

No. 2 of 2012.

*Appropriation (2013) Act 2012.*

Certified on: 20<sup>th</sup> December 2012



## AUTONOMOUS REGION OF BOUGAINVILLE.

No. 2 of 2012

AN ACT

*Entitled*

*APPROPRIATION (2013) ACT 2012*

Being an Act to provide for the appropriation of funds for the services of the Autonomous Bougainville Government for the year ending 31<sup>st</sup> December 2013.

MADE by the House of Representatives.

**1. COMMENCEMENT**

This Act comes into force on 1<sup>st</sup> January 2013.

**2. INTERPRETATION**

In this Act, unless the contrary intention indicates –

“**activity**” means a sub-category of a function or project specifying an object in relation to any expenditure of public monies;

“**appropriation**” means the allocation of a sum of public monies for a purpose or object, which is categorised in the budget by a function, or a program, project or an activity or an item, and “appropriate” has a corresponding meaning;

“**budget**” means the document entitled “Appropriation (2013) Act 2012” and the “Estimates of Revenue and Expenditure for the year 2013” referred to in that Act;

“**function**” means a primary unit of a classification specifying a Ministry, branch or structure of Government or general purpose in relation to any expenditure of public monies;

“**project**” means a sub-category of a function specifying an object in relation to any expenditure of public monies.

**3. APPROPRIATION OF K 390,773,518**

The amount of money not exceeding K 390,773,518 is to be issued from the Consolidated Revenue Fund for the year ending 31<sup>st</sup> December 2013 and is appropriated as set out in the "Estimates of Revenue and Expenditure for the year ending 31<sup>st</sup> December 2013".

#### 4. APPROPRIATION OF GRANTS, ETC.

Grants, inclusive of conditional grants, restoration, rehabilitation, and reconstruction grants, and other monies lawfully made available from the National Government towards the purposes of the Autonomous Bougainville Government are appropriated for expenditure through the Consolidated Revenue Fund.

#### 5. TRANSFER BETWEEN FUNCTIONS

- (1) If there is insufficient funds to meet a particular function, the Minister of Finance, after consultation with the Chief Administrator and the head of the Department or Division of the Government responsible for finance, however described, may make transfers between functions where –
  - (a) the transfer does not conflict with budget policy; and
  - (b) the total appropriation for that financial year for that ministry is unaltered.
- (2) The Minister of Finance must ensure that sufficient details to explain any transfer made pursuant to Subsection (1) will be included in the next Appropriation Bill.

#### 6. AUTHORIZATION FOR URGENT NEED

- (1) The Bougainville Executive Council, subject to Subsection (2), may from time to time make adjustments to amounts appropriated to votes within the budget by –
  - (a) transferring amounts between functions;
  - (b) transferring within functions amounts from one project or activity to another project or activity; or
  - (c) transferring within functions amounts from one item to another item.
- (2) If the Minister of Finance, after consultation with the Chief Administrator and the head of the Department or Division of the Government responsible for finance, however described, is satisfied on reasonable grounds that an urgent need for expenditure has arisen:
  - (a) for which no provision in an appropriation Act exists or for which the existing provision is insufficient; and
  - (b) which cannot be deferred without detriment to the public interest; and
  - (c) because of a natural disaster or which due to exceptional circumstances could not have been foreseen,

the Minister may, subject to the prior approval of the Bougainville Executive Council, by order in writing, direct one or more ministers to transfer a specified amount of money to the ministry responsible for meeting that need.

(3) The minister of the ministry to which amounts are transferred under Subsection (1) to meet a particular need must ensure that those amounts are used to meet only that need.

(4) If an order is not made under Subsection (2) because it was not possible to identify available funds to meet a particular need, the Minister may, with the prior approval of the Bougainville Executive Council and in anticipation of the grant of an appropriation, authorise, by order in writing, the issue of monies from the Consolidated Revenue Fund to meet that need.

(5) The total of the sums which may be authorised under Subsection (4) must not exceed and subject to assessment of given circumstances:

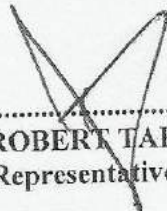
(a) for natural disasters – one percent of the total sum appropriated by the Government for the current financial year; and

(b) for all other needs – subject to assessment of those respective needs - of the total sum appropriated by the Government for the current financial year.

(6) When any issue is made from the Consolidated Revenue Fund under this Section a supplementary estimate of the sum required for the service for which such issue was made must be presented to Parliament at its next meeting following the date on which the warrant was issued and will be included in a Supplementary Appropriation bill.

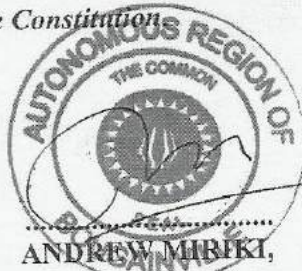
I, **ROBERT TAPI**, Clerk of the House of Representatives, hereby certify that the foregoing is a fair copy of the *Appropriation (2013) Act 2012* which has been made by the House of Representatives.

DATED this 20<sup>th</sup> day of December 2012.

  
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**ROBERT TAPI,**  
Clerk of the House of Representatives.

I, **ANDREW MIRIKI**, Speaker of the House of Representatives, hereby certify that the *Appropriation (2013) Act 2012* was made by the House of Representatives on 20<sup>th</sup> December 2012 by an absolute majority of votes in accordance with the *Bougainville Constitution*

DATED this 20<sup>th</sup> day of December 2012.

  
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**ANDREW MIRIKI,**  
Speaker of the House of Representatives