

**Reprint
as at 6 August 2010**



**Appropriation (2008/09 Financial
Review) Act 2010**

Public Act 2010 No 4
Date of assent 22 March 2010
Commencement see section 2

Appropriation (2008/09 Financial Review) Act 2010: repealed, on 6 August 2010, by section 12 of the Appropriation (2010/11 Estimates) Act 2010 (2010 No 96).

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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.

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- 1 Title**
This Act is the Appropriation (2008/09 Financial Review) Act 2010.
- 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 2009; and
 - (b) validate other financial matters relating to the financial year ended 30 June 2009 and previous financial years.
- 4 Interpretation**
In this Act, unless the context otherwise requires, the terms **capital expenditure, department, expenses, financial year, other expenses, output expenses, outputs,** 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 2009 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 2009 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

- (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 for the financial year ended 30 June 2009, the department incurred—
 - (a) expenses in excess of the existing appropriations set out in column 3 of Schedule 2 alongside that department; or
 - (b) expenses or capital expenditure without appropriation, or other authority, by or under an Act (as specified in column 4 of Schedule 3 alongside the department) against the categories of expenses or capital expenditure set out in column 3 of Schedule 3 alongside that department.
- (3) In this section,—
capital expenditure means the capital expenditure set out in column 5 of Schedule 3 alongside the relevant department

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

expenses means the expenses set out in, as appropriate, column 4 of Schedule 2 or column 5 of Schedule 3 alongside the relevant department.

8 Validation of expenses incurred in respect of Vote Māori Affairs

- (1) The incurring of expenses by Te Puni Kōkiri in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that for the financial year ended 30 June 2008, Te Puni Kōkiri incurred expenses of \$13,000 for the management of land administered under Part 2 of the Maori Affairs Restructuring Act 1989 in respect of Vote Māori Affairs without appropriation, or other authority, by or under an Act.

9 Validation of expenses incurred in respect of Vote Transport

- (1) The incurring of expenses by the Ministry of Transport in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that—
 - (a) the Ministry of Transport incurred expenses of—
 - (i) \$7,000 for the financial year ended 30 June 2005; and
 - (ii) \$14,000 for the financial year ended 30 June 2006; and
 - (iii) \$14,000 for the financial year ended 30 June 2007; and
 - (iv) \$14,000 for the financial year ended 30 June 2008; and
 - (b) each of those amounts was outside the scope of the existing appropriation International Memberships in Vote Transport.

10 Validation of expenses incurred in respect of Vote Treaty Negotiations

- (1) The incurring of expenses by the Ministry of Justice in the circumstances set out in subsection (2) is validated.
- (2) The circumstances are that for the financial year ended 30 June 2008, the Ministry of Justice incurred expenses of \$1,026,000 outside the scope of the existing appropriation Historical Treaty of Waitangi Settlements in Vote Treaty Negotiations.

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 asset holding, as set out in column 3 of Schedule 4, in the department that, during or at the end of the 2008/09 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 4

most recent projected balance of net assets means the most recent projected balance of net assets for a department at the end of the 2008/09 financial year—

- (a) at the time when that projected balance was exceeded; and
 - (b) as set out in column 2 of Schedule 4.
-

Schedule 1

s 6

**Expenses incurred in excess of existing appropriation during year ended 30 June
2009 and approved by Minister of Finance confirmed**

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses approved in excess of appropriation \$(000)
Crown Law Office	Attorney-General	Departmental output expenses Supervision and Conduct of Crown Prosecu- tions	556
Economic Development, Ministry of	Commerce	Departmental output expenses Administration of Insolvencies	158
Education, Ministry of	Education	Non-departmental output expenses School Transport	892
Fisheries, Ministry of	Fisheries	Non-departmental other expenses Contributions to International Organisations	9

Schedule 1

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Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses approved in excess of appropriation \$(000)
New Zealand Defence Force	Defence Force	Departmental output expenses	
		Land Combat Forces	3,417
		Land Combat Support Forces	435
		Maritime Patrol Forces	1,830
		Mine Countermeasures (MCM) and MCM Diving Forces	232
		Naval Combat Forces	2,818
		Naval Helicopter Forces	1,341
		Naval Support Forces	1,218
		Rotary Wing Transport Forces	87
		Special Operations Forces	584
Social Development, Ministry of	Social Development	Benefits and other unrequited expenses	
		Independent Youth Benefit	25
		Sickness Benefit	645
		Student Allowances	5,023

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Appropriation (2008/09 Financial
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Schedule 1

Schedule 2 s 7(2)(a), (3)
Expenses incurred in excess of appropriation during year ended 30 June 2009
validated

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
Agriculture and Forestry, Ministry of	Agriculture and Forestry	Non-departmental output expenses Management of Crown Forestry Assets	1,583
Defence, Ministry of	Defence	Departmental output expenses Management of Equipment Procurement	1,116
Economic Development, Ministry of	Economic Development	Non-departmental other expenses Large Budget Screen Production Fund	12,313
Environment, Ministry for the	Climate Change	Non-departmental other expenses Framework Convention on Climate Change	25

Schedule 2

Appropriation (2008/09 Financial Review) Act 2010

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Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
Foreign Affairs and Trade, Ministry of	Foreign Affairs and Trade	Departmental output expenses	
		Policy Advice and Representation - International Institutions	929
Inland Revenue Department	Revenue	Benefits and other unrequited expenses	
		KiwiSaver: Interest	1,411
		Non-departmental other expenses	
		Impairment of Debt Relating to Child Support	29,258
		Impairment of Debt Relating to General Tax and Family Support	456,319
		Impairment of Debt Relating to Student Loans	392,100
Justice, Ministry of	Courts	Departmental output expenses	
		Higher Court Services	741

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Schedule 2

Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
		Non-departmental other expenses	
		Costs in Criminal Cases	446
		Family Court Professional Services	1,514
		Witness Fees and Expenses	270
		Youth Court Professional Fees	266
	Justice	Non-departmental output expenses	
		Legal Aid	5,520
Land Information New Zealand	Lands	Departmental output expenses	
		Land and Seabed Data Capture and Processing	670
New Zealand Police	Police	Departmental output expenses	
		Case Resolution and Support to Judicial Process	1,691
		Specific Crime Prevention Services and Maintenance of Public Order	271

Schedule 2

Appropriation (2008/09 Financial Review) Act 2010

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Column 1	Column 2	Column 3	Column 4
Administering department	Vote	Appropriation	Expenses in excess of appropriation \$(000)
Pacific Island Affairs, Ministry of	Pacific Island Affairs	Departmental output expenses Communications	1,589
Prime Minister and Cabinet, Department of the	Prime Minister and Cabinet	Non-departmental other expenses Depreciation Expenses on Crown Assets	3,395
Social Development, Ministry of	Social Development	Benefits and other unrequited expenses Family Start/NGO Awards	9
Transport, Ministry of	Transport	Departmental output expenses Land Transport Revenue Forecasting and Strategy	195

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Schedule 2

Schedule 3
Expenses and capital expenditure incurred without appropriation or other authority during year ended 30 June 2009 validated

s 7(2)(b), (3)

Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Category of expenses or capital expenditure	Nature of breach	Expenses or capital expenditure \$(000)
Agriculture and Forestry, Ministry of	Agriculture and Forestry	Benefits and other unrequited expenses		
		Rural Veterinarians Bonding Scheme	Without appropriation	99
Justice, Ministry of	Justice	Non-departmental other expenses		
		Contribution to Foreshore and Seabed Negotiation Costs	Outside scope	250
	Treaty Negotiations	Non-departmental other expenses		
		Historical Treaty of Waitangi Settlements	Outside scope	3,036
		Māori Authorities (FoMA) Appeal	Without appropriation	472

Schedule 3

Appropriation (2008/09 Financial Review) Act 2010

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Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Category of expenses or capital expenditure	Nature of breach	Expenses or capital expenditure \$(000)
		Non-departmental capital expenditure		
		Advance Payment Against Notionally Accrued Interest	Without appropriation	1,000
National Library of New Zealand	National Library	Departmental other expenses		
		Asset Write-Offs	Without appropriation	2,584
New Zealand Defence Force	Veterans' Affairs - Defence Force	Benefits and other unrequited expenses		
		War Disablement Pensions	Outside scope	27
		Non-departmental other expenses		
		Ex-Gratia Payments	Without appropriation	243

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Schedule 3

Column 1	Column 2	Column 3	Column 4	Column 5
Administering department	Vote	Category of expenses or capital expenditure	Nature of breach	Expenses or capital expenditure \$(000)
Te Puni Kōkiri	Māori Affairs	Non-departmental other expenses Management of Land Administered Under Part 2 of the Maori Affairs Restructuring Act 1989	Without appropriation	7
Transport, Ministry of	Transport	Non-departmental other expenses Motor Vehicle Registration/Licenses and Road User Charges Bad Debt Provision	Without appropriation	257
		Non-departmental capital expenditure New Zealand Transport Agency	Outside scope	6,990

Schedule 4

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**Excess departmental net asset holding
during year ended 30 June 2009 validated**

Column 1	Column 2	Column 3
	Most recent projected balance of net assets at 30 June 2009 at time when exceeded \$(000)	Amount of net assets in excess of projected balance \$(000)
Department	\$(000)	\$(000)
Clerk of the House of Representatives, Office of the	5,527	223
Labour, Department of	66,370	1,711

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Publication Act 1989
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first)
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Notes**1 General**

This is a reprint of the Appropriation (2008/09 Financial Review) Act 2010. The reprint incorporates all the amendments to the Act as at 6 August 2010, 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 (2010/11 Estimates) Act 2010 (2010 No 96): section 12
