

**Reprint
as at 2 September 2009**



**Appropriation (2007/08 Financial
Review) Act 2009**

Public Act 2009 No 7
Date of assent 14 April 2009
Commencement see section 2

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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.

This Act is administered by the Treasury.

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Appropriation (2007/08 Financial Review) Act 2009.
- 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 2008; and
 - (b) validate other financial matters relating to the financial year ended 30 June 2008 and the previous financial year.
- 4 Interpretation**
In this Act, unless the context otherwise requires, the terms **capital expenditure**, **department**, **expenses**, **financial year**, **Office of Parliament**, **other expenses**, **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 2008 is confirmed.
- 6 Confirmation of expenses and capital expenditure incurred in excess of existing appropriations and approved by Minister of Finance**
- (1) The incurring of expenses and capital expenditure approved by the Minister of Finance under section 26B of the Public Finance Act 1989 for the financial year ended 30 June 2008 and described in subsections (2) and (3) is confirmed.
 - (2) The expenses and capital expenditure are the expenses and capital expenditure incurred in excess, but within the scope, of the existing appropriations set out in column 3 of Schedule 1.
 - (3) The approved expenses and capital expenditure are shown in each case in column 4 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 2008, the department incurred—
 - (a) expenses in excess of the existing appropriations set out in column 3 of Schedule 2 alongside that department; or
 - (b) expenses or capital expenditure 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 Schedule 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, as appropriate, column 4 of Schedule 2 or column 5 of Schedule 3 alongside the relevant department.

8 Validation of expenses incurred in respect of Vote Courts in financial year ended 30 June 2007

- (1) The incurring of expenses by the Ministry of Justice in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that for the financial year ended 30 June 2007, the Ministry of Justice incurred expenses of \$104,000 outside the scope of the existing appropriation Personal Property Protection Rights Costs in Vote Courts.

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 2007/08 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 2007/08 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 and capital expenditure incurred in excess of existing appropriation
during year ended 30 June 2008 and approved by Minister of Finance confirmed

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Column 1	Column 2	Column 3	Column 4
Administering department or Office of Parliament	Vote	Appropriation	Expenses or capital expenditure approved in excess of appropriation \$(000)
Building and Housing, Department of	Housing	Benefits and other unrequited expenses	
		Income Related Rental Subsidy	1,802
Corrections, Department of	Corrections	Departmental output expenses	
		Community-Based Sentences and Orders	584
		Custody of Remand Prisoners	591
		Information Services	194
		Prisoner Employment	84
		Rehabilitative Programmes and Reintegrative Services	273

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Schedule 1

Column 1	Column 2	Column 3	Column 4
Administering department or Office of Parliament	Vote	Appropriation	Expenses or capital expenditure approved in excess of appropriation \$(000)
Crown Law Office	Attorney-General	Departmental output expenses Supervision and Conduct of Crown Prosecutions	168
Government Communications Security Bureau	Communications and Intelligence Security	Intelligence and security department expenses and capital expenditure Communications Security and Intelligence	788
Internal Affairs, Department of	Ministerial Services	Other expenses to be incurred by the Crown Ministers' Internal and External Travel	156
Labour, Department of	Immigration	Departmental output expenses Services to Position New Zealand as an International Citizen with Immigration-Related Interests and Obligations	46

Column 1	Column 2	Column 3	Column 4
Administering department or Office of Parliament	Vote	Appropriation	Expenses or capital expenditure approved in excess of appropriation \$(000)
	Labour	Departmental output expenses Services to Promote and Support the Safe Management of Hazardous Substances in the Workplace and Amusement Devices	5
Ombudsmen, Office of the	Ombudsmen	Departmental output expenses Investigation and Resolution of Complaints about Government Administration	56
Parliamentary Commissioner for the Environment	Parliamentary Commissioner for the Environment	Departmental output expenses Reports and Advice	12
Social Development, Ministry of	Social Development	Benefits and other unrequited expenses Orphans'/Unsupported Child's Benefit Sickness Benefit Special Benefit	6 511 129

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Schedule 1

Column 1	Column 2	Column 3	Column 4 Expenses or capital expenditure approved in excess of appropriation \$(000)
Administering department or Office of Parliament	Vote	Appropriation	
		Temporary Additional Support	692
		Unemployment Benefit	986
		Capital expenditure to be incurred by the Crown	
		Recoverable Assistance	876
	Veterans' Affairs - Social Development	Benefits and other unrequited expenses	
		Medical Treatment	340
		War Disablement Pensions	1,076

Schedule 1

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Schedule 2
Expenses incurred in excess of appropriation during year ended 30 June 2008
validated

s 7(2)(a), (3)

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
Economic Development, Ministry of	Energy	Non-departmental output expenses	
		Maintenance and Operation of Whirinaki	16,763
Education, Ministry of	Education	Other expenses to be incurred by the Crown	
		Early Childhood Education	21,647
		Interest Subsidy for Schools	116
Health, Ministry of	Health	Departmental output expenses	
		Administration of Legislation and Regulations	3,012
		Funding and Performance of Crown Entities	1,235
		Information Services	1,139

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Appropriation (2007/08 Financial
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Schedule 2

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
		Servicing of Ministers and Ministerial Committees	474
		Non-departmental output expenses	
		National Maternity Services	15,048
Inland Revenue Department	Revenue	Benefits and other unrequited expenses	
		Kiwi Saver: Kickstart payment	43,662
		KiwiSaver Member Tax Credit	80,731
		KiwiSaver: Fee Subsidy	9,815
		KiwiSaver: Interest	252
		Payroll Subsidy	142
		Other expenses to be incurred by the Crown	
		Impairment of Debt Relating to Child Support	62,044

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
		Impairment of Debt Relating to General Tax and Family Support	95,239
Justice, Ministry of	Courts	Other expenses to be incurred by the Crown	
		Costs in Criminal Cases	301
		Family Court Professional Services	771
		MVDT Adjudicator Remuneration and Assessors Costs	13
	Treaty Negotiations	Departmental output expenses	
		Policy Advice - Treaty Negotiations	1,391
Labour, Department of	Labour	Non-departmental output expenses	
		Employment Relations Education Constable Fund	242

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Schedule 2

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
New Zealand Defence Force	Defence Force	Departmental output expenses	
		Fixed Wing Transport Forces	408
		Land Combat Forces	98
		Land Combat Service Support Forces	224
		Maritime Patrol Forces	2,023
		Rotary Wing Transport Forces	302
New Zealand Food Safety Authority	Food Safety	Departmental output expenses	
		Response to Food Safety Emergencies	288
New Zealand Police	Police	Departmental output expenses	
		Case Resolution and Support to Judicial Process	18,768
		Investigations	9,846
		Policy Advice and Ministerial Servicing	940

Schedule 2

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Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
State Services Commission	State Services	Departmental output expenses	
		Government Shared Network	8,491
Transport, Ministry of	Transport	Departmental output expenses	
		Next Steps Review Implementation	343
		Sector Leadership and Support	258

Reprinted as at 2 September 2009 Appropriation (2007/08 Financial Review) Act 2009 Schedule 2

Schedule 3
Expenses and capital expenditure incurred without appropriation or other authority during year ended 30 June 2008 validated

s 7(2)(b), (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)
Conservation, Department of	Conservation	Capital expenditure to be incurred by the Crown		
		Crown Land Acquisitions	Without appropriation	44,988
Inland Revenue Department	Revenue	Non-departmental output expenses		
		Retirement Commissioner	Without appropriation	380
		Other expenses to be incurred by the Crown		
		General Tax and Family Support Bad Debt Write-offs	Without appropriation	123,897

Schedule 3

Appropriation (2007/08 Financial Review) Act 2009

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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)
Justice, Ministry of	Courts	Other expenses to be incurred by the Crown Personal Property Protection Rights Costs	Outside scope	467
	Treaty Negotiations	Other expenses to be incurred by the Crown Historical Treaty of Waitangi Settlements	Outside scope	1,026
Treasury, The	Finance	Other expenses to be incurred by the Crown Atihau-Whanganui Incorporation Ex-Gratia Payment	Without appropriation	23,000
		Write-off of Capital Charge Receivable	Without appropriation	3,180

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Schedule 3

Column 1 Administering department	Column 2 Vote	Column 3 Category of expenses or capital expenditure	Column 4 Nature of breach	Column 5 Expenses or capital expenditure \$(000)
		Capital expenditure to be incurred by the Crown Landcorp Protected Land Agreement	Without appropriation	64,200

Schedule 4

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**Excess departmental net asset holding
during year ended 30 June 2008 validated**

Column 1	Column 2	Column 3
Department	Most recent projected balance of net assets at 30 June 2008 at time when exceeded \$(000)	Amount of net assets in excess of projected balance \$(000)
Agriculture and Forestry, Ministry of	28,733	193
Archives New Zealand	64,749	4
Clerk of the House of Representatives, Office of the	4,529	237
Economic Development, Ministry of	20,939	584
Environment, Ministry for the	4,887	371
Foreign Affairs and Trade, Ministry of	348,156	2,300
Internal Affairs, Department of	42,267	2,425
Justice, Ministry of	634,635	183
National Library of New Zealand	105,410	397

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 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations
Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent
first)
-

Notes**1 *General***

This is a reprint of the Appropriation (2007/08 Financial Review) Act 2009. The reprint incorporates all the amendments to the Act as at 2 September 2009, 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/editorial-conventions/> 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 (2009/10 Estimates) Act 2009 (2009 No 28): section 12
