

such damages as are awarded to the petitioner . . .” The attention of Treasury was drawn to an instance of non-compliance with the statutory appropriation requirements and it issued a circular in the terms following—

The attention of all Departments is drawn to section 32 of the Crown Suits Act, 1908, concerning damages payable by the Crown. This section provides that such payments may be made “out of any money specially appropriated by Parliament to that purpose.”

In a number of votes on the estimates provision is made in the preamble for the payment of damages and compensation, but, in view of the wording of section 32, this is not sufficient as an appropriation.

In future, therefore, Departments which incur expenditure of this nature and have no specific item on the estimates for damages and compensation should make these payments from “Unauthorized expenditure” and take an item subsequently on the main or supplementary estimates. If the Appropriation Act has been passed, the expenditure should be charged to “Unauthorized,” which is sanctioned by inclusion in the Fourth Schedule of the Appropriation Act for the following year.

The Audit Office has agreed to accept an item such as “Compensation or damages in respect of accidents or injuries to workmen” as being specific in terms of section 32, or to accept a charge against “Unauthorized” where no such item has been taken. It has, however, done so with some doubt, as it has been laid down by the Court of Appeal that “the control of Parliament is not affected by the award or judgment of the Court on a petition under the Act, and it rests entirely with Parliament to say whether any sum found by the Court to be payable shall be paid.”

Travelling-expenses incurred on Official Visits Overseas

During the financial year 1946–47 there was an increase, as compared with previous years, in the number of public servants travelling out of New Zealand on official business. These visits overseas, in terms of decisions made in 1930 and 1938, require the approval of Cabinet.

Comment was made in last year’s report that there had been considerable delay in completing the accounts of some of these travellers. In general there has been an improvement in this respect, and most vouchers are now being submitted with reasonable promptitude and with adequate authorities in support.

The item in each vote against which overseas travel costs are charged is usually worded “Expenses of officers travelling overseas,” but such an item, being a provision for actual expenses or daily allowances, is not appropriate where, as sometimes happens, lump-sum grants are made to cover costs. The item in vote, “External Affairs,” under which Ministerial overseas travel costs have been charged—viz., “New Zealand representation at International Conferences: travelling and other expenses of delegations,” is similarly inappropriate when grants are involved. Prior to the war such grants were required, following established practice, to be appropriated under the name or designation of each individual, and a number of examples can be found in the Estimates of earlier years, particularly under vote, “Internal Affairs.”