

2025

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

ASSEMBLY AMENDMENTS to the APPROPRIATION BILL 2025-2026

SUPPLEMENTARY EXPLANATORY STATEMENT

**Presented by
Ms Rachel Stephen-Smith MLA
Minister for Health**

ASSEMBLY AMENDMENTS to the APPROPRIATION BILL 2025-2026

This supplementary explanatory statement relates to Assembly Amendments to the Appropriation Bill 2025-2026 as presented to the Legislative Assembly by Ms Rachel Stephen-Smith MLA.

The Appropriation Bill 2025-26 **is not** a Significant Bill and therefore these Assembly Amendments are not significant. 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 AMENDMENTS

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 amendment satisfies the provisions of each of these Acts.

Money is appropriated to directorates, which have been established by the Administrative Arrangements and guidelines issued under Section 133 of the FMA.

On 31 May 2023, the ACT Government passed the Health Infrastructure Enabling Act 2023 (the Act) which enabled the compulsory acquisition of the public hospital lands at Calvary Public Hospital Bruce and the termination of the Calvary Network Agreement (CNA) (and other agreements).

This amendment to the Appropriation Bill 2025-2026 provides for additional appropriation for controlled recurrent payments to the Health and Community Services Directorate. This amendment is necessary to facilitate a payment of \$65 million to Calvary Health Care (Calvary). This payment will settle the outstanding matters between the Territory and Calvary in relation to the acquisition, and will conclude the just terms compensation process.

CONSULTATION ON THE PROPOSED APPROACH

Nil.

CONSISTENCY WITH HUMAN RIGHTS

There are no rights engaged under the Appropriation Bill 2025-2026.

CLAUSE NOTES

Clause 6 is amended to provide for total appropriations of \$9 099 488 000 for net controlled recurrent payments, capital injections and payments on behalf of the Territory, in the 2025-26 financial year.

Schedule 1 is amended in Part 1.6 the amounts for Health and Community Services Directorate that are appropriated in the 2025-26 financial year for net controlled recurrent payments and total appropriations.

Schedule 1 Page 6 is amended to increase the totals in the Appropriation Bill 2025-2026.

Schedule 1 Page 7 is amended to increase Part 1.22 Treasurer's Advance to \$87 955 000 representing 1 per cent of total appropriations.

Schedule 1 Page 7 is amended to increase the totals in the Appropriation Bill 2025-2026.