

立法會
Legislative Council

LC Paper No. LS122/01-02

**Paper for the House Committee Meeting
on 21 June 2002**

**Legal Service Division Report on
Supplementary Appropriation (2001-2002) Bill 2002**

I. SUMMARY

- 1. Object of the Bill** To provide for the appropriation of \$1,499,889,091.67 for the services of the Government in the financial year which ended on 31 March 2002 in addition to the sum appropriated by the Appropriation Ordinance 2001 (4 of 2001) ("the Ordinance").
- 2. Comments** By this Bill, the Administration seeks the approval of the Legislative Council for the supplementary provisions for specified heads of expenditure which were approved during the financial year by the Finance Committee or under powers delegated by it. The heads which were in excess of the respective sums appropriated for them by the Ordinance and the amounts of excess are specified in the Schedule to the Bill.
- 3. Public Consultation** No public consultation has been carried out.
- 4. Consultation with
LegCo Panels/
Committees** There is no consultation with the LegCo Panels or Committees.
- 5. Conclusion** No difficulties relating to the legal and drafting aspects of the Bill have been identified.

II. REPORT

Object of the Bill

To provide for the appropriation of \$1,499,889,091.67 for the services of the Government in the financial year which ended on 31 March 2002 in addition to the sum appropriated by the Appropriation Ordinance 2001 (4 of 2001).

LegCo Brief Reference

2. No LegCo Brief has been issued.

Date of First Reading

3. 19 June 2002.

Comments

4. Under section 6 of the Public Finance Ordinance (Cap. 2) ("the Ordinance"), an Appropriation Ordinance is enacted at the commencement of each financial year. Upon the enactment of the Appropriation Ordinance, the estimates of expenditure for the financial year to which the Appropriation Ordinance relates are deemed to be approved to the extent that they are provided for in the Appropriation Ordinance.

5. However, changes may be made to the approved estimates of expenditure during the financial year with the approval of the Finance Committee or under powers delegated by it in accordance with section 8 of the Ordinance. Such changes may provide for, inter alia, supplementary provision in approved or new subheads.

6. Section 9 of the Ordinance provides that if at the close of account for a financial year it is found that expenditure charged to any head is in excess of the sum appropriated for that head by the Appropriation Ordinance for that financial year, the excess shall be included in a Supplementary Appropriation Bill which shall be introduced into the Legislative Council as soon as practicable after the close of that financial year.

7. By this Bill, the Administration is seeking the approval of the Legislative Council to make supplementary provisions for the specified heads of expenditure in the financial year which ended on 31 March 2002. The heads in which there was excess and the amounts of excess are specified in the Schedule to the Bill.

8. According to the draft speech by the Secretary for the Treasury (circulated to Members separately), the excess expenditure in each head reflects supplementary provision approved by the Financial Committee or under powers delegated by it. The purpose of the Bill is to seek final legislative authority for the supplementary provisions approved during the financial year in respect of particular heads of expenditure by the Finance Committee or under powers delegated by it.

Public Consultation

9. No public consultation has been carried out.

Consultation with LegCo Panels/Committees

10. There is no consultation with the LegCo Panels or Committees.

Conclusion

11. No difficulties relating to the legal and drafting aspects of the Bill have been identified.

Prepared by

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