



Treasury

Government Sector Finance Act 2018

Fact Sheet: Government Sector Finance Regulation 2024

Last updated: 26 June 2024

This fact sheet includes:

- **Mapping of provisions of the *Government Sector Finance Regulation (GSF Regulation) 2018* to the *GSF Regulation 2024***

The *GSF Regulation 2018* has been repealed and replaced entirely by the new *GSF Regulation 2024* (June 2024) as part of the staged repeal process under section 10 of the *Subordinate Legislation Act 1989*.

- **Summary of key amendments in the *GSF Regulation 2024***

Disclaimer: This is guidance material only and does not replace reading the legislation. For further information refer to the legislation. Please check Treasury's website for updates and other information.

Mapping of clauses in GSF Regulation 2018 to GSF Regulation 2024

<i>Government Sector Finance Regulation 2018</i>	<i>Government Sector Finance Regulation 2024</i>
Part 1 Preliminary	Part 1 Preliminary
Clause 1 – Name of regulation	Clause 1 – Name of regulation
Clause 2 – Commencement	Clause 2 – Commencement
Clause 3 – Definitions	Clause 3 – Definitions
Part 2 Key Concepts	Part 2 Key Concepts
Clause 4 – Prescribed GSF agencies – the Act, s 2.4(1)(l)	Clause 4 – Prescribed GSF agencies – the Act, s 2.4(1)(l)
Clause 5A – Separate GSF agencies: section 2.5(1)(f) of Act	Clause 5 – Separate GSF agencies – the Act, s 2.5(1)(f) of Act
Clause 5 – Accountable authority – s 2.7(3) of Act	Clause 6 – Accountable authority – the Act, s 2.7(3)
Clause 6 – Prescribed government officers – the Act, s 2.9(1)(e)	Clause 7 – Prescribed government officers – the Act, s 2.9(1)(e) and 3(b)
Part 2A Roles and responsibilities	Part 3 Roles and responsibilities
Clause 6A – Treasurer’s directions – the Act, s 3.1(1)(c)	Clause 8 – Treasurer’s directions – the Act, s 3.1(1)(c)
Part 3 Financial services and arrangements	Part 4 Financial services and arrangements
Clause 7 – Definitions	Clause 9 – Definitions
Clause 8 – Prescribed borrowings: section 6.8(1)(c) of Act	Clause 10 – Prescribed borrowings – the Act, s 6.8(1)(c)
Clause 9 – Prescribed investments: section 6.9(1)(b) of Act	Clause 11 – Prescribed investments – the Act, s 6.9(1)(c)
<i>No equivalent provision</i>	Clause 12 – Prescribed joint ventures – the Act, s 6.12(2)(c)
Part 3A Reporting GSF agencies	Part 5 Reporting GSF agencies
Clause 9A – Prescribed reporting exemption criteria – section 7.3(4)(a) of Act	Clause 13 – Prescribed reporting exemption criteria – the Act, s 7.3(4)(a)-(c)
Clause 9B – Certain GSF agencies not to be reporting GSF agency – the Act, s 7.3(2)	<i>No equivalent provision</i>
Clause 9C – Definitions	Clause 14 – Definitions



<i>Government Sector Finance Regulation 2018</i>	<i>Government Sector Finance Regulation 2024</i>
Clause 9D – Small agencies	Clause 15 – Small agencies – the Act, s 7.3(2)
Clause 9E – Crown land managers	Clause 16 – Crown land managers – the Act, s 7.3(2)
Clause 9EA – Common trusts	Clause 17 – Common trusts – the Act, s 7.3(2)
Clause 9F – Special purpose staff agencies	Clause 18 – Special purpose staff agencies – the Act, s 7.3(2)
Clause 9G – Retained State interests	Clause 19 – Retained State interests – the Act, s 7.3(2)
Clause 9H – Financial reporting exemption criteria – the Act, s 7.8(3)	Clause 20 – Prescribed reporting exemption criteria – the Act, s 7.3(4)(d) – SDA accounts
Clause 9I – Excluded reporting GSF agencies – the Act, s 7.10(3)	Clause 21 – Excluded reporting GSF agencies – the Act, s 7.10(3)
Clause 9J – Repeal of Division and Schedule 2	Clause 22 – Repeal of division and Schedule 3
<i>No equivalent provision</i>	Clause 23 – Presentation of annual reporting information – the Act, s 7.11(2)
Part 4 Delegations	Part 6 Delegations
Clause 10A – Definition	Clause 24 – Definition
Clause 10 – Prescribed delegates and subdelegates for Judicial Commission of New South Wales	Clause 25 – Prescribed delegates and subdelegates for Judicial Commission of New South Wales
Clause 11 – Prescribed delegates and subdelegates for transport GSF agencies	Clause 26 – Prescribed delegates and subdelegates for transport GSF agencies
Clause 11A – Prescribed delegates for Premier	Clause 27 – Prescribed delegates for Premier
Clause 11C – Prescribed subdelegate for delegated expenditure functions in relation to New South Wales Electoral Commission	Clause 28 – Delegated expenditure functions – New South Wales Electoral Commission
Clause 11D – Prescribed subdelegates for delegated expenditure functions in relation to Independent Commission Against Corruption	Clause 29 – Delegated expenditure functions – Independent Commission Against Corruption
Clause 11E – Prescribed delegates and subdelegates for delegated expenditure functions in relation to Inspector of the Independent Commission Against Corruption	Clause 30 – Delegated expenditure functions – Inspector of the Independent Commission Against Corruption



<i>Government Sector Finance Regulation 2018</i>	<i>Government Sector Finance Regulation 2024</i>
Clause 11F - Prescribed delegates and subdelegates for delegated expenditure functions in relation to Law Enforcement Conduct Commission	Clause 31 – Delegated expenditure functions – Law Enforcement Conduct Commission
Clause 12 - Prescribed subdelegates for delegated expenditure functions of Planning Minister	Clause 32 – Prescribed subdelegates for delegated expenditure functions of Planning Minister
Part 5 Budget, appropriations and Special Deposits Account	Part 7 Budget, appropriations and Special Deposits Account
Clause 12A – Consumer price adjustments for payments authorised on lapse of appropriation – section 4.10 of Act	Clause 33 – Consumer price adjustments for payments authorised on lapse of appropriation – the Act, s 4.10(4)(a)
Clause 13 – Deemed appropriations – the Act, s 4.7	Clause 34 – Deemed appropriations – the Act, s 4.7
Clause 14 – Working accounts: section 4.17 of Act	Clause 35 – Working accounts – the Act, s 4.17
Part 6 Expenditure and gifts	Part 8 Expenditure and gifts
Clause 15 – Relevant tax-equivalent regimes: section 5.3(5) of Act	Clause 36 – Relevant tax-equivalent regimes
Clause 16 – Act of grace payments: section 5.7(4)(c) of Act	Clause 37 – Act of grace payments – the Act, s 5.7(4)(c)
<i>No equivalent provision</i>	Part 9 Miscellaneous
<i>No equivalent provision</i>	Clause 38 – Repeal and savings
Schedule 3 GSF agencies	Schedule 1 Entities that are GSF agencies
<i>No equivalent provision</i>	Schedule 2 Prescribed government officers (s 7(2))
Schedule 2 Transitional reporting GSF agencies	Schedule 3 Transitional reporting GSF agencies



Summary of key amendments in the *GSF Regulation 2024*

<p>Part 1 Key Concepts</p> <p><u>Clause 3 – Definitions</u></p> <ul style="list-style-type: none"> Updated to include references to definitions in: <ul style="list-style-type: none"> Part 4 Financial Services and Arrangements Part 5 Reporting GSF Agencies Part 6 Delegations
<p>Part 2 Key Concepts</p> <p><u>Clause 4 – Prescribed GSF agencies</u></p> <ul style="list-style-type: none"> Prescribed entities are now included in Schedule 1 to the <i>GSF Regulation 2024</i>.
<p>Part 4 Financial services and arrangements</p> <p><u>Clause 9 – Definitions</u></p> <ul style="list-style-type: none"> Includes updated ‘financial arrangement’-related definitions
<p><u>Clause 12 – Prescribed joint ventures – the Act, s 6.12(2)(c)</u></p> <ul style="list-style-type: none"> This is a new clause that prescribes guarantees and instruments of assurance (letters of comfort and letters of financial support) as joint ventures (section 6.12(2) of the GSF Act).
<p>Part 5 Reporting GSF agencies</p> <p><u>Clause 13 – Prescribed reporting exemption criteria – the Act, s 7.3(4)(a)-(c)</u></p> <ul style="list-style-type: none"> Extends the prescribe reporting exemption criteria to apply also to exemptions from preparing final annual GSF financial statements or final annual reporting information for former reporting GSF agencies. These criteria are already used to determine exemptions from preparing annual GSF financial statements for reporting GSF agencies. ‘Relevant agencies’ refers to the agencies within the meaning of the section 7.3(4)(a)-(c) of the GSF Act. That is, ‘relevant agencies’ include ‘kinds of GSF agencies’ or ‘kinds of former reporting GSF agencies’.
<p><u>Clause 15(c) – Small agencies – the Act, s 7.3(2)</u></p> <ul style="list-style-type: none"> Zero income agencies can be exempt from financial reporting requirements if they meet the other three ‘small agency’ requirements.



Part 5 Reporting GSF agencies (cont)
<p><u>Clause 16(d)(ii) – Common Trusts – Crown Reserve Improvement Fund (CRIF) – the Act, s 7.3(2)</u></p> <ul style="list-style-type: none"> • A Common Trust is not required to prepare financial statements or annual reporting information if, among other things, its income from “non-government” sources is less than \$100,000. CRIF are now treated as from a “government source”, and are, therefore excluded from the calculation of that \$100,000.
<p><u>Clause 22 – Repeal of division and Schedule 3</u></p> <ul style="list-style-type: none"> • Schedule 3 – Transitional reporting GSF agencies will be repealed on 1 July 2025.
<p><u>Clause 23 – Presentation of annual reporting information – the Act, s 7.11(2)</u></p> <ul style="list-style-type: none"> • The transitional list of agencies and statutory bodies required to prepare annual reports will be in force until 1 July 2025. • Treasury is consulting with the sector on a proposed differential reporting framework which will adopt a criteria approach for annual reporting from 2024-25 financial year.
Part 7 Budget, appropriations and Special Deposits Account
<p><u>Clause 34 – Deemed appropriations – the Act, s 4.7</u></p> <ul style="list-style-type: none"> • Prescribes a new kind of government money received or recovered by a GSF agency to be deemed appropriation money for the purposes of the Act at clause 34(1)(j), which covers: “money received or recovered by a GSF agency (the delivering agency) from another GSF agency for the purposes of meeting some or all of the costs and expenses of a program, project, service or good that the delivering agency delivers or provides.”
<p><u>Clause 35 – Working Accounts – the Act, s 4.17</u></p> <ul style="list-style-type: none"> • Prescribes a new type of working account money received by the agency at clause 34(4)(m): “money received or recovered by the GSF agency (the delivering agency) from another GSF agency for the purposes of meeting some or all of the costs and expenses of a program, project, service or good the delivering agency delivers or provides.” • The fact that money is prescribed to be working account money does not mean it must be paid into a working account.