

2024

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

APPROPRIATION BILL 2023-2024 (No 2)

**EXPLANATORY STATEMENT
and
HUMAN RIGHTS COMPATIBILITY STATEMENT
(*Human Rights Act 2004*, s 37)**

**Presented by
Mr Andrew Barr MLA
Treasurer**

APPROPRIATION BILL 2023-2024 (No 2)

The Bill **is not** a Significant Bill. Significant Bills are bills that have been assessed as likely to have significant engagement of human rights and require more detailed reasoning in relation to compatibility with the *Human Rights Act 2004*.

OVERVIEW OF THE BILL

Under Section 58 of the Australian Capital Territory (Self-Government) Act 1988, public money may not be issued or spent except as authorised by law. Under Section 6 of the Financial Management Act 1996 (FMA), no payment of public money may be made unless it is in accordance with an appropriation. Section 8 of the FMA provides for separate appropriations to be made under an Appropriation Act in respect of each territory entity. The Bill satisfies the provisions of each of these Acts.

The Bill provides for appropriations for:

- (a) net controlled recurrent payments;
- (b) capital injections; and
- (c) payments to be made on behalf of the Territory.

Money is appropriated to directorates, which have been established by the Administrative Arrangements and guidelines issued under Section 133 of the FMA. Appropriations are also made to Territory authorities and Territory-owned corporations.

CONSULTATION ON THE PROPOSED APPROACH

Nil.

CONSISTENCY WITH HUMAN RIGHTS

There are no rights engaged under the *Appropriation Bill 2023-2024 (No 2)*.

Appropriation Bill 2023-2024 (No 2)

Human Rights Act 2004 - Compatibility Statement

In accordance with section 37 of the *Human Rights Act 2004* I have examined the **Appropriation Bill 2023-2024 (No 2)**. In my opinion, having regard to the Bill and the outline of the policy considerations and justification of any limitations on rights outlined in this explanatory statement, the Bill as presented to the Legislative Assembly is consistent with the *Human Rights Act 2004*.

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Shane Rattenbury MLA
Attorney-General

CLAUSE NOTES

Clause 1 cites the short title of the Act as being the *Appropriation Act 2023-2024 (No 2)* as it relates to the 2023-24 financial year.

Clause 2 provides that the Act is taken to have commenced on the day after the notification day.

Clause 3 refers to the legislative basis for making appropriations.

Clause 4 deals with definitions for the purposes of the Bill.

Clause 5 deals with interpretation for the purposes of the Bill.

Clause 6 provides for the appropriation of \$452.956 million for net controlled recurrent payments, capital injections and payments on behalf of the Territory, in the 2023-24 financial year.

Clause 6 (1) provides for appropriations to Territory entities.

Clause 6 (2) provides for the appropriation of the Treasurer's Advance.

Clause 7 declares that all capital injection appropriations listed in Schedule 1 are for, or partly for the net cost of purchasing or developing assets and reducing liabilities.

Schedule 1 details the Territory entities and the amounts that are appropriated in the 2023-24 financial year for:

- (a) net controlled recurrent payments;
- (b) capital injections; and
- (c) payments on behalf of the Territory.

for each Territory entity.