

**Reprint
as at 13 August 2008**



**Appropriation (2006/07 Financial
Review) Act 2008**

Public Act 2008 No 20
Date of assent 2 April 2008
Commencement see section 2

Appropriation (2006/07 Financial Review) Act 2008: repealed, on 13 August 2008, by section 12 of the Appropriation (2008/09 Estimates) Act 2008 (2008 No 55).

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

The Appropriation (2006/07 Financial Review) Act 2008 is administered by the Treasury.

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Appropriation (2006/07 Financial Review) Act 2008.
- 2 Commencement**
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Purposes**
The purposes of this Act are to—
 - (a) confirm financial matters relating to the financial year ended 30 June 2007; and
 - (b) validate other financial matters relating to the financial year ended 30 June 2007 and previous financial years.

4 Interpretation

In this Act, unless the context otherwise requires, the terms **capital expenditure, department, expenses, financial year, output expenses,** and **Vote** have the meanings given to them by section 2(1) of the Public Finance Act 1989.

5 Confirmation of Order in Council directing transfer of amounts between output expense appropriations

The Public Finance (Transfers Between Outputs) Order 2007 is confirmed.

6 Confirmation of expenses incurred in excess of existing appropriations and approved by Minister of Finance

- (1) The incurring of expenses approved by the Minister of Finance under section 26B of the Public Finance Act 1989 for the financial year ended 30 June 2007 and described in subsections (2) and (3) is confirmed.
- (2) The expenses are the expenses incurred in excess, but within the scope, of the existing appropriations set out in column 3 of Schedule 1.
- (3) The approved expenses are shown in each case in column 5 of Schedule 1 alongside the existing appropriation for which the approval was given.

7 Validation of unappropriated expenses and capital expenditure

- (1) The incurring of expenses and capital expenditure by a department in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that for the financial year ended 30 June 2007, the department incurred expenses or capital expenditure—
 - (a) in excess of the existing appropriations set out in column 3 of Schedule 2 alongside that department; or
 - (b) without appropriation, or other authority, by or under an Act (as specified in column 4 of Schedule 3 alongside the department) against the categories of expenses or

capital expenditure set out in column 3 of Schedule 3 alongside that department.

(3) In this section,—

capital expenditure means the capital expenditure set out in column 5 of, as appropriate, Schedule 2 or 3 alongside the relevant department

department means a department set out in column 1 of, as appropriate, Schedule 2 or 3

expenses means the expenses set out in column 5 of, as appropriate, Schedule 2 or 3 alongside the relevant department.

8 Validation of expenses incurred in respect of Vote Office of the Clerk

(1) The incurring of expenses by the Office of the Clerk in the circumstances set out in subsection (2)—

- (a) is validated; and
- (b) is deemed not to have constituted a breach of the Civil List Act 1979.

(2) The circumstances are that—

- (a) the Office of the Clerk incurred expenses against the output class Inter-Parliamentary Relations in Vote Office of the Clerk of—
 - (i) \$501,331 for the financial year ended 30 June 2004; and
 - (ii) \$341,095 for the financial year ended 30 June 2005; and
 - (iii) \$396,421 for the financial year ended 30 June 2006; and
 - (iv) \$460,842 for the financial year ended 30 June 2007; and
- (b) those amounts were incurred without the authority of a determination made under section 20A of the Civil List Act 1979 and were therefore incurred unlawfully.

9 Validation of departmental net asset holding

(1) The excess amount of net asset holding described in subsection (2) in a department is validated.

- (2) The excess amount of net asset holding is the amount of net asset holding, as set out in column 3 of Schedule 4, in the department that, during or at the end of the 2006/07 financial year, exceeded the most recent projected balance of net assets for that department.
- (3) In this section,—
- department** means a department set out in column 1 of Schedule 4
- most recent projected balance of net assets** means the most recent projected balance of net assets for a department at the end of the 2006/07 financial year—
- (a) at the time when that projected balance was exceeded; and
- (b) as set out in column 2 of Schedule 4.
-

Schedule 1
Expenses incurred in excess of existing appropriation during year ended 30 June 2007 and approved by Minister of Finance confirmed

s 6

Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Appropriation	Amount appropriated \$(000)	Expenses approved in excess of appropriation \$(000)
Crown Law Office	Attorney-General	Departmental output expenses		
		Supervision and Conduct of Crown Prosecutions	31,510	609
Education, Ministry of	Education	Departmental output expenses		
		Provision of Teacher and Caretaker Housing	18,857	89
		Special Education Services	175,147	823
		Other expenses to be incurred by the Crown		
		Primary Education	2,069,445	4,628
Fisheries, Ministry of	Fisheries	Departmental output expenses		
		Fisheries Operations	23,714	266
Health, Ministry of	Health	Departmental output expenses		
		DHB Funding and Performance	16,206	136
		Information Services	61,873	720

Schedule 1

Appropriation (2006/07 Financial Review) Act 2008

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Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Appropriation	Amount appropriated \$(000)	Expenses approved in excess of appropriation \$(000)
Internal Affairs, Department of	Emergency Management	Other expenses to be incurred by the Crown		
		Emergency Expenses	7,681	19
New Zealand Customs Service	Customs	Departmental output expenses		
		Clearance of International Passengers, Crew and Craft	35,847	98
		Surveillance, Search and Containment	6,042	36
Ombudsmen, Office of the	Ombudsmen	Departmental output expenses		
		Investigation and Resolution of Complaints About Government Administration	5,055	39
Parliamentary Service	Parliamentary Service	Other expenses to be incurred by the Crown		
		Member Support - Independent	24	3
Social Development, Ministry of	Child, Youth and Family Services	Departmental output expenses		
		Care and Protection Services	293,974	666
	Veterans' Affairs	Benefits and other unrequited expenses		
		War Disablement Pensions	122,187	249

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Appropriation (2006/07 Financial
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Schedule 1

Schedule 2
Expenses and capital expenditure incurred in excess of appropriation during
year ended 30 June 2007 validated

s 7(2)(a)

Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Appropriation	Amount appropriated at time breach occurred \$(000)	Expenses or capital expenditure in excess of appropriation \$(000)
Crown Law Office	Attorney-General	Departmental output expenses		
		Conduct of Criminal Appeals	1,963	218
Economic Development, Ministry of	Economic, Industry and Regional Development	Non-departmental output expenses		
		Foundation Services - Business Information and Advice	9,083	25
		Growth Services - Customised Information and Advice	12,430	140
		Growth Services - Identifying and Leveraging New Business Opportunities	26,946	1,985
Education, Ministry of	Education	Departmental output expenses		
		Provision of School Sector Property	1,121,429	21,472
		Other expenses to be incurred by the Crown		
		Special Needs Support	261,258	1,577
Inland Revenue Department	Revenue	Other expenses to be incurred by the Crown		
		Child Support Doubtful Debt Provision	58,171	6,335
		General Tax Doubtful Debt Provision	22,230	513,776

Schedule 2

Appropriation (2006/07 Financial Review) Act 2008

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Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Appropriation	Amount appropriated at time breach occurred \$(000)	Expenses or capital expenditure in excess of appropriation \$(000)
Justice, Ministry of	Courts	Other expenses to be incurred by the Crown		
		Fines Writedowns	49,302	4,370
		Judicial Review Costs	650	75
	Treaty Negotiations	Departmental output expenses		
		Property Portfolio Management	5,745	280
Land Information New Zealand	Lands	Capital expenditure		
		Crown Obligatory Acquisitions	267	329
New Zealand Defence Force	Defence Force	Departmental output expenses		
		Land Combat Service Support Forces	121,629	751
		Maritime Patrol Forces	159,898	100
	Naval Combat Forces	417,686	578	
	Veterans' Affairs	Departmental output expenses		
Policy and Administration		2,783	30	
	Services to Veterans	2,190	34	

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Schedule 2

Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Appropriation	Amount appropriated at time breach occurred \$(000)	Expenses or capital expenditure in excess of appropriation \$(000)
Pacific Island Affairs, Ministry of	Pacific Island Affairs	Departmental output expenses		
		Communications	626	49
		Policy Advice	5,289	81
Parliamentary Service	Parliamentary Service	Other expenses to be incurred by the Crown		
		Travel of Members and Others	9,854	660
Social Development, Ministry of	Youth Development	Departmental output expenses		
		Youth Development Policy Advice	2,548	53
Te Puni Kōkiri	Māori Affairs	Departmental output expenses		
		Services to the Māori Trustee	4,689	92
		Other expenses to be incurred by the Crown		
		Provision for Māori Trustee Debt	4,649	92

Schedule 3
Expenses and capital expenditure incurred without appropriation or other authority during year ended 30 June 2007 validated

s 7(2)(b)

Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Category of expenses or capital expenditure	Nature of breach	Expenses or capital expenditure \$(000)
Inland Revenue Department	Revenue	Other expenses to be incurred by the Crown Tax Receivable Write-off	Without appropriation	811,055
Labour, Department of	Immigration	Departmental output expenses Services to Increase the Capacity of New Zealand Through Immigration	Outside scope and without appropriation	882
		Services to Position New Zealand as an International Citizen with Immigration-Related Interests and Obligations	Outside scope and without appropriation	935
Social Development, Ministry of	Social Development	Non-departmental output expenses Capacity Building Initiatives	Outside scope and without appropriation	260
		Benefits and other unrequited expenses Transition to Work	Outside scope and without appropriation	655

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Schedule 3

Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Category of expenses or capital expenditure	Nature of breach	Expenses or capital expenditure \$(000)
State Services Commission	State Services	Departmental output expenses Government Shared Network	Without appropriation	1,772
Transport, Ministry of	Transport	Capital expenditure New Zealand Railway Corporation	Outside scope and without appropriation	500

Schedule 4

s 9(2)

**Excess departmental net asset holding
during year ended 30 June 2007 validated**

Column 1	Column 2	Column 3
Department	Most recent projected balance of net assets at 30 June 2007 at time when exceeded \$(000)	Amount of net assets in excess of projected balance \$(000)
Foreign Affairs and Trade, Ministry of	337,208	4,368
State Services Commission	22,663	2,159

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Notes**1 General**

This is a reprint of the Appropriation (2006/07 Financial Review) Act 2008. The reprint incorporates all the amendments to the Appropriation (2006/07 Financial Review) Act 2008 as at 13 August 2008, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/legislation/reprints.shtml> or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Appropriation (2008/09 Estimates) Act 2008 (2008 No 55): section 12
