this section, that date shall be reasonable having regard to the time limits prescribed by this Act for the laying before the House of Representatives of the Estimates or Supplementary Estimates for which the information is being requested.

New

“(4) Where any request under **subsection (1)** of this section is made to a department or entity, that request shall be in writing and that department or entity shall comply with that request.”

(2) Section 10 of the Public Finance Amendment Act 1992 is hereby consequentially repealed. 5

25A. Supplementary Estimates—(1) **Section 9A (2)** of the principal Act (as substituted by **section 25 (1)** of this Act) is hereby amended—

(a) By omitting from **paragraph (a)** the expression “and (n)”, and substituting the expression “(n), (o), and (p)”: 10

(b) By omitting from **paragraph (a)** the words “and in paragraph (c) of section 9 (3) of this Act”:

(c) By omitting from **paragraph (b)** the words “or under paragraph (c) of section 9 (3) of this Act”. 15

(2) Notwithstanding **subsection (1)** of this section, **section 9A (2)** of the principal Act (as substituted by **section 25 (1)** of this Act) shall have effect in relation to the financial year commencing on the 1st day of July 1994 as if **subsection (1)** of this section had not been enacted. 20

25B. Movements within departmental balance sheet—

(1) The principal Act is hereby amended by repealing section 11 (as substituted by section 12 of the Public Finance Amendment Act 1992), and substituting the following section:

“11. (1) A department or Office of Parliament may, without further appropriation than this section,— 25

“(a) Utilise the proceeds of the sale or disposal of any of its capital assets, together with any working capital held by it, in or towards the purchase or development of other capital assets; and 30

“(b) Use any working capital held by it in payment of any of its liabilities.

“(2) Notwithstanding **subsection (1)** of this section, the amount of the Crown’s net asset holding in a department or Office of Parliament at the end of the financial year shall not, as a consequence of anything done under **paragraph (a)** or **paragraph (b)** of that subsection, be increased.” 35

(2) Section 12 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

26. Unappropriated expenditure, expenses, and liabilities—(1) The principal Act is hereby amended by repealing section 12 (as substituted by section 13 of the Public Finance Amendment Act 1992), and substituting the following section:

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“12. (1) Where the Minister considers that the spending of public money in the last 3 months of any financial year, or the incurring of expenses or liabilities in the last 3 months of any financial year, in excess of, or without, appropriation by Parliament should be approved, the Minister may, in that financial year or not later than 3 months after the end of that financial year, notwithstanding that all or part of that money may have been spent and notwithstanding that all or part of those expenses or liabilities may have been incurred, approve, in respect of any Vote,—

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“(a) Expenditure of public money up to an amount not exceeding 0.5 percent of the total amount appropriated for the Vote by all Appropriation Acts for that financial year for—

“(i) Classes of outputs supplied by a department under Mode A or Mode C; and

“(ii) Capital contributions; and

“(iii) Payments on behalf of the Crown under Mode A:

“(b) Expenses to be incurred up to an amount not exceeding 1 percent of the total amount appropriated for that Vote by all Appropriation Acts for that financial year for—

“(i) Classes of outputs supplied by a department under Mode B; and

“(ii) Other expenses:

“(c) Liabilities to be incurred up to an amount not exceeding 1 percent of the total amount appropriated for that Vote by all Appropriation Acts for that financial year for payments on behalf of the Crown under Mode B or Mode C,—

and, notwithstanding section 4 of this Act, the expenditure of the public money or the incurring of the expenses or liabilities shall be approved accordingly.

New

“12. (1) Where the Minister considers that the spending of public money in the last 3 months of any financial year, or the incurring of expenses or liabilities in the last 3 months of any financial year, in excess of or without appropriation by Parliament should be approved, the Minister may, in that financial year or not later than 3 months after the end of that financial year, notwithstanding that all or part of that money may have been spent and notwithstanding that all or part of those expenses or liabilities may have been incurred, approve in respect of any Vote expenditure of public money and the incurring of expenses or liabilities up to an amount not exceeding 1 percent of the total amount appropriated for that Vote by all Appropriation Acts for that financial year, and, notwithstanding section 4 of this Act, the expenditure of the public money or the incurring of the expenses or liabilities shall be approved accordingly.

“(2) Without affecting the validity of any expenditure or expenses or liabilities approved under **subsection (1)** of this section, a statement relating to such expenditure or expenses or liabilities shall be included in—

“(a) The annual financial statements of the Crown for that financial year; and

“(b) The annual financial statements of the department concerned for that financial year, together with an explanation of the reasons for such expenditure or expenses or liabilities; and

“(c) An Appropriation Bill for the next financial year, for confirmation by Parliament.

“(3) Where in any financial year any public money has been spent or expenses or liabilities incurred in excess of or without appropriation by Parliament, the Minister shall, on the introduction of the Appropriation Bill in which is included the statement required by **subsection (2)** of this section in relation to the expenditure or the expenses or the liabilities, lay before the House of Representatives a report setting out in relation to each instance of expenditure or expenses or liabilities in excess of or without appropriation by Parliament, the explanation of the Responsible Minister.”

(2) Section 13 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

27. Emergency expenditure, expenses, and liabilities—

(1) Section 13 of the principal Act is hereby amended by omitting from subsections (1) and (2) the word “expenses” (as substituted by section 14 of the Public Finance Amendment Act 1992) wherever it occurs, and substituting in each case the words “expenses or liabilities”.

(2) Section 13 of the principal Act is hereby further amended by repealing subsection (3) (as amended by section 14 of the Public Finance Amendment Act 1992), and substituting the following subsection:

“(3) Without affecting the validity of any expenditure of public money or expenses or liabilities incurred under this section, a statement of such expenditure and expenses and liabilities incurred under this section in any financial year that have not been appropriated shall be included in—

“(a) The annual financial statements of the Crown for that financial year; and

“(b) An Appropriation Bill for confirmation by Parliament.”

(3) Section 14 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

New

27A. Operating surplus of department—The principal Act is hereby amended by repealing section 14, and substituting the following section:

“14. Except as agreed between the Minister and the Responsible Minister for a department, no operating surplus resulting from the activities of the department shall be retained by the department.”

28. Capital injections to Crown entities—Section 15 of the principal Act (as substituted by section 15 of the Public Finance Amendment Act 1992) is hereby amended by repealing subsection (1), and substituting the following subsection:

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“(1) The Crown may invest money by way of capital injection in a Crown entity out of a payment on behalf of the Crown appropriated by Parliament.”

New

“(1) The Crown may invest money by way of capital injection in a Crown entity out of a capital contribution appropriated by Parliament.”

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29. Application to Offices of Parliament—

(1) Section 17 (2) of the principal Act is hereby amended by inserting, after the word “outputs”, the words “, an estimate of the other expenses to be incurred,”.

(2) Section 17 (4) of the principal Act is hereby amended by omitting the expression “section 9 (2) (g) and (i)”, and substituting the expression “section 9 (2) (j) and (l)”.

(3) Subsection (2) of this section shall come into force on the 1st day of July 1995.

New

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29. Application to Offices of Parliament—(1) Section 17 (1) (a) of the principal Act is hereby amended by omitting the word “expenditure”, and substituting the word “expenses”.

(2) Section 17 of the principal Act is hereby further amended by repealing subsection (2), and substituting the following subsection:

“(2) The House of Representatives, after considering the information provided under subsection (1) of this section, shall for each Office commend to the Governor-General, by way of an address, an estimate of costs to be incurred in respect of classes of outputs, an estimate of the other expenses to be incurred, and an estimate of the capital contribution to be made, and request that these estimates be included as a Vote in an Appropriation Bill for that year.”

(3) Section 17 (4) of the principal Act is hereby amended by omitting the expression “section 9 (2) (g) and (i)”, and substituting the expression “section 9 (2A) (f), (g), (h), (k), and (l)”.

30. Investment of public money—Section 23 (1) of the principal Act is hereby amended by inserting, after the words

“time to time”, the words “, without further appropriation than this section,”.

31. Delegation of powers—The principal Act is hereby amended by inserting, after section 26, the following section:

5 “26A. (1) The Secretary may from time to time delegate to the Chief Executive of a department, which is not also a department under the State Sector Act 1988, the power of the Treasury to open, maintain, and operate a Crown Bank Account under section 18 (1) of this Act.

10 “(2) The power conferred on the Secretary by **subsection (1)** of this section is in addition to the powers conferred on the Secretary by section 41 (1) of the State Sector Act 1988.

15 “(3) Subsections (2) to (7) of section 41 of the State Sector Act 1988 shall apply in relation to every delegation made under **subsection (1)** of this section as if it were a delegation made under subsection (1) of section 41 of the State Sector Act 1988.”

32. Annual financial statements of the Crown—

20 (1) Section 27 (2) of the principal Act is hereby amended by repealing paragraphs (g) and (h) (as substituted by section 17 (4) of the Public Finance Amendment Act 1992), and substituting the following paragraphs:

“(g) A statement of unappropriated expenditure or expenses or liabilities:

25 “(h) A statement of emergency expenditure or expenses or liabilities incurred under section 13 of this Act:”.

(2) Section 27 (2) of the principal Act is hereby further amended by repealing paragraph (l), and substituting the following paragraphs:

30 “(l) In relation to each statement required by **paragraphs (a) to (d)** of this subsection and, where appropriate, by **paragraph (k)** of this subsection, budgeted figures for the financial year:

35 “(m) In relation to each statement required by **paragraphs (a) to (f)** of this subsection and, where appropriate, by **paragraph (k)** of this subsection, comparative actual figures for the previous financial year.”

33. Half-year financial statements of the Crown—

40 (1) The principal Act is hereby amended by repealing section 28 (as substituted by section 18 of the Public Finance Amendment Act 1992), and substituting the following section:

“28. (1) The Treasury shall, as soon as practicable after the end of the first 6 months of each financial year, prepare financial statements for the Crown for that half year.

“(2) The half-year financial statements of the Crown shall be prepared in accordance with generally accepted accounting practice and shall include— 5

“(a) A statement of the financial position of the Crown at the balance date:

“(b) An operating statement reflecting the revenue and expenses of the Crown for the half year: 10

“(c) A statement of cash flows reflecting cash flows of the Crown for the half year:

“(d) A statement of borrowings reflecting the borrowing activities of the Crown for the half year:

“(e) A statement of contingent liabilities of the Crown as at the balance date including any guarantees or indemnities given under section 59 of this Act: 15

“(f) A statement of accounting policies:

“(g) Such other statements as are necessary to fairly reflect the financial operations of the Crown for the half year and its financial position at the end of the half year: 20

“(h) In relation to each statement required by paragraphs (a) to (d) of this subsection and, where appropriate, by paragraph (g) of this subsection, budgeted figures for the half year: 25

“(i) In relation to each statement required by paragraphs (a) to (e) of this subsection and, where appropriate, by paragraph (g) of this subsection, comparative actual figures for the first half of the previous financial year. 30

“(3) The half-year financial statements for the Crown to be prepared under subsection (1) of this section shall be for the same reporting entity as the annual financial statements for the Crown to be prepared under section 27 of this Act for the financial year to which the half-year financial statements relate.” 35

(2) Section 18 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

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34. Responsibility for financial statements of the Crown—Section 29 of the principal Act is hereby amended—

5 (a) By omitting the expression “half-yearly”, and substituting the expression “half-year”;

(b) By omitting the words “management statement” in both places where they occur, and substituting in each case the words “statement of responsibility”.

New

10 **34. Responsibility for financial statements of the Crown**—The principal Act is hereby amended by repealing section 29, and substituting the following section:

15 “29. (1) Every annual and half-year financial statement shall be accompanied by a statement of responsibility signed by the Minister and the Secretary.

“(2) The statement of responsibility shall comprise—

20 “(a) A statement of the Minister’s responsibility for the integrity of the financial statements; and

“(b) A statement of the Treasury’s responsibility for establishing and maintaining a system of internal control designed to provide reasonable assurance that the transactions recorded are within statutory authority and properly record the use of all public financial resources by the Crown; and

25 “(c) A statement by the Secretary that the Treasury has prepared the financial statements in accordance with generally accepted accounting practice; and

30 “(d) A statement that, in the Minister’s opinion, the financial statements fairly reflect the financial position and operations of the Crown for the reporting period.”

34A. Power of Secretary to obtain information—Section 29A (1) of the principal Act (as inserted by section 19 of the Public Finance Amendment Act 1992) is hereby amended by repealing paragraph (a), and substituting the following paragraph:

35 “(a) The preparation of the financial statements referred to in sections 27, 28, and 31A of this Act; or”.

35. Laying before House of Representatives of financial statements of the Crown—(1) The principal Act is hereby amended by repealing section 31 (as substituted by section 21 of the Public Finance Amendment Act 1992), and substituting the following section:

“31. (1) The Treasury shall forward the annual financial statements, together with the audit opinion, to the Minister who shall lay them and the statement of responsibility before the House of Representatives not later than 6 sitting days after the statements are returned by the Audit Office to the Treasury.

“(2) The Treasury shall forward the half-year financial statements to the Minister who shall lay them and the statement of responsibility before the House of Representatives not later than the first sitting day after the last day of February in the financial year to which the statements relate.

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“(3) Where the House of Representatives does not sit during the 2 weeks after the annual financial statements are returned by the Audit Office to the Treasury, or during the week immediately following the last day of February and the half-year financial statements have not already been laid before the House of Representatives, the Minister shall cause the annual financial statements to be published not later than 2 weeks after they are returned by the Audit Office to the Treasury or, as the case may be, the half-year financial statements to be published not later than one week after that last day of February.

“(4) In addition to complying with **subsection (2)** or **subsection (3)** of this section, as the case may require, the Minister shall arrange for the publication in the *Gazette* of a notice—

“(a) Indicating that those financial statements have been laid before the House of Representatives under **subsection (2)** of this section or published under **subsection (3)** of this section, as the case may be; and

“(b) Showing a place at which copies of those financial statements are available for inspection free of charge; and

“(c) Showing a place at which copies of those financial statements are available for purchase.

“(5) For at least 6 months after the date of the publication of the notice required by **subsection (4)** of this section, the Secretary

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shall cause copies of those financial statements to be available—

- 5 “(a) For inspection by members of the public free of charge;
 and
 “(b) For purchase by members of the public.”

New

10 “(3) Where the annual financial statements have not been laid before the House of Representatives within 3 weeks after being returned by the Audit Office to the Treasury, the Minister shall cause the annual financial statements to be published not later than 3 weeks after the date on which they are returned by the Audit Office to the Treasury.

15 “(4) Where the half-year financial statements have not been laid before the House of Representatives before the 7th day of March in the financial year to which the statements relate, the Minister shall cause the half-year financial statements to be published not later than that 7th day of March.”

20 (2) Section 21 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

36. Monthly financial statements of the Crown—The principal Act is hereby amended by inserting, after section 31, the following section:

25 “31A. (1) The Treasury shall, as soon as practicable after the end of the months of September, October, November, January, February, March, and April in each financial year, prepare financial statements for the Crown for the period of the financial year to the end of the month concerned.

30 “(2) The monthly financial statements shall be prepared in accordance with generally accepted accounting practice and shall include—

- “(a) A statement of the financial position of the Crown at the end of the month concerned:
 “(b) An operating statement reflecting the revenue and
35 expenses of the Crown for the period of the financial year to the end of the month concerned:

- “(c) A statement of cash flows reflecting cash flows of the Crown for the period of the financial year to the end of the month concerned:
- “(d) A statement of borrowings reflecting the borrowing activities of the Crown for the period of the financial year to the end of the month concerned: 5
- “(e) A statement of any changes in accounting policies from those contained in the annual financial statements of the Crown most recently laid before the House of Representatives or published under section 31 of this Act: 10
- “(f) Such other statements as are necessary to fairly reflect the financial operations of the Crown for the period of the financial year to the end of the month concerned and its financial position at the end of the month concerned: 15
- “(g) In relation to each statement required by paragraphs (a) to (d) of this subsection and, where appropriate, by paragraph (f) of this subsection,—
- “(i) Budgeted figures for the period of the financial year to the end of the month concerned; 20
and
- “(ii) Comparative actual figures for the period of the previous financial year to the end of the corresponding month. 25
- “(3) The monthly financial statements for the Crown to be prepared under subsection (1) of this section shall be for the same reporting entity as the annual financial statements for the Crown to be prepared under section 27 of this Act for the financial year to which the monthly financial statements relate. 30

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- “(4) The Minister—
- “(a) Shall cause to be published the monthly financial statements prepared under subsection (1) of this section; and 35
- “(b) Shall arrange for the publication in the *Gazette* of a notice—
- “(i) Indicating that those financial statements have been published; and
- “(ii) Showing a place at which copies of those financial statements are available for inspection free of charge; and 40

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- “(iii) Showing a place at which copies of those financial statements are available for purchase.
- 5 “(5) The monthly financial statements (other than those to the end of the month of November) shall be published under **subsection (4)** of this section not later than 6 weeks after the end of the period to which they relate.
- 10 “(6) The financial statements to the end of the month of November shall be published, under **subsection (4)** of this section, not later than the 31st day of January in the following year.
- “ (7) For at least 6 months after the date of the publication of the notice required by **subsection (4) (b)** of this section, the Secretary shall cause copies of those financial statements to be available—
- 15 “(a) For inspection by members of the public free of charge; and
- “ (b) For purchase by members of the public.”

New

- 20 “(4) The Minister shall cause the monthly financial statements (other than those to the end of the month of November) to be published not later than 6 weeks after the end of the period to which they relate.
- 25 “(5) The Minister shall cause the financial statements to the end of the month of November to be published not later than the 31st day of January in the following year.”

36A. Publication, inspection, and purchase of financial statements of the Crown—The principal Act is hereby amended by inserting, after **section 31A** (as inserted by **section 36** of this Act), the following section:

- 30 “31B. (1) The Minister shall, in respect of the annual, half-year, and monthly financial statements of the Crown required by sections 27, 28, and 31A of this Act, arrange for publication in the *Gazette* of a notice—
- 35 “(a) Indicating, where the financial statements are published in advance of or without being laid before the House of Representatives, that the financial statements have been published; and

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“(b) Showing a place at which copies of the financial statements are available for inspection free of charge; and

“(c) Showing a place at which copies of the financial statements are available for purchase. 5

“(2) The Secretary shall, for at least 6 months after the date of the publication of the notice required by **subsection (1)** of this section, cause copies of the financial statements of the Crown referred to in that notice to be available— 10

“(a) For inspection by members of the public free of charge; and

“(b) For purchase by members of the public.”

37. Additional reports in relation to outputs supplied to the Crown—(1) The principal Act is hereby amended by repealing section 32A (as inserted by section 23 of the Public Finance Amendment Act 1992), and substituting the following section: 15

“32A. Where, in any financial year, a Schedule to an Appropriation Act lists (*payments on behalf of the Crown for*) classes of outputs to be supplied predominantly by persons who are not required by any Act to prepare, for laying before the House of Representatives, a report that includes a statement of service performance, and states that those (*payments*) classes of outputs are subject to this section, the Minister responsible for each Vote containing (*such an appropriation*) an appropriation for such a class of outputs shall, within 3 months after the end of that financial year, prepare and lay before the House of Representatives a report that includes— 20 25

“(a) A statement of service performance in relation to the class of outputs, which statement shall compare the class of outputs that was supplied with the class of outputs that was agreed to be supplied; and 30

“(b) A statement of any liabilities, commitments, or contingent liabilities incurred by the Crown and arising from the purchase of the class of outputs.” 35

(2) Section 23 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

*Struck Out***38. Reports on expected performance of departments—**

(1) The principal Act is hereby amended by inserting, after section 34 (as substituted by section 25 of the Public Finance Amendment Act 1992), the following section:

“34A. (1) Every department shall, before the beginning of each financial year and not later than such date as shall be specified by the Responsible Minister, prepare and forward to the Responsible Minister a report setting out the expected performance of the department for that financial year.

“(2) For the purposes of this section, the term ‘department’ has the extended meaning given to that term by section 33 (1) of this Act.

“(3) The report to be prepared under **subsection (1)** of this section shall contain forecast financial statements for the department for the financial year prepared in accordance with **subsection (4)** of this section.

“(4) The forecast financial statements for the department shall be prepared in accordance with generally accepted accounting practice and shall include—

“(a) A statement of the estimated financial position of the department at the beginning of the financial year and the forecast financial position of the department at the end of that financial year:

“(b) An operating statement reflecting the forecast revenue and expenses of the department for the financial year:

“(c) A statement of cash flows reflecting forecast cash flows of the department for the financial year:

“(d) A statement of objectives specifying—

“(i) The classes of outputs to be supplied by the department during the financial year; and

“(ii) The expected revenue to be earned and proposed costs to be incurred for each class of outputs; and

“(iii) The financial performance to be achieved by the department for the financial year as agreed with the Responsible Minister:

“(e) A statement of all significant accounting policies including any changes from those contained in the annual financial statements of the department most

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recently laid before the House of Representatives under section 39 of this Act:

“(f) Such other statements as are necessary to fairly reflect the forecast financial operations of the department for the financial year and its forecast financial position at the end of the financial year: 5

“(g) In relation to each statement required by paragraphs (a) to (c) of this subsection and, where appropriate, by paragraph (f) of this subsection, comparative budgeted and estimated actual figures for the previous financial year. 10

“(5) The forecast financial statements shall also include a statement of all significant assumptions underlying them.

“(6) Every report prepared under subsection (1) of this section shall include a statement of responsibility, signed by the Chief Executive and countersigned by the chief financial officer of the department, comprising— 15

“(a) A statement of the Chief Executive’s responsibility for the statements, including the forecast financial statements, contained in the report: 20

“(b) A statement certifying the consistency of the information contained in the report with the appropriations contained in the Estimates for that financial year that are being laid before the House of Representatives under section 9 of this Act. 25

“(7) The Minister shall, on the day the first Appropriation Bill relating to each financial year is introduced and after the introduction of that Bill, lay before the House of Representatives the reports prepared under subsection (1) of this section, on the expected performance of every department. 30

“(8) Where the Minister, acting under subsection (7) of this section, lays before the House of Representatives a report on the expected performance of a department for which the Minister is not the Responsible Minister, that report shall be deemed to be so laid on behalf of the Minister who is the Responsible Minister in relation to that department.” 35

(2) Subsection (1) of this section shall come into force on the 1st day of July 1995.

*New***38. Forecast financial statements of departments—**

(1) The principal Act is hereby amended by inserting, after section 34 (as substituted by section 25 of the Public Finance Amendment Act 1992), the following section:

“34A. (1) Every department shall, before the beginning of each financial year and not later than such date as shall be specified by the Responsible Minister, prepare and forward to the Responsible Minister a report containing forecast financial statements for the department for that financial year, which forecast financial statements shall be prepared in accordance with subsection (3) of this section.

“(2) For the purposes of this section, the term ‘department’ has the extended meaning given to that term by section 33 (1) of this Act.

“(3) The forecast financial statements for the department shall be prepared in accordance with generally accepted accounting practice and shall include—

“(a) A statement of the estimated financial position of the department at the beginning of the financial year and the forecast financial position of the department at the end of that financial year:

“(b) An operating statement reflecting the forecast revenue and expenses of the department for the financial year:

“(c) A statement of cash flows reflecting forecast cash flows of the department for the financial year:

“(d) A statement of objectives specifying—
“(i) The performance for each class of outputs forecast to be achieved by the department for the financial year as agreed with the Minister responsible for each Vote administered by the department; and

“(ii) The expected revenue to be earned and proposed costs to be incurred for each class of outputs; and

“(iii) The financial performance forecast to be achieved by the department for the financial year as agreed with the Responsible Minister:

“(e) A statement of all significant accounting policies including any changes from those contained in the

New

annual financial statements of the department most recently laid before the House of Representatives under section 39 of this Act:

“(f) Such other statements as are necessary to fairly reflect the forecast financial operations of the department for the financial year and its forecast financial position at the end of the financial year: 5

“(g) In relation to each statement required by **paragraph (a)** to **(c)** of this subsection and, where appropriate, by **paragraph (f)** of this subsection, comparative budgeted and estimated actual figures for the previous financial year. 10

“(4) The forecast financial statements shall also include a statement of all significant assumptions underlying them. 15

“(5) Every report prepared under **subsection (1)** of this section shall include a statement of responsibility, signed by the Chief Executive and countersigned by the chief financial officer of the department, comprising—

“(a) A statement of the Chief Executive’s responsibility for the forecast financial statements contained in the report: 20

“(b) A statement certifying the consistency of the information contained in the report with the appropriations contained in the Estimates for that financial year that are being laid before the House of Representatives under **section 9** of this Act. 25

“(6) The Minister shall, for each financial year, after the introduction of the first Appropriation Bill relating to that financial year, but on the day of the introduction of that Bill, lay before the House of Representatives the reports prepared under **subsection (1)** of this section for every department. 30

“(7) Where the Minister, acting under **subsection (6)** of this section, lays before the House of Representatives a report containing forecast financial statements for a department for which the Minister is not the Responsible Minister, that report shall be deemed to be so laid on behalf of the Minister who is the Responsible Minister in relation to that department.” 35

(2) Notwithstanding **subsection (1)** of this section, the principal Act shall have effect in relation to the financial year commencing on the 1st day of July 1994 as if **section 34A** of that 40

New

Act (as inserted by subsection (1) of this section) had not been enacted.

39. Annual financial statements of departments—

5 (1) Section 35 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

10 “(2) For the purposes of this section, the term ‘department’ has the extended meaning given to that term by section 33 (1) of this Act.”

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(2) Section 35 (3) of the principal Act is hereby amended by repealing paragraph (d), and substituting the following paragraph:

15 “(d) A statement of objectives, being the statement of objectives included in the report on the expected performance of the department for that year prepared under section 34A of this Act:”.

New

20 (2) Section 35 (3) of the principal Act is hereby amended by repealing paragraphs (d) and (e), and substituting the following paragraphs:

25 “(d) A statement of objectives, being the statement of objectives included in the report containing forecast financial statements for the department for that year prepared under section 34A of this Act:

30 “(e) A statement of service performance reporting on the performance for each class of outputs achieved by the department during the year as compared with the forecast performance for each class of outputs included in the statement of objectives:”.

35 (3) Section 35 (3) of the principal Act (as amended by section 26 (1) of the Public Finance Amendment Act 1992) is hereby amended by repealing paragraphs (g) to (l), and substituting the following paragraphs:

- “(g) A statement of the contingent liabilities in relation to the activities of the department as at the balance date, including any guarantees and indemnities given under section 59 of this Act:
- “(h) A statement of the unappropriated expenditure or expenses or liabilities in relation to the activities of, or appropriations administered by, the department: 5
- “(i) A statement reporting actual expenditure or expenses or liabilities incurred against each appropriation administered by the department: 10
- “(j) A statement of accounting policies:
- “(k) Such other statements as are necessary to fairly reflect the financial operations of the department for that year and its financial position at the end of the financial year: 15
- “(l) In relation to each statement required by paragraphs (a) to (c) of this subsection and, where appropriate, by paragraph (k) of this subsection, budgeted figures for the financial year:
- “(m) In relation to each statement required by paragraphs (a) to (c) and (f) to (h) of this subsection and, where appropriate, by paragraph (k) of this subsection, comparative actual figures for the previous financial year.” 20

Struck Out

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(4) Section 26 (1) of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

(5) **Subsection (2)** of this section shall come into force on the 1st day of July 1995.

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(4) Section 35 of the principal Act is hereby amended by repealing subsection (4).

(5) Section 26 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

(6) Notwithstanding **subsection (2)** of this section, section 35 (3) of the principal Act shall have effect in relation to the financial year commencing on the 1st day of July 1994 as if **subsection (2)** of this section had not been enacted. 35

40. Responsibility for financial statements of departments—(1) Section 37 of the principal Act is hereby amended by repealing subsection (1) (as amended by section 28 of the Public Finance Amendment Act 1992), and substituting the following subsection:

5 “(1) Every annual financial statement of a department shall be accompanied by a statement of responsibility, signed by the Chief Executive and countersigned by the chief financial officer of the department.”

10 (2) Section 37 (2) of the principal Act is hereby amended by omitting the words “management statement”, and substituting the words “statement of responsibility”.

(3) Section 28 of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

15 **41. Laying before House of Representatives of financial statements of departments**—(1) Section 39 (1) of the principal Act is hereby amended by omitting the words “management statement”, and substituting the words “statement of responsibility”.

20 *New*

(2) Section 39 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection:

25 “(2A) Where the annual report of the department has not been laid before the House of Representatives within 3 weeks after the return of the annual financial statements by the Audit Office to the department, the Responsible Minister shall—

“(a) Cause the annual report to be published not later than 3 weeks after the annual financial statements are returned by the Audit Office to the department; and

30 “(b) Arrange for the publication in the *Gazette* of a notice indicating that the annual report has been published.”

42. Annual financial statements of Crown entities—
35 Section 41 of the principal Act (as substituted by section 31 of the Public Finance Amendment Act 1992) is hereby amended by repealing paragraph (k), and substituting the following paragraphs:

“(k) In relation to each statement required by paragraphs (a) to (c) of this subsection and, where appropriate, by

paragraph (j) of this subsection, budgeted figures for the financial year:

“(l) In relation to each statement required by paragraphs (a) to (c), paragraph (g), and paragraph (h) of this subsection and, where appropriate, by paragraph (j) of this subsection, comparative actual figures for the previous financial year.” 5

43. Special provisions in relation to annual financial statements of school Boards of Trustees—Section 41A (2) of the principal Act (as enacted by section 31 of the Public Finance Amendment Act 1992) is hereby amended by repealing paragraph (a), and substituting the following paragraph: 10

“(a) Is not essential because the remaining statements for the financial year can fairly reflect the financial position and operations of the Board; and” 15

44. Special provisions in relation to annual financial statements of Boards under Reserves Act 1977—Section 41B (2) of the principal Act (as enacted by section 31 of the Public Finance Amendment Act 1992) is hereby amended by repealing paragraph (a), and substituting the following paragraph: 20

“(a) Is not essential because the remaining statements for the financial year can fairly reflect the financial position and operations of the Board; and”.

New 25

44A. Draft statement of intent—Section 41c of the principal Act (as inserted by section 31 of the Public Finance Amendment Act 1992) is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) Notwithstanding subsection (1) of this section, one statement of intent may relate to a Crown entity group.” 30

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45. Contents of statement of intent—Section 41D (1) (h) of the principal Act (as inserted by section 31 of the Public Finance Amendment Act 1992) is hereby amended by omitting the words “statement of objectives”, and substituting the words “statement of output objectives”. 35

New

45. Contents of statement of intent—Section 41D of the principal Act (as inserted by section 31 of the Public Finance Amendment Act 1992) is hereby amended—

5 (a) By omitting from subsection (1) the words “group comprising the Crown entity and its subsidiaries and any company or subsidiaries of companies that are Crown entities by virtue of paragraph (c) of the definition of the term ‘Crown entity’ in section 2 (1) of this Act”, and substituting the words “Crown entity group”:

10 (b) By omitting from paragraph (h) of subsection (1) the words “statement of objectives”, and substituting the words “statement of output objectives”.

15 **45A. Annual report of Crown entities named or described in Sixth Schedule**—Section 41I of the principal Act (as inserted by section 31 of the Public Finance Amendment Act 1992) is hereby amended by repealing subparagraph (ii) of paragraph (a), and substituting the following subparagraph:

20 “(ii) Where relevant, every member of the Crown entity group”.

46. Responsibility for financial statements of Crown entities—Section 42 of the principal Act (as substituted by section 31 of the Public Finance Amendment Act 1992) is hereby amended by omitting the words “management statement” in both places where they occur, and substituting in each case the words “statement of responsibility”.

30 **47. Inclusion of financial statements in annual report**—Section 44 of the principal Act (as substituted by section 31 of the Public Finance Amendment Act 1992) is hereby amended by omitting the words “management statement”, and substituting the words “statement of responsibility”.

New

- 47A. Laying before House of Representatives of financial statements of Crown entities (other than school Board of Trustees and Reserves Boards)**—(1) The principal Act is hereby amended by repealing section 44^A of the principal Act (as inserted by section 31 of the Public Finance Amendment Act 1992), and substituting the following section: 5
- “44A. (1) Subject to **subsections (3) and (4)** of this section, every Crown entity shall forward to its Responsible Minister the statements and reports referred to in section 44 of this Act, which statements and reports shall be laid before the House of Representatives by the Responsible Minister not later than 6 sitting days after the financial statements are returned by the Audit Office or other auditor to the Crown entity. 10
- “(2) Subject to **subsections (3) and (4)** of this section, where the statements and reports referred to in section 44 of this Act have not been laid before the House of Representatives within 3 weeks after the return of the financial statements by the Audit Office or other auditor to the Crown entity, the Responsible Minister shall— 15
- “(a) Cause the statements and reports referred to in section 44 of this Act to be published not later than 3 weeks after the financial statements are returned by the Audit Office or other auditor to the Crown entity; and 20
- “(b) Arrange for the publication in the *Gazette* of a notice indicating that those statements and reports have been published. 25
- “(3) Nothing in **subsection (1)** or **subsection (2)** of this section requires the Minister of Education to lay before the House of Representatives or to cause to be published statements and reports forwarded to that Minister under **subsection (1)** of this section by Boards of Trustees constituted under Part IX of the Education Act 1989. 30
- “(4) Nothing in **subsection (1)** or **subsection (2)** of this section requires the Minister of Conservation to lay before the House of Representatives or to cause to be published the statements and reports forwarded to that Minister under **subsection (1)** of this section by Boards as defined in section 2 of the Reserves Act 1977.” 35 40

New

47B. Crown not to issue securities except under statute—The principal Act is hereby amended by inserting, after section 52, the following section:

5 “52A. Except as expressly authorised by any Act, it shall not be lawful for the Crown to issue securities whether in respect of a loan or for any other purpose.”

47C. Power to lend money—Section 58 (5) of the principal Act is hereby amended by omitting the word “money”, and substituting the words “a capital contribution”.

47D. Power to give guarantees and indemnities—Section 59 of the principal Act (as substituted by section 33 (1) of the Public Finance Amendment Act 1992) is hereby amended by repealing subsection (4) and substituting the following subsection:

15 “(4) Any borrowing expenses required to be incurred by the Crown by virtue of any guarantee or indemnity given by the Minister under this section shall be incurred without further appropriation than this section.”

47E. Payment of principal and interest on loans—The principal Act is hereby amended by repealing section 60 (as amended by section 33 (2) of the Public Finance Amendment Act 1992), and substituting the following section:

20 “60. Subject to the provisions of this Act,—

25 “(a) All principal payable in respect of any loan to the Crown or under any public security (other than a guarantee or indemnity given under section 59 of this Act) shall be paid, without further appropriation than this section, from the Crown Bank Account; and

30 “(b) All borrowing expenses incurred in respect of any loan to the Crown or under any public security (other than a guarantee or indemnity given under section 59 of this Act) shall be incurred without further appropriation than this section.”

35 (2) Section 33 (2) of the Public Finance Amendment Act 1992 is hereby consequentially repealed.

New

47f. Expenses in respect of loans and public securities—The principal Act is hereby amended by repealing section 61, and substituting the following section:

“61. (1) Any expenses incurred in connection with the negotiating, raising, managing, servicing, converting, or repaying of any loan to the Crown, or the issuing, executing, redeeming, or varying of any public security, shall be incurred without further appropriation than this section. 5

“(2) For the purposes of subsection (1) of this section, the term expenses includes— 10

“(a) Stamp duty and other duties, taxes, premiums, bonuses, fees, and commissions; and

“(b) Any expenses incurred on personnel and equipment necessary for the performance of the functions set out in subsection (1) of this section.” 15

47c. Power to enter into swaps or other financial arrangements—Section 65 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections: 20

“(2) Any principal required to be paid by the Crown by virtue of any arrangement entered into under subsection (1) of this section shall be paid out of the Crown Bank Account without further appropriation than this section.

“(3) Any expenses, including borrowing expenses, incurred in connection with the negotiation, management, service, or repayment of any arrangement entered into under subsection (1) of this section shall be incurred without further appropriation than this section.” 25

47h. Delegation of powers—Section 65A (3) of the principal Act (as inserted by section 34 of the Public Finance Amendment Act 1992) is hereby amended by omitting the expression “Section 41” where it first appears, and substituting the expression “Subsections (2) to (7) of section 41”. 30

47i. Payment of interest on trust money—Section 69 of the principal Act is hereby amended by adding, as subsection (2), the following subsection: 35

“(2) Where interest has been earned on any trust money but it is not practicable to add that interest to the trust money to be

New

repaid to the depositor or to be paid to any other person entitled thereto, that interest shall be deemed to be public money and shall be transferred to the Crown Bank Account.”

5 **48. Nature of appropriation required**—Section 70B (2) of the principal Act (as inserted by section 2 of the Public Finance Amendment Act (No. 2) 1991) is hereby amended by omitting the word “costs”, and substituting the words “expenses or liabilities”.

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49. Estimates—(1) Section 70c (1) of the principal Act (as inserted by section 2 of the Public Finance Amendment Act (No. 2) 1991) is hereby amended by inserting, after the word “Estimates”, the words “or Supplementary Estimates”.

15 (2) Section 70c (1) (as so inserted) is hereby further amended by repealing paragraph (e), and substituting the following paragraph:

“*(e)* In relation to the single class of outputs (which shall include within it any other expenses, any capital contribution, and any payments on behalf of the Crown), the proposed expenses or liabilities to be incurred or the expenditure of public money to be made however they may be appropriated:”.

20 (3) Section 70c of the principal Act (as so inserted) is hereby amended by repealing subsection (2), and substituting the following subsection:

“*(2)* The provisions of subsection (1) of this section are, in relation to each security and intelligence department, in substitution for the provisions of sections 9 (2), 9A (2), and 34A of this Act.”

30 (4) **Subsections (1) and (3)** of this section shall come into force on the 1st day of July 1995.

New

35 **49. Estimates**—(1) The principal Act is hereby amended by repealing section 70c (as inserted by section 2 of the Public

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Finance Amendment Act (No. 2) 1991), and substituting the following section:

“70c. (1) The Estimates and the Supplementary Estimates shall, in relation to each security and intelligence department,— 5

“(a) Identify the Minister of the Crown responsible for the Vote:

“(b) Identify the department administering the Vote:

“(c) Include a description of the class of outputs to be supplied (which class shall be described as a single class of outputs), and identify the Mode applicable to the class: 10

“(d) Identify, in relation to the single class of outputs (which shall include within it any other expenses and any capital contribution), the expenses or liabilities to be incurred or the expenditure of money to be made: 15

“(e) Identify the Responsible Minister in relation to the department.

“(2) The provisions of subsection (1) of this section are, in relation to each security and intelligence department, in substitution for the provisions of sections 9 (2), 9 (2A), 9A (2), 9A (3), and 34A of this Act.” 20

(2) Notwithstanding subsection (1) of this section, section 70c of the principal Act (as substituted by subsection (1) of this section) shall have effect, in respect of the financial year commencing on the 1st day of July 1994, as if, for subsection (2) of that section, there were substituted the following subsection: 25

“(2) The provisions of subsection (1) of this section are, in relation to each security and intelligence department, in substitution for the provisions of sections 9 (2), 9 (2A), 9 (3), 9A (2), and 9A (3) of this Act.” 30

50. Amendments to Fourth Schedule—(1) The Fourth Schedule to the principal Act (as added by section 41 of the Public Finance Amendment Act 1992) is hereby amended by omitting the following items: 35

“1993 Suffrage Centennial Year Trust.

“New Zealand Milk Authority.”

(2) The Fourth Schedule to the principal Act (as so added) is hereby further amended by inserting, after the item relating to 40

New

Institutions established under Part XIV of the Education Act 1989 (as inserted by section 14 (3) of the Education Amendment Act 1993), the following item:

5 “International Year of the Family Trust.”

51. Amendment to Seventh Schedule—The Seventh Schedule to the principal Act (as added by section 41 of the Public Finance Amendment Act 1992) is hereby amended by omitting the following item:

10 “New Zealand Milk Authority.”