

立法會
Legislative Council

LC Paper No. LS79/11-12

**Paper for the House Committee Meeting
on 15 June 2012**

**Legal Service Division Report on
Supplementary Appropriation (2011-2012) Bill**

I. SUMMARY

- 1. Object of the Bill** To provide for a supplementary appropriation of \$54,135,414,808.13 for the services of the Government in the financial year that ended on 31 March 2012 in addition to the sum appropriated by the Appropriation Ordinance 2011 (6 of 2011).
- 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 2012. The 38 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 conducted.
- 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 a supplementary appropriation of \$54,135,414,808.13 for the services of the Government in the financial year that ended on 31 March 2012 in addition to the sum appropriated by the Appropriation Ordinance 2011 (6 of 2011) (the Ordinance).

LegCo Brief Reference

2. TsyB H 00/710/1/0(C) Pt.3 issued by the Financial Services and the Treasury Bureau dated 6 June 2012.

Date of First Reading

3. 13 June 2012.

Comments

4. The Ordinance was enacted in April 2011 to provide for the appropriation of a sum not exceeding \$333,909,154,000 from the general revenue for the services of the Government in the financial year from 1 April 2011 to 31 March 2012 under section 6 of the Public Finance Ordinance (Cap. 2) (PFO). Upon enactment of the Ordinance, the estimates of expenditure for the 2011-2012 financial year are deemed to be approved to the extent that they are provided for in the Ordinance and shall have effect from the first day of the financial year.

5. In the course of the 2011-2012 financial year, the Government has made changes 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 PFO. Section 9 of PFO stipulates 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.

6. This Bill is introduced in accordance with section 9 of PFO to seek final legislative authority for the supplementary appropriation under the specified heads of expenditure in the 2011-2012 financial year. The 38 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.

7. According to paragraph 3 of the LegCo Brief, the supplementary provisions for the specified heads of expenditure were mainly appropriated for meeting additional expenses for the 2011 civil service pay adjustment, implementing Scheme \$6,000 and injecting funds into the Community Care Fund, the Elite Athletes Development Fund and the Self-financing Post-secondary Education Fund. Members may wish to refer to Annex B of that Brief for major reasons for the supplementary appropriation under each of the specified heads.

Public Consultation

8. No public consultation has been conducted.

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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