

**Wording for consideration for amendments to sections 20 and 21 of the FMA Act**

**20 Establishment of ~~Special~~Designated Purpose Accounts by Finance Minister**

- (1) The Finance Minister may make a written determination that does all ~~or any~~ of the following:
  - (a) establishes a ~~Special~~Designated Purpose Account;
  - (b) allows or requires amounts to be credited to the ~~Special~~Designated Purpose Account;
  - (c) specifies the purposes for which amounts are allowed or required to be debited from the ~~Special~~Designated Purpose Account.

(1A) A determination under subsection (1) may specify that an amount may or must be debited from a Special Account established under subsection (1) otherwise than in relation to the making of a real or notional payment.

- (2) The Finance Minister may make a determination that revokes or varies a determination made under subsection (1).
- (3) The Finance Minister may make a determination that abolishes a ~~Special~~Designated Purpose Account established under subsection (1).
- (4) The CRF is hereby appropriated for expenditure for the purposes of a ~~Special~~Designated Purpose Account established under subsection (1), up to the balance for the time being of the ~~Special~~Designated Purpose Account.

(4A) If the Finance Minister makes a determination that allows an amount standing to the credit of a Special Account to be expended in making payments for a particular purpose, then, unless the contrary intention appears, the amount may also be applied in making notional payments for that purpose.

Note: This subsection applies to transactions that do not actually involve payments because the parties to the transaction are merely parts of the Commonwealth or acting as agents for the Commonwealth. For example, Agency 1 “pays” Agency 2 for services provided by Agency 2.

- (5) Whenever an amount is debited against the appropriation in subsection (4), the amount is taken to be also debited from the ~~Special~~Designated Purpose Account.

**21 ~~Special~~Designated Purpose Accounts established by other Acts**

- (1) If another Act establishes a ~~Special~~Designated Purpose Account and identifies the purposes of the ~~Special~~Designated Purpose Account, then the CRF is hereby appropriated for expenditure for those purposes, up to the balance for the time being of the ~~Special~~Designated Purpose Account.

Note: An Act that establishes a ~~Special~~Designated Purpose Account will identify the amounts that are to be credited to the ~~Special~~Designated Purpose Account.

(1A) If an Act allows an amount standing to the credit of a Designated Purpose Account to be applied, debited, paid or otherwise used for a particular purpose, then, unless the contrary intention appears, the amount may also be applied, paid or otherwise used in making a notional payment for that purpose.

Note: This subsection applies to transactions that do not actually involve payments because the parties to the transaction are merely parts of the Commonwealth or acting as agents for the Commonwealth. For example, Agency 1 “pays” Agency 2 for services provided by Agency 2.

- (2) Whenever an amount is debited against the appropriation in subsection (1), the amount is taken to be also debited from the ~~Special~~Designated Purpose Account.