

**Version
as at 22 September 2022**



Appropriation (2020/21 Confirmation and Validation) Act 2022

Public Act 2022 No 17
Date of assent 9 May 2022
Commencement see section 2

Appropriation (2020/21 Confirmation and Validation) Act 2022: repealed, on 22 September 2022, by section 10 of the Appropriation (2022/23 Estimates) Act 2022 (2022 No 47).

Contents

	Page
1 Title	2
2 Commencement	2
3 Purpose	2
4 Interpretation	2
5 Confirmation of Order in Council directing transfer of amounts between output expense appropriations	3
6 Validation of unappropriated expenses and capital expenditure for 2020/21 financial year	3
7 Validation of unappropriated expenses incurred by Inland Revenue Department for 2015/16 to 2019/20 financial years	4
8 Validation of unappropriated expenses incurred by Ministry of Business, Innovation and Employment for 2015/16 to 2019/20 financial years	4
9 Validation of unappropriated expenses incurred by Ministry of Education for 2016/17 to 2018/19 financial years	5

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Treasury.

10	Validation of unappropriated capital expenditure incurred by Ministry of Education for 2017/18 and 2019/20 financial years	5
	Schedule 1	6
	Validation of expenses incurred in excess, but within scope, of existing appropriations and without authority of Imprest Supply Act for 2020/21 financial year	
	Schedule 2	7
	Validation of expenses incurred not within scope of existing appropriations and without authority of Imprest Supply Act for 2020/21 financial year	
	Schedule 3	8
	Validation of expenses and capital expenditure incurred without appropriation and without authority of Imprest Supply Act for 2020/21 financial year	

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Appropriation (2020/21 Confirmation and Validation) Act 2022.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Purpose

The purpose of this Act is to—

- (a) confirm and validate matters relating to the 2020/21 financial year; and
- (b) validate matters relating to the 2015/16, 2016/17, 2017/18, 2018/19, and 2019/20 financial years.

4 Interpretation

(1) In this Act,—

2015/16 financial year means the financial year ending with 30 June 2016

2016/17 financial year means the financial year ending with 30 June 2017

2017/18 financial year means the financial year ending with 30 June 2018

2018/19 financial year means the financial year ending with 30 June 2019

2019/20 financial year means the financial year ending with 30 June 2020

2020/21 financial year means the financial year ending with 30 June 2021.

- (2) Terms or expressions used and not defined in this Act but defined in the Public Finance Act 1989 have, in this Act, the same meanings as in 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 2021 is confirmed.

6 Validation of unappropriated expenses and capital expenditure for 2020/21 financial year

- (1) The incurring of expenses or capital expenditure by a department in the circumstances set out in subsection (2), (3), or (4) is validated for the purposes of section 26C of the Public Finance Act 1989.
- (2) The circumstances in this subsection are that,—
- (a) for the 2020/21 financial year, the department incurred expenses in excess, but within the scope, of the existing appropriations set out in column 3 of Schedule 1 alongside that department; and
- (b) the expenses referred to in paragraph (a) were not incurred under the authority of an Imprest Supply Act.
- (3) The circumstances in this subsection are that,—
- (a) for the 2020/21 financial year, the department incurred expenses, not within the scope of any existing appropriation, against the categories of expenses set out in column 3 of Schedule 2 alongside that department; and
- (b) the expenses referred to in paragraph (a) were not incurred under the authority of an Imprest Supply Act.
- (4) The circumstances in this subsection are that,—
- (a) for the 2020/21 financial year, the department incurred expenses or capital expenditure, without appropriation, against the categories of expenses or capital expenditure set out in column 3 of Schedule 3 alongside that department; and
- (b) the expenses or capital expenditure referred to in paragraph (a) were not incurred under the authority of an Imprest Supply Act.
- (5) In this section,—

capital expenditure means the amount of capital expenditure set out in column 4 of Schedule 3 alongside the relevant department

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

expenses means the amount of expenses set out in column 4 of, as appropriate, Schedule 1, 2, or 3 alongside the relevant department.

7 Validation of unappropriated expenses incurred by Inland Revenue Department for 2015/16 to 2019/20 financial years

- (1) The incurring of expenses by the Inland Revenue Department for Vote Revenue in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that—
 - (a) the amount of the expenses is,—
 - (i) for the 2015/16 financial year, \$250,000:
 - (ii) for the 2016/17 financial year, \$1,200,000:
 - (iii) for the 2017/18 financial year, \$1,250,000:
 - (iv) for the 2018/19 financial year, \$1,600,000:
 - (v) for the 2019/20 financial year, \$1,800,000; and
 - (b) the expenses were incurred on making payments that were not within the parameters of the Parental Leave and Employment Protection Act 1987 following its amendment in 2016; and
 - (c) the expenses—
 - (i) were not within the scope of any existing appropriation; and
 - (ii) were not incurred under the authority of an Imprest Supply Act.

8 Validation of unappropriated expenses incurred by Ministry of Business, Innovation and Employment for 2015/16 to 2019/20 financial years

- (1) The incurring of expenses by the Ministry of Business, Innovation and Employment for Vote Business, Science and Innovation in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that—
 - (a) the amount of the expenses is,—
 - (i) for the 2015/16 financial year, \$290,000:
 - (ii) for the 2016/17 financial year, \$178,000:
 - (iii) for the 2017/18 financial year, \$201,000:
 - (iv) for the 2018/19 financial year, \$189,000:
 - (v) for the 2019/20 financial year, \$108,000; and
 - (b) the expenses were incurred to recognise the fair value write-down of non-interest bearing loans entered into by the Energy Efficiency and Conservation Authority under the Crown Energy Efficiency Loan Scheme; and
 - (c) the expenses—
 - (i) were not within the scope of any existing appropriation; and
 - (ii) were not incurred under the authority of an Imprest Supply Act.

9 Validation of unappropriated expenses incurred by Ministry of Education for 2016/17 to 2018/19 financial years

- (1) The incurring of expenses by the Ministry of Education for Vote Education in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that—
 - (a) the amount of the expenses is,—
 - (i) for the 2016/17 financial year, \$697,000;
 - (ii) for the 2017/18 financial year, \$583,000;
 - (iii) for the 2018/19 financial year, \$882,000; and
 - (b) the expenses were incurred in implementing approved school support and schooling improvement projects, along with related capital expenditure incurred within the scope of the School Support Project appropriation; and
 - (c) the expenses—
 - (i) were not within the scope of any existing appropriation; and
 - (ii) were not incurred under the authority of an Imprest Supply Act.

10 Validation of unappropriated capital expenditure incurred by Ministry of Education for 2017/18 and 2019/20 financial years

- (1) The incurring of capital expenditure by the Ministry of Education for Vote Tertiary Education in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that—
 - (a) the amount of the capital expenditure is,—
 - (i) for the 2017/18 financial year, \$414,000;
 - (ii) for the 2019/20 financial year, \$1,840,000; and
 - (b) the capital expenditure was incurred on transferring, to tertiary education institutions, part of the sale proceeds of land and buildings beneficially owned by them under the Crown Asset Transfer and Disposal policy; and
 - (c) the capital expenditure—
 - (i) was not within the scope of any existing appropriation; and
 - (ii) was not incurred under the authority of an Imprest Supply Act.

Schedule 1
Validation of expenses incurred in excess, but within scope, of
existing appropriations and without authority of Imprest Supply Act
for 2020/21 financial year

s 6

Column 1 Administering department	Column 2 Vote	Column 3 Appropriation	Column 4 Amount \$(000)
Internal Affairs, Department of	Internal Affairs	Benefits or Related Expenses	
		Rates Rebate Scheme	1,623
		Departmental Output Expenses	
		Royal Commission into Historical Abuse in State Care and in the Care of Faith-based Institutions - Operating Expenses	969
New Zealand Defence Force	Defence Force	Non-Departmental Other Expenses	
		Racing Safety Development Fund	28
		Non-Departmental Other Expenses	
		Service Cost - Veterans' Entitlements	78,904

Schedule 2
**Validation of expenses incurred not within scope of existing
appropriations and without authority of Imprest Supply Act for
2020/21 financial year**

s 6

Column 1 Administering department	Column 2 Vote	Column 3 Category of expenses	Column 4 Amount \$(000)
Business, Innovation and Employment, Ministry of	Business, Science and Innovation	Non-Departmental Output Expenses Tourism: Marketing New Zealand as a Visitor Destination	13,470
Inland Revenue Department	Revenue	Benefits or Related Expenses Paid Parental Leave Payments	1,450

Schedule 3
Validation of expenses and capital expenditure incurred without appropriation and without authority of Imprest Supply Act for 2020/21 financial year

s 6

Column 1 Administering department	Column 2 Vote	Column 3 Category of expenses or capital expenditure	Column 4 Amount \$(000)
Business, Innovation and Employment, Ministry of	Business, Science and Innovation	Non-Departmental Other Expenses Energy and Resources: Fair Value Write Down on Loans and Investments	37
Culture and Heritage, Ministry for	Arts, Culture and Heritage	Multi-Category COVID-19: Media Sector Response and Recovery	47
Education, Ministry of	Tertiary Education	Non-Departmental Capital Expenditure Tertiary Education Institutions' Proceeds from Disposal of Crown assets	6,131
Housing and Urban Development, Ministry of	Housing and Urban Development	Non-Departmental Capital Expenditure Te Puke Tāpapatanga a Hape (Ihumātao)	29,900

Notes

1 *General*

This is a consolidation of the Appropriation (2020/21 Confirmation and Validation) Act 2022 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Appropriation (2022/23 Estimates) Act 2022 (2022 No 47): section 10