

立法會
Legislative Council

LC Paper No. LS86/03-04

**Paper for the House Committee Meeting
on 18 June 2004**

**Legal Service Division Report on
Supplementary Appropriation (2003-2004) Bill**

I. SUMMARY

- 1. Objects of the Bill** To provide for the appropriation of \$2,594,300,025.12 for the services of the Government in the financial year which ended on 31 March 2004 in addition to the sum appropriated by the Appropriation Ordinance 2003 (No. 12 of 2003).
- 2. Comments** The Administration is seeking the approval of the Legislative Council to make supplementary provision for the specified heads of expenditure approved by the Finance Committee or under the powers delegated by it in the financial year which ended on 31 March 2004. The heads in which there was excess 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 Panel** There is no consultation with any LegCo Panel.
- 5. Conclusion** The legal and drafting aspects of the Bill present no problem.

II. REPORT

Objects of the Bill

To provide for the appropriation of \$2,594,300,025.12 for the services of the Government in the financial year which ended on 31 March 2004 in addition to the sum appropriated by the Appropriation Ordinance 2003 (No. 12 of 2003).

LegCo Brief Reference

2. No LegCo Brief has been issued.

Date of First Reading

3. 16 June 2004.

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. 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. By this Bill, the Administration is seeking the approval of the Legislative Council to make supplementary provision for the specified heads of expenditure in the financial year which ended on 31 March 2004. 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 of the Secretary for Financial Services and the Treasury, the excess expenditure in each head reflects supplementary provision approved by the Finance Committee or under the powers delegated by it. 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 particular heads of expenditure.

Public Consultation

9. No public consultation has been carried out.

Consultation with LegCo Panel

10. There is no consultation with any LegCo Panel.

Conclusion

11. The legal and drafting aspects of the Bill present no problem. Subject to Members' views, the Bill is ready for resumption of Second Reading debate.

Prepared by

FUNG Sau-kuen, Connie
Assistant Legal Adviser
Legislative Council Secretariat
14 June 2004