

**Reprint
as at 13 August 2011**



**Appropriation (2009/10 Financial
Review) Act 2011**

Public Act 2011 No 2
Date of assent 25 March 2011
Commencement see section 2

Appropriation (2009/10 Financial Review) Act 2011: repealed, on 13 August 2011, by section 12 of the Appropriation (2011/12 Estimates) Act 2011 (2011 No 55).

Contents

	Page
1 Title	2
2 Commencement	2
3 Purposes	3
4 Interpretation	3
5 Confirmation of Order in Council directing transfer of amounts between output expense appropriations	3
6 Confirmation of expenses incurred in excess of existing appropriations and approved by Minister of Finance	3
7 Validation of unappropriated expenses and capital expenditure incurred with authority	3
8 Validation of unappropriated expenses and capital expenditure incurred without authority	4

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.

s 1	Appropriation (2009/10 Financial Review) Act 2011	Reprinted as at 13 August 2011
9	Validation of unappropriated expenses incurred without authority in respect of Vote Defence Force	5
10	Validation of unappropriated expenses incurred without authority in respect of Vote Parliamentary Service	5
11	Validation of departmental net asset holding	6
	Schedule 1	7
	Confirmation of expenses incurred in excess of existing appropriations during year ended 30 June 2010 with approval of Minister of Finance	
	Schedule 2	9
	Validation of expenses and capital expenditure incurred in excess of appropriations but with authority of Imprest Supply Act during year ended 30 June 2010	
	Schedule 3	10
	Validation of expenses and capital expenditure incurred in excess of appropriations and without authority of Imprest Supply Act during year ended 30 June 2010	
	Schedule 4	13
	Validation of expenses and capital expenditure incurred without appropriation and without authority of Imprest Supply Act during year ended 30 June 2010	
	Schedule 5	14
	Validation of excess departmental net asset holding during year ended 30 June 2010	

The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Appropriation (2009/10 Financial Review) Act 2011.
- 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 2010; and
- (b) validate other financial matters relating to the financial year ended 30 June 2010 and previous financial years.

4 Interpretation

In this Act, unless the context otherwise requires, the terms **benefit, capital expenditure, department, expenses, financial year, 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 2010 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 2010 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 4 of Schedule 1 alongside the existing appropriation for which the approval was given.

7 Validation of unappropriated expenses and capital expenditure incurred with authority

- (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—

- (a) for the financial year ended 30 June 2010, the department incurred expenses or capital expenditure in excess of the existing appropriations set out in column 3 of Schedule 2 alongside that department; and
 - (b) the expenses and capital expenditure referred to in paragraph (a) were incurred under the authority of an Imprest Supply Act.
- (3) In this section,—
- capital expenditure** means the capital expenditure set out in column 4 of Schedule 2 alongside the relevant department
- department** means a department set out in column 1 of Schedule 2
- expenses** means the expenses set out in column 4 of Schedule 2 alongside the relevant department.

8 Validation of unappropriated expenses and capital expenditure incurred without authority

- (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—
 - (a) for the financial year ended 30 June 2010, the department incurred—
 - (i) expenses or capital expenditure in excess of the existing appropriations set out in column 3 of Schedule 3 alongside that department; or
 - (ii) expenses or capital expenditure without appropriation, or other authority, by or under an Act against the categories of expenses or capital expenditure set out in column 3 of Schedule 4 alongside that department; and
 - (b) the expenses and capital expenditure referred to in paragraph (a) were not incurred under the authority of an Imprest Supply Act.
- (3) In this section,—

capital expenditure means the capital expenditure set out in column 4 of, as appropriate, Schedule 3 or 4 alongside the relevant department

department means a department set out in column 1 of, as appropriate, Schedule 3 or 4

expenses means the expenses set out in column 4 of, as appropriate, Schedule 3 or 4 alongside the relevant department.

9 Validation of unappropriated expenses incurred without authority in respect of Vote Defence Force

- (1) The incurring of expenses by the New Zealand Defence Force in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that—
 - (a) the New Zealand Defence Force incurred departmental other expenses of—
 - (i) \$7.292 million for the financial year ended 30 June 2003; and
 - (ii) \$6.182 million for the financial year ended 30 June 2004; and
 - (iii) \$6.674 million for the financial year ended 30 June 2005; and
 - (iv) \$1.733 million for the financial year ended 30 June 2006; and
 - (v) \$912,000 for the financial year ended 30 June 2007; and
 - (vi) \$1.492 million for the financial year ended 30 June 2008; and
 - (vii) \$2.264 million for the financial year ended 30 June 2009; and
 - (b) each of the amounts specified in paragraph (a) was incurred for asset write-offs in respect of Vote Defence Force without appropriation, or other authority, by or under an Act.

10 Validation of unappropriated expenses incurred without authority in respect of Vote Parliamentary Service

- (1) The incurring of expenses by the Parliamentary Service in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that—
 - (a) the Parliamentary Service incurred non-departmental other expenses of—

- (i) \$9,000 for the financial year ended 30 June 2008; and
- (ii) \$11,000 for the financial year ended 30 June 2009; and
- (b) each of the amounts specified in paragraph (a) was incurred for travel of members and others in respect of Vote Parliamentary Service without appropriation, or other authority, by or under an Act.

11 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 assets, as set out in column 3 of Schedule 5, in the department that, during or at the end of the 2009/10 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 5
 - most recent projected balance of net assets** means the most recent projected balance of net assets for a department at the end of the 2009/10 financial year—
 - (a) at the time when that projected balance was exceeded; and
 - (b) as set out in column 2 of Schedule 5.
-

Schedule 1
**Confirmation of expenses incurred in excess of existing appropriations during
year ended 30 June 2010 with approval of Minister of Finance**

s 6

Column 1	Column 2	Column 3	Column 4 Expenses approved in excess of appropriation \$(000)
<u>Administering department</u>	<u>Vote</u>	<u>Appropriation</u>	
Crown Law Office	Attorney-General	Departmental output expenses	
		Supervision and Conduct of Crown Prosecutions	710
		The Exercise of Principal Law Officer Functions	59
Education, Ministry of	Education	Non-departmental other expenses	
		Early Childhood Education	9,491
Foreign Affairs and Trade, Ministry of	Foreign Affairs and Trade	Non-departmental other expenses	
		Subscriptions to International Organisations	653
Social Development, Ministry of	Social Development	Benefits and other unrequited expenses	
		Redundancy Assistance	38

Reprinted as at
13 August 2011

Appropriation (2009/10 Financial
Review) Act 2011

Schedule 1

Column 1	Column 2	Column 3	Column 4 Expenses approved in excess of appropriation \$(000)
Administering department	Vote	Appropriation	
Transport, Ministry of	Transport	Non-departmental other expenses Enhanced public transport concessions for SuperGold cardholders	327

Schedule 2
Validation of expenses and capital expenditure incurred in excess of appropriations but with authority of Imprest Supply Act during year ended 30 June 2010

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

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses or capital expenditure in excess of appropriation \$(000)
Justice, Ministry of	Treaty Negotiations	Non-departmental capital expenditure	
		Land, Stock, Plant Purchases	9,942
Research, Science and Technology, Ministry of	Research, Science and Technology	Non-departmental output expenses	
		Māori Knowledge and Development Research	999

Reprinted as at 13 August 2011

Appropriation (2009/10 Financial Review) Act 2011

Schedule 2

Schedule 3 s 8(2)(a)(i), (3)
**Validation of expenses and capital expenditure incurred in excess of
appropriations and without authority of Imprest Supply Act during year ended
30 June 2010**

Column 1	Column 2	Column 3	Column 4 Expenses or capital expenditure in excess of appropriation \$(000)
Administering department	Vote	Appropriation	
Crown Law Office	Attorney-General	Departmental output expenses	
		Supervision and Conduct of Crown Prosecu- tions	981
		The Exercise of Principal Law Officer Func- tions	383
Education, Ministry of	Education	Non-departmental output expenses	
		School Transport	1,009
		Benefits and other unrequited expenses	
		Home Schooling Allowances	135
		International Student Scholarship Scheme	27

Schedule 3

Appropriation (2009/10 Financial
Review) Act 2011Reprinted as at
13 August 2011

Column 1	Column 2	Column 3	Column 4 Expenses or capital expenditure in excess of appropriation \$(000)
Administering department	Vote	Appropriation	
Environment, Ministry for the	Climate Change	Non-departmental other expenses	
		Allocation of New Zealand Units	18,341
	Environment	Non-departmental other expenses	
Waikato River Clean-up Fund		97,596	
Waikato River Co-Management		42,925	
Inland Revenue Department	Revenue	Non-departmental other expenses	
Impairment of Debt Relating to Child Support		26,424	
New Zealand Police	Police	Departmental output expenses	
		Investigations	2,810
		Police Primary Response Management	962

Reprinted as at
13 August 2011

Appropriation (2009/10 Financial
Review) Act 2011

Schedule 3

Column 1	Column 2	Column 3	Column 4 Expenses or capital expenditure in excess of appropriation \$(000)
<u>Administering department</u>	<u>Vote</u>	<u>Appropriation</u>	
Serious Fraud Office	Serious Fraud	Departmental output expenses Investigation and Prosecution of Complex or Serious Fraud	622
Treasury, The	Finance	Non-departmental capital expenditure Landcorp Protected Land Agreement	6,056

Schedule 3

Appropriation (2009/10 Financial
Review) Act 2011

Reprinted as at
13 August 2011

Schedule 4
**Validation of expenses and capital expenditure incurred without appropriation
and without authority of Imprest Supply Act during year ended 30 June 2010**

s 8(2)(a)(ii), (3)

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Category of expenses or capital expenditure	Expenses or capital expenditure \$(000)
Economic Development, Ministry of	Energy	Non-departmental capital expenditure Development of Reserve Electricity Generation Capacity	30
New Zealand Defence Force	Defence Force	Departmental other expenses Asset Write-Offs	1,948
Parliamentary Service	Parliamentary Service	Non-departmental other expenses Travel of Members and Others	7
Te Puni Kōkiri	Māori Affairs	Non-departmental other expenses Wharewaka - Wellington Waterfront Development	7,000

Reprinted as at
13 August 2011

Appropriation (2009/10 Financial
Review) Act 2011

Schedule 4

Schedule 5
**Validation of excess departmental net
asset holding during year ended 30 June
2010**

s 11

Column 1	Column 2	Column 3
Department	Most recent projected balance of net assets at 30 June 2010 at time when exceeded \$(000)	Amount of net assets in excess of projected balance \$(000)
Agriculture and Forestry, Ministry of	29,192	2,259
New Zealand Food Safety Authority	3,141	26

Contents

- 1 General
 - 2 Status of reprints
 - 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 (2009/10 Financial Review) Act 2011. The reprint incorporates all the amendments to the Act as at 13 August 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

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 New Zealand 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 (2011/12 Estimates) Act 2011 (2011 No 55): section 12
