



Imprest Supply (Second for 2010/11) Act 2010

Public Act 2010 No 97
Date of assent 5 August 2010
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Imprest Supply (Second for 2010/11) 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—

- (a) to authorise expenses and capital expenditure to be incurred by the Crown and Offices of Parliament during the 2010/11 year in advance of appropriation by way of an Appropriation Act; and
- (b) to enable the net asset holdings of departments and Offices of Parliament to exceed the amounts confirmed in the Appropriation (2010/11 Estimates) Act 2010.

4 Interpretation

- (1) In this Act, unless the context otherwise requires,—

2010/11 year means the financial year ending with 30 June 2011

department has the meaning given to it by section 2(1) of the Public Finance Act 1989, but does not include an intelligence and security department

expenses has the meaning given to it by section 2(1) of the Public Finance Act 1989, but also includes expenses and capital expenditure incurred by an intelligence and security department.

- (2) In this Act, unless the context otherwise requires, **asset, capital expenditure, financial year, intelligence and security department, Minister, Office of Parliament, operating surplus, remeasurements, Responsible Minister, and Vote** have the meanings given to them by section 2(1) of the Public Finance Act 1989.

5 Authority to incur expenses

- (1) Expenses may, during the 2010/11 year, be incurred in advance of appropriation in relation to any Vote.
- (2) Expenses incurred under subsection (1) during the 2010/11 year must not exceed in the aggregate the sum of \$8,300 million.

6 Authority to incur capital expenditure

- (1) Capital expenditure may, during the 2010/11 year, be incurred in advance of appropriation in relation to any Vote.

- (2) Capital expenditure incurred under subsection (1) during the 2010/11 year must not exceed in the aggregate the sum of \$4,900 million.

7 Appropriation required

- (1) All expenses incurred under section 5(1) and all capital expenditure incurred under section 6(1) must be appropriated in an Appropriation Act that comes into force on or before 30 June 2011.
- (2) Until the coming into force of that Appropriation Act, those expenses and that capital expenditure may be incurred during the 2010/11 year as if they had been incurred in accordance with one of the separate appropriations specified in section 7(1) of the Public Finance Act 1989.

8 Authority under this Act is authority for purposes of sections 4(1) and 26C(1) of Public Finance Act 1989

- (1) The authority given by this Act to incur expenses or capital expenditure in advance of appropriation is an authority under an Act for the purposes of sections 4(1) and 26C(1) of the Public Finance Act 1989.
- (2) However, subsection (1) does not apply to expenses or capital expenditure for which no appropriation is made in accordance with section 7(1).

9 Authority to exceed net assets confirmed in Appropriation Act

- (1) In this section,—
- excess amount** means the amount by which the net asset holding of a department or an Office of Parliament, during the 2010/11 year, exceeds the projected balance for that department or Office of Parliament
- projected balance** means the projected balance of net assets at 30 June 2011 set out in column 9 of Schedule 5 of the Appropriation (2010/11 Estimates) Act 2010.
- (2) The amount of net asset holding in a department or an Office of Parliament during the 2010/11 year may exceed the projected balance for that department or Office of Parliament.

- (3) However, the aggregate of the excess amounts for all departments and Offices of Parliament together with the total net asset holding of any department that is not listed in Schedule 5 of the Appropriation (2010/11 Estimates) Act 2010 must not exceed \$700 million.
- (4) For the purposes of subsections (1) and (2), the amount of net asset holding in a department or an Office of Parliament does not include—
- (a) any operating surplus retained as agreed between the Minister and the Responsible Minister for a department or an Office of Parliament in accordance with section 22(1) of the Public Finance Act 1989 that is not reflected in Schedule 5 of the Appropriation (2010/11 Estimates) Act 2010; or
 - (b) any remeasurement of a department's or an Office of Parliament's reported net asset holding as set out in section 22(2) of the Public Finance Act 1989 that is not reflected in Schedule 5 of the Appropriation (2010/11 Estimates) Act 2010.
- (5) Subsections (2) and (3) apply despite section 22(3) of the Public Finance Act 1989.

10 Repeal of this Act

This Act is repealed on the close of 30 June 2011.

Legislative history

3 August 2010	Introduction (Bill 188–1), first reading, second reading, third reading
5 August 2010	Royal assent

This Act is administered by the Treasury.
