

# **TREASURER'S ADVANCE AUTHORIZATION ACT 1995**

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**No. 23 of 1995**

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**AN ACT to authorize the Treasurer to make certain payments and advances and to specify a limit for the payments and advances so authorized for the financial year commencing on 1 July 1995.**

*[Assented to 13 July 1995.]*

The Parliament of Western Australia enacts as follows:

## **Short title**

1. This Act may be cited as the *Treasurer's Advance Authorization Act 1995*.

**Commencement**

2. This Act comes into operation on the day on which it receives the Royal Assent.

**Interpretation**

3. In this Act, unless the contrary intention appears —

**“Consolidated Fund”** means the Fund of that name established by section 64 of the *Constitution Act 1889* and referred to in section 6 of the *Financial Administration and Audit Act 1985*;

**“existing works and services advance”** means so much of any advance made before 1 July 1995 under an enactment corresponding to section 5(1)(b) or (c) as has not been recouped or recovered before 1 July 1995.

**“local government authorities”** means municipalities or regional councils constituted under the *Local Government Act 1960*;

**“public authorities”** means the Governor in Executive Council, Ministers of the Crown in right of the State, Government Departments, State trading concerns, State instrumentalities, State agencies, and public statutory bodies, corporate or unincorporate, established by or under a law of the State;

**“Treasurer”** means the Treasurer of the State;

**“Treasurer's Advance Account”** means the Account of that name referred to in section 8 of the *Financial Administration and Audit Act 1985*; and

**“Trust Fund”** means the Fund of that name referred to in section 9 of the *Financial Administration and Audit Act 1985*.

**Treasurer's Advance Authorization for 1995-96**

4. (1) During the financial year commencing on 1 July 1995 the Treasurer is authorized to make payments or advances under this Act but the aggregate of —

- (a) the payments and advances made; and
- (b) any existing works and services advances,

is not to exceed \$200 000 000.

(2) In calculating the aggregate mentioned in subsection (1) at any point of time in the financial year commencing on 1 July 1995, no account shall be taken of so much of —

- (a) any advance under section 5(1)(b) or (c); or
- (b) any existing works and services advance,

as has been recouped or recovered in that financial year.

**Purposes for which money can be paid or advanced**

5. (1) Subject to the *Financial Administration and Audit Act 1985* and section 4(1), the Treasurer may in the financial year commencing on 1 July 1995 —

- (a) make payments of an extraordinary or unforeseen nature in anticipation of, or in addition to, the relevant appropriations by Parliament, with such expenditure to be charged in that year to the Consolidated Fund and to be subsequently submitted to Parliament for appropriation from the Consolidated Fund;
- (b) make advances, on such terms as the Treasurer thinks fit, for the temporary financing of works and services

of the State or to officers of public authorities including advances —

- (i) to public authorities;
- (ii) to accounts forming part of the Trust Fund;  
or
- (iii) for the purchase of stores,

with such advances to be charged in that year to the Treasurer's Advance Account and to be recouped by charging the specific appropriation of Parliament applicable thereto with the expenditure on those works or services or by recovering the advances from the public authorities, Trust Fund accounts or officers of public authorities to or on whose account the advances were made; and

- (c) make advances, on such terms as the Treasurer thinks fit, for the temporary financing of works and services undertaken in conjunction with, or on behalf of, other Commonwealth, State or Territory Governments, local government authorities or persons, or by those Governments, authorities or persons on behalf of the State, with such advances to be charged in that year to the Treasurer's Advance Account and to be recovered from the Governments, authorities or persons to or on whose account the advances were made.

(2) The terms of an advance under subsection (1)(b) or (c) may include an obligation to pay interest on the advance at a rate determined by the Treasurer and any such interest received shall be credited to the Consolidated Fund.

**Crediting of amounts recouped or recovered**

**6.** There shall be credited to the Treasurer's Advance Account —

- (a) any portion of an advance under section 5(1)(b) or (c) that is recouped or recovered under section 5(1)(b) or (c); and
  - (b) any portion of an existing works or services advance that is recouped or recovered under an enactment corresponding to section 5(1)(b) or (c).
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