



AUSTRALIAN CAPITAL TERRITORY

## Financial Management Amendment Act 2000

No 27 of 2000

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### **An Act to amend the *Financial Management Act 1996***

*[Notified in ACT Gazette S30: 30 June 2000]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

**1 Name of Act**

This Act is the *Financial Management Amendment Act 2000*.

**2 Commencement**

This Act commences on the day it is notified in the Gazette.

**3 Act amended**

This Act amends the *Financial Management Act 1996*.

**4 Definitions**

Section 3 is amended by inserting the following definitions:

*“GST—see the A New Tax System (Goods and Services Tax) Act 1999 (Cwlth), dictionary.*

*input tax credit—see the A New Tax System (Goods and Services Tax) Act 1999 (Cwlth), dictionary.*

*taxable supply—see the A New Tax System (Goods and Services Tax) Act 1999 (Cwlth), dictionary.”.*

## 5 Net appropriations for outputs

Section 9 is amended by omitting subsection (2) and substituting the following subsections:

“(2) Despite section 6, if an appropriation for a department is stated to be made for the net cost of providing outputs, the department may apply the following in paying the expenses and liabilities of the department in providing the outputs:

- (a) the payments it is entitled to receive otherwise than under an appropriation Act for providing the outputs;
- (b) the value of the input tax credits to which it is entitled for taxable supplies in relation to providing the outputs.

“(3) To remove any doubt, it is declared that, if the appropriations made by an Appropriation Act for a department do not state an amount, or state an ‘0’ appropriation, for the provision of outputs by the department, the appropriations have effect as if they included an appropriation stated to be made for the provision of outputs by the department at no net cost to the Territory.”.

## 6 Insertion

After section 9 the following section is inserted:

### “9A Net appropriations for capital injections

“(1) An appropriation for a capital injection may be stated to be made for, or partly for, the net cost of purchasing or developing assets.

“(2) Despite section 6, if an appropriation is stated to be made for, or partly for, the net cost of purchasing or developing assets, the value of the input tax credits to which the relevant entity is entitled for taxable supplies in relation to purchasing or developing the assets may be applied by the entity in paying the expenses and liabilities of the entity in purchasing or developing the assets.

“(3) In this section:

*relevant entity*, in relation to an appropriation for a capital injection, means the department, authority or corporation that is to undertake the purchasing or developing of assets for which the appropriation is made.”.

**7 Variations of appropriations for certain payments to the Commonwealth**

Section 17A is amended by omitting from subsection (4) “2000” and substituting “2001”.

**8 Substitution**

(1) Section 19A is repealed and the following section substituted:

**“19A Payments for Territory GST liabilities**

Payments may be made to the Commonwealth for the GST liabilities of the Territory whether or not there is an appropriation for the purpose.”.

(2) Section 19A (3) as in effect before the commencement of this section is declared to be a provision to which subsection 42 (2) of the *Interpretation Act 1967* applies.

**9 Insertion**

Before section 67 the following section is inserted:

**“66A Guideline-making power**

“(1) The Treasurer may make financial management guidelines, not inconsistent with this Act or the regulations, prescribing matters—

- (a) required or permitted by this Act to be prescribed by financial management guidelines; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

“(2) A financial management guideline is a disallowable instrument.”.

**10 Regulations and guidelines**

Section 67 is amended—

- (a) by omitting the heading and substituting the following heading:  
“**67 Regulation-making power**”; and
- (b) by omitting subsection (2).

*Financial Management Amendment No 27, 2000*

**Endnote**

**Act amended**

- 1 Republished as in force on 10 November 1999 (Republication No 2).

*[Presentation speech made in Assembly on 23 May 2000]*

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