

立法會
Legislative Council

LC Paper No. LS78/09-10

**Paper for the House Committee Meeting
on 25 June 2010**

**Legal Service Division Report on
Supplementary Appropriation (2009-2010) Bill**

I. SUMMARY

- 1. Object of the Bill** To provide for the appropriation of \$6,056,612,647.25 for the services of the Government in the financial year that ended on 31 March 2010 in addition to the sum appropriated by the Appropriation Ordinance 2009 (1 of 2009).
- 2. Comments** The Bill is introduced in accordance with the Public Finance Ordinance (Cap. 2) to provide for supplementary appropriation for the specified heads of expenditure approved by the Finance Committee or under the powers delegated by it in the financial year that ended on 31 March 2010. The 17 heads in which there was excess of expenditure over the original appropriation and the amount of excess under each head are specified in the Schedule to the Bill.
- 3. Public Consultation** No public consultation has been carried out.
- 4. Consultation with LegCo Panel** There is no consultation with any LegCo Panel.
- 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 \$6,056,612,647.25 for the services of the Government in the financial year that ended on 31 March 2010 in addition to the sum appropriated by the Appropriation Ordinance 2009 (1 of 2009).

LegCo Brief Reference

2. No LegCo Brief has been issued.

Date of First Reading

3. 23 June 2010.

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 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 and shall have effect from the first day of such financial year.

5. During the financial year, changes however may be made to the approved estimates of expenditure with the approval of the Finance Committee or under the 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. This Bill is introduced in accordance with section 9 of the Ordinance to provide for supplementary appropriation for the specified heads of expenditure in the financial year that ended on 31 March 2010. The 17 heads in which there was excess

of expenditure over the original appropriation and the amount of excess under each head are specified in the Schedule to the Bill. The purpose of the Bill is to seek final legislative authority for the amount of supplementary provision approved by the Finance Committee or under the powers delegated by it during the financial year in respect of the particular heads of expenditure.

Public Consultation

8. No public consultation has been carried out.

Consultation with LegCo Panel

9. There is no consultation with any LegCo Panel.

Conclusion

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

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