



## ANALYSIS

1.	Title Short Title	2.	Revenue and Expenditure of Cook Islands Government Account
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1997, No. 17

An Act to amend the Constitution

(1 July 1997)

**BE IT ENACTED** by the Parliament of the Cook Islands in Session assembled, and by the authority of the same as follows:

1. Short Title - This Act may be cited as the Constitution Amendment (No. 22) Act 1997 and shall be read together with and deemed part of the Constitution of the Cook Islands (hereinafter referred to as "the Constitution").

2. Revenue and expenditure of Cook Islands Government Account - The Constitution is amended by repealing Article 70 subclauses (1), (2) and (3) and substituting the following Article -

"70. Expenditure - (1) All expenditure from the Cook Islands Government Account, or from any other public fund or account shall be in accordance with an Appropriation Act unless otherwise authorised or permitted by any other enactment.

(2) An appropriation provision for a specific purpose shall make reference to any anticipated income in relation to that purpose and the amount appropriated shall be the nett amount.

(3) The Minister responsible for Finance, with the concurrence of Cabinet, or, where any enactment so provides, the Executive Council, may approve the expenditure of such sums as he or it considers necessary -

(a) in anticipation of provision to be made in an Appropriation Act for any financial year:

Provided that the total amount issued and paid in any financial year shall not exceed the unexpended balance of the vote in the Appropriation Act (or Acts) for the preceding financial year together with an amount equal to three-twelfths of that vote; or

- (b) when during the period between the passing of the last Appropriation Act for any financial year and the end of that year it is desirable that money should be expended in excess of or without the prior appropriation of Parliament:

Provided that:

- (i) the total amount of all sums issued and paid shall not exceed a one and one-half percent (1 1/2%) of the total amount of all sums appropriated by the Appropriation Act or Acts for that year; and
  - (ii) in such case the Public Expenditure Review Committee shall investigate and make a recommendation to the Minister of Finance who may direct that any amount paid to any Government Department or Crown Agency in accordance with paragraph (b) be repaid to the Cook Islands Government Account out of any appropriation in any following financial year."
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