**FINANCE (CONTROL AND MANAGEMENT) ACT**

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               FINANCE (CONTROL AND MANAGEMENT) ACT

**An** **Act to provide for the control and management of the public finances of the Fed-**
**eration and for matters connected therewith.**

[1958 No. 33.]

*[31st July, 1958]*

[Commencement.]

**1. Short title**

This Act may be cited as the Finance (Control and Management) Act.

1. **Interpretation**

(1) In this Act, unless the context otherwise requires-

**"Accountant-General"** means the Accountant-General of the Federation;

**"appropriation Act"** means the Act enacted in each year the principal purpose of
which is the appropriation of public moneys for such services as are specified in such
Act;

**"Consolidated Revenue Fund"** means the Consolidated Revenue Fund of the Fed-
eration established by section 80 of the Constitution of the Federal Republic of Nigeria
1999 (hereinafter caIled "the Constitution");

[Cap. C23.]

**"Minister"** means the Minister charged with responsibility for matters relating to fi-
nance;

"**public moneys"** include-

       *(a)*the public revenues of the Federation; and

*(b)*moneys held in his official capacity, whether temporarily or otherwise, and
whether subject to any trust or specific allocation or not, by any officer in the
public service of the Federation or any State on behalf of the Government of
the Federation, or by any agent of the Government, either alone or jointly with any other person;

**"statutory expenditure"** with reference to subsection 2 of this section means-

[L.N. 139 of 1965.]

       *(a)*the expenditure charged on the Consolidated Revenue Fund by any provision
of the Constitution; and

       *(b)*such other expenditure as shall from time to time, be charged by law on the
Consolidated Revenue Fund or the general revenue and assets of the Federa-
tion or on the other public funds of the Federation,

and shall include expenditure which constitutes such a charge by virtue of the provisions
of this Act;

"**supplementary appropriation Act"** means any Act the principal purpose of which
is the appropriation of moneys in supplementation of the appropriation already made by
an appropriation Act.

(2) The expenditure of moneys appropriated or granted by an Appropriation Act or a
supplementary Appropriation Act shall not by virtue only of such Appropriation Act or
supplementary Appropriation Act be deemed to amount to a charge on the fund out of
which such expenditure is authorised to take place, and such expenditure shall accord-
ingly not be comprised within the definition of statutory expenditure contained in sub-
section (1) of this Act.

(3) A reference to the Minister in this Act in relation to the signing or issue of a war-
rant shall imply a similar authority enabling the President to sign or issue such warrant.
                                                                 [L.N. 139 of 1965.]

PART I

*General supervision and control*

1. **Legislative control and management of the public finances**

The Minister shall so supervise the expenditure and finances of the Federation as to
ensure that a full account is made to the Legislature and its financial control is maintained

and for such purpose shall, subject to the provisions of the Constitution of the Federal
Republic of Nigeria 1999 and of this Act, have the management of the Consolidated

Revenue Pund and the supervisron, control and dlfechon of all matters relating to the
financial affairs of the Federation which are not by law assigned to any other Minister.

[Cap. C23.]

1. **Minister's instructions to be complied with, and powers to inspect, etc**.

(1) Every person concerned in or responsible for the collection, receipt, custody, is-
sue or payment of public moneys, stores, stamps, investments, securities, or negotiable
instruments, whether the property of Government or on deposit with or entrusted to Gov-
ernment or any public officer in his official capacity either alone or jointly with any pub-
lic officer or any other person, shall obey all instructions that may, from time to time, be
issued by the Minister or by direction of the Minister in respect to the custody and han-
dling of the same and accounting therefor.

(2) The Permanent Secretary exercising supervision over any department of Govern-
ment for which the Minister is charged with responsibility, and any other officer subordi-
nate to such Permanent Secretary, shall be entitled to inspect all offices and shall be given
access at all times thereto and shall be given all available information he may require
with regard to the moneys and property specified in subsection (1) of this section and to
all documents and records in respect thereof, so far as may in any way be necessary in the
opinion of the Minister for the purpose of compliance with the provisions of subsec-
tion (1) of this section and section 3 of this Act.

PART II

*The Consolidated Revenue Fund*

1. **Management of Consolidated Fund**

The management of the Consolidated Revenue Fund shall be conducted in accordance
with the Financial Provisions of the Constitution and this Act.

1. **Authorised issues from the** **Fund**

(1) It shall be lawful for the Minister to authorise by warrant the issue from the Con-
solidated Revenue Fund of moneys necessary to meet statutory expenditure or to meet the
cost of any purpose for which any sum has been appropriated in accordance with any Act.

(2) In respect of the issue of moneys other than statutory expenditure, no authority
shall be given under subsection (1) of this section in excess of the sum appropriated for
the purpose concerned.

(3) Notwithstanding the issue of a warrant, the President or the Minister may limit or
suspend expenditure (not being statutory expenditure) with or without cancellation of the
warrant if in his opinion financial exigencies or the public interest require.

1. **Erroneous receipts**

The repayment of any moneys received in error by the Consolidated Revenue Fund is
hereby charged on the Fund, and the Minister may by warrant authorise an issue to effect
such repayment.

**8. Losses**

Where a loss has occurred of any moneys forming part of the Consolidated Revenue
Fund, or it is necessary to make a further issue therefrom in respect of moneys already
issued therefrom which have been misappropriated or lost, or it is necessary to make an
issue therefrom to effect the replacement of any Government property which has been
misappropriated or lost, then, subject to any express provision of this or any other Act, an adjustment of the Fund or an issue from the Fund for such purpose shall only be effected
by the issue of a warrant by the Minister under the authority of an appropriation or sup-
plementary Appropriation Act.

PART III

*Investments*

**9. Authorisation of investments**

(1) The Consolidated Revenue Fund, and any other public fund of the Federation
subject to any express provisions of law regulating any such public fund, may in part
consist of deposits with a bank, or with the Joint Consolidated Fund, either at call or
subject to notice not exceeding six months, or of any investments in which a trustee in
Nigeria may lawfully invest trust funds, and the disposition of moneys of the Consoli-
dated Revenue Fund or of such other public fund (subject as aforesaid) for any such pur-
pose shall need no legislative authority other than that contained in this section and may
be made by the Accountant-General or the State Agents for Oversea Governments and
Administration in accordance with specific instructions issued by the Minister.

(2) No moneys deposited or invested otherwise than in accordance with subsec-
tion (1) of this section may form part of the Consolidated Revenue Fund, or of any other
public fund of the Federation, and the disposition of any moneys from that Fund or those
funds for any purpose other than the form of deposit or investment specified in that sub-
section shall be made in accordance with the procedure prescribed in this Act or in accor-
dance with the provisions of law regulating the fund in question.

**10. Investments General. Procedure concerning** **these**

(1) The Accountant-General shall maintain under the designation of Investments
General a record of certain investments.

(2) Investments General shall consist of-

              *(a)*those investments forming part of Consolidated Revenue Fund by virtue of
section 9 of this Act;

              *(b)*any investments held in respect of moneys being part of the Contingencies
Fund referred to in section 15 of this Act;

              *(c)*such investments held in respect of the public funds of the Federation specified
in the First Schedule to this Act that the Minister shall designate in writing:

Provided that the Minister shall not designate any fund in respect of which by vir-
tue of the provisions of law regulating such fund neither the receipts and outgoings nor
the appreciation and depreciation of the investments forming part of the fund may accrue
or does accrue to the Consolidated Revenue Fund.

[First Schedule.]

**11.** **Income of Investments General**

(1) All income accruing to Investments General shall accrue to the Consolidated
Revenue Fund and shall be included in the annual statement of revenue of the Federation
for each financial year.

(2) This section shall come into operation in respect of investments included in the
record of Investments General at any time during the period of twelve months ending the
31 st day of March, 1959, and in respect of all interest accruing within such period.

**12. Fluctuation in value of Investments General**

(1) The Accountant-General shall in each year value any securities forming part of
Investments General by assigning thereto the mean market price of such securities at the
dose of business on the last day in the year for which such information is available.

(2) Any appreciation or depreciation arising from the valuation of such securities, to-
gether with any profits or losses arising from the sale or redemption of such securities,
shall be credited or debited direct to the Consolidated Revenue Fund, and be shown as an
addition to or deduction from the opening balance of the Consolidated Revenue Fund in
the annual statement of assets and liabilities of the Federation.

PART IV

*Legislative authorisation of expenditure*
**13. Annual estimates in Appropriation Bill**

(1) In accordance with the provisions of the Constitution, the Minister shall cause to
be prepared in each financial year estimates of the revenues and expenditure of the Fed-
eration for the next following financial year, which shall be presented to the President for
approval and when approved by him shall be laid before each House of the National As-
sembly at a meeting commencing before the lst day of January of the financial year to
which they relate.

[L.N. 139 of 1965.]

(2) The heads of expenditure contained in the estimates (other than expenditure
charged upon the Consolidated Revenue Fund of the Federation by the Constitution) shall
be included in a bill to be known as an Appropriation Bill, providing for the issue from
the Consolidated Revenue Fund of the sums necessary to meet that expenditure and the
appropriation of those sums for the purposes specified therein.

**14. Supplementary** **provision**

If in respect of any financial year it is found that-

              *(a)*the amount appropriated by the Appropriation Act for any purpose is insufficient; or

      *(b)*a need has arisen for expenditure for a purpose for which no amount has been

appropriated by the Act,

a supplementary estimate showing the sums required shall be laid before each House of
the National Assembly and the heads of any such expenditure shall be included in a Sup-
plementary Appropriation Bill.

**15. Contingencies Fund**

(1) There shall be provided out of the Consolidated Revenue Fund upon the corning
into operation of this Act the sum of one hundred million naira or such other sums as may
be approved by the National Assembly for the establishment of a fund to be known as the
Contingencies Fund.

(2) The Contingencies Fund may be utilised for making moneys available to meet
expenditure (other than statutory expenditure as aforesaid) which is not provided for in
the Appropriation Act for the current year, and which although otherwise falling to be
met out of the Consolidated Revenue Fund cannot be postponed, or cannot without seri-
ous injury to the public interest be postponed, until a supplementary Appropriation Act
providing for it can be passed into law.

**16. Unexpended votes to lapse**

Subject to any express provision of an Appropriation Act or supplementary Appro-
priation Act, moneys appropriated thereby and not expended shall lapse and accrue to the
Consolidated Revenue Fund at the expiration of the year in respect of which they are ap-
propriated.

**17. Provision if Appropriation Act not in force**

(1) If the Appropriation Act has not come into operation at the commencement of any
financial year, the President may authorise the withdrawal of moneys from the Consoli-
dated Revenue Fund of the Federation for the purpose of meeting expenditure necessary
to carryon the services of the Government of the Federation for a period not exceeding
six months or until the Appropriation Act comes into operation whichever is earlier.

(2) Any moneys so authorised to be withdrawn shall not exceed the amount author-
ised to be withdrawn under the provisions of the Appropriation Act passed by the Na-
tional Assembly for the corresponding period in the immediately preceding financial year
and shall be set off against the amount respectively provided in the Appropriation Act
upon the same coming into operation.

PART V

*Other public funds of the Federation*

**18. Specification of certain public funds allocated by law**

(1) The public funds specified in Part I of the First Schedule to this Act shall be
deemed to have been established with effect from the l st day of April, 1958, and subject
to the provisions of sections 20 and 21 of this Act and the express provisions of law
regulating any such fund, the balances in such funds on that day, and the receipts and
earnings and other items respectively accruing to such funds since that date, shall be
deemed to be allocated by law for the purposes therein specified in respect of each such
fund.

[First Schedule. Part I**.]**

(2) Whenever moneys are allocated by law to establish a fund or whenever it shall
appear to the Minister that any public fund which is the property of the Federation or
which comes into the possession of the Federation or of any public officer on behalf of

the Federation, but which is not specified in the First Schedule to this Act, is by the pro-
visions of law regulating such fund allocated for a specific purpose, and that for that rea-
son such fund should not form part of the Consolidated Revenue Fund, the Minister shall
by order amend Part II of the First Schedule to this Act by the addition of the title of such
fund and a reference to the specific purpose to which it is allocated.

[First Schedule. Part II.]

(3) The Treasury funds specified in Part III of the First Schedule to this Act shall,
with effect from the 1st day of April, 1958, be deemed to have been established and to be
public funds of the Federation allocated by law for the specific purposes therein specified
in respect of each such fund.

[First Schedule. Part III.]

(4) Moneys coming into the possession of the Federation since the 1st day of April,
1958, which are held on behalf of other persons or bodies and which do not accrue to any
other fund specified in the First Schedule to this Act shall be deemed to have accrued to
and shall be credited to the Treasury Clearance Fund specified in Part III of the said
Schedule.

(5) The Minister may by Order amend the First Schedule to this Act by the deletion
therefrom of the particulars relating to any fund which may lawfully be absorbed into and
form part of the Consolidated Revenue Fund or which has otherwise ceased to exist.

**19. Carrying forward of annual balance**

Subject to the provisions of any law regulating any public fund, the balance remaining
in such fund at the end of each financial year shall during the continuance of the exis-
tence of such fund be carried forward to the credit of that fund at the beginning of the
next financial year.

**20. Interest and investment fluctuation to accrue to certain funds**

Unless by the provisions of law regulating any fund specified in the First Schedule to
this Act it is provided that interest earned by that fund shall accrue to the Consolidated
Revenue Fund, that interest, and all receipts, earnings and other items accruing in respect
of such fund, shall be credited to the fund itself, and any appreciation or depreciation in
the value of any investments of such fund arrived at in accordance with section 22 of this
Act shall similarly be taken to the account of that fund.

**21. Interest and investment fluctuation to accrue to Consolidated Revenue Fund in**
**certain cases**

(1) Where by the provisions of law regulating any fund specified in the First Sched-
ule to this Act it is provided that interest earned by that fund shall accrue to the Consoli-
dated Revenue Fund, any depreciation in the value of investments of that fund and any
losses on the sale or redemption of such investments shall be borne by the Consolidated
Revenue Fund and any appreciation in the value of investments of such fund, and any
profit on the sale or redemption of such investments, shall similarly accrue to the Con-
solidated Revenue Fund, save that any appreciation or depreciation in the value of in-
vestments and profit or loss on the sale or redemption of investment forming a part of the
Reserve Fund referred to in that Schedule shall be taken to the account to the Reserve
Fund itself.

[First Schedule.]

 (2) Interest earned by the following funds specified in the First Schedule to this Act
shall accrue to the Consolidated Revenue Fund-

       *(a)*Stock Transfer Stamp Duty;

       *(b)*Reserve Fund;

       *(c)*Development Fund;

       (d)       University College Capital Account;

      *(e)*University College Endowment Fund;

      *(f)*Contingencies Fund.

**22.** **Fluctuation in value of investments**

(1) The Accountant-General shall in each year value any securities, other than those
forming part of Investments General as provided for in section 10 to this Act, held by any
of the funds specified in the First Schedule to this Act by assigning thereto the mean
market price of such securities at the close of business on the last day in the year for
which such information is available.

[First Schedule.]

(2) Any appreciation or depreciation in the valuation of such securities so assigned,
together with any profits or losses arising from the sale or redemption of such securities,
shall be credited or debited direct to the Consolidated Revenue Fund or to the fund in
question in accordance with the provisions of section 20 or 21 of this Act as the case may
be.

**23**. **Rules for management of funds**

(1) Disbursement from any funds specified in the First Schedule to this Act (other
than the Development Fund and the Contingencies Fund) shall be made in accordance
with rules to be made by the Minister and approved by Resolution of the National As-
sembly.

[First Schedule. L.N. 139 of 1965.]

(2) All rules made under subsection (1) of this section shall be consistent with the
provisions of law regulating that fund.

(3) The Development Fund and the Contingencies Fund referred to in the First
Schedule to this Act shall be operated in accordance with the rules set out in the Second
and Third Schedules to this Act; and the provisions of the Second and Third Schedules
may be amended by further rules made by to this act the Minister and published in the
Federal *Gazette*:

Provided that such further rules shall cease to have effect if a Resolution at the next
meeting of the National Assembly thereafter shall so require.

[First, Second and Third Schedule.]

PART VI

*Miscellaneous*

**24. Annual accounts of all funds**

The Accountant-General shall sign and present to the Auditor-General for the Federa-
tion accounts showing fully the financial position on the last day of each financial year of
the Consolidated Revenue Fund and of the funds specified in the First Schedule to this
Act and such accounts shall form part of the accounts referred to in section 85 of the
Constitution but the accounts relating to the University College Capital Account referred
to in the First Schedule to this Act shall be signed and presented as soon as may be prac-
ticable to do so after the close of the financial year.

[Cap. C23.]

SCHEDULES

               FIRST SCHEDULE
    [Section 18.]

*Public funds of the Federation*
                       PART I

*Fund established with effect from the 1st April, 1958*
(1)  Stock Transfer Stamp Duty Fund:

To meet stamp duties on transfer of Nigerian Government stock.
(2)  Reserve Fund:

To provide a reserve for use in major emergency.

(3)  Development Fund:

To finance the general capital expenditure of the Government, including non-
recurrent statutory expenditure not suitable for inclusion in the Estimates of Recur-
rence Expenditure.

(4)  Deceased Officers' Children's Education Grant:

To make grants towards the cost of educating the children of deceased officers.
(5)  Sir Alfred Jones' Bequest:

To provide technical education for Nigerians.
(6)  K. W. Marchant Memorial Fund:

To provide prizes for students at King's College, Lagos.
(7)  University College Capital Account:

To provide for approved schemes of capital expenditure on the University College
Ibadan.

(8)  University College Endowment Fund:

To provide for anticipated deficits in the University College's recurrent expenditure.
[1964 No. 32.]

(9) Armed Forces Benefit Fund:

The Fund established by section 287 of the Armed Forces Act, for the purposes
specified in that section.

[L.N. 132 of 1967. Cap. A20.]

(10) Federal Institute of Industrial Research Revolving Fund:

The Fund established by the appropriation of the sum of ~~N~~30,000 (thirty thousand
naira) under Head 622 Sub-head 106 of the 1968-69 Capital Estimates to the Federal Institute of Industrial Research for the setting up of testing apparatus and procedures on consumable stores and for modifying technology at the request of industrial concerns.

[L.N. 45 of 1971.]

PART II

*Funds established upon or after commencement of Act*
(1)   Contingencies Fund:

The Fund established by section 15 of this Act for the purposes therein specified.

(2)   Federal Government African Staff Housing Scheme Fund:

The Fund established by the appropriation of ~~N~~300,000 from the Development Fund
under Head 605 Item 35 of the Capital Expenditure Estimates for 1960/61 for the
purpose of an African Staff Housing Scheme.

[L.N. 51 of 1961.]

(3)   Non-Pensionable Government Servants' Provident Fund:

The Fund established by regulation 3 of the Government Servants' Provident Fund
Regulations.

(4)   Non-Pensionable Railway Servants' Provident Reserve Fund:

The Fund established by regulation 26 (1) of the Railway Servants' Provident Fund
Regulations.

(5)   Police Reward Fund:

        The Fund established by section 33 of the Police Act.
[Cap. P19.]

(6) Post Office Savings Bank Fund:

       The Funds of the Savings Bank established by the Federal Savings Bank Act.
[Cap. F20.]

    (7) Any moneys and other property however held for the credit of-
*(a)*The Royal West African Frontier Force Rewards Fund; and

*(b)*The General Officer Commanding the Nigerian Military Force Fund.
                                                                  [L.N. 105 of 1962.]

(8) Armed Forces Comfort Fund:

The Fund established by section 1 of the Armed Forces Comfort Fund Act for the
purposes specified in section 2 of that Act.

[Cap. A21.]

PART III

*Treasury funds deemed to be public funds*
(1) Personal Advance Fund:

An amount of two million naira, to provide for advances lawfully made to members
of the National Assembly and to members of the public service.

(2) Treasury Clearance Fund:

An amount of two hundred thousand naira, to provide for acceptance and repayment of deposits and for non-personal advances and to provide for payments on behalf of other administrations.

SECOND SCHEDULE
[Section 23.]

*Rules for the operation of the Development Fund*

**1.** The Development Fund will be used to finance general capital expenditure of the Gov-
ernment of the Federation and the accounts relating thereto shall be kept by the Accountant-
General.

[L.N. 170 of 1959.]

**2.** The receipts of the Development Fund shall consist of-

                                *(a)*the product of loans raised by the Government of the Federation for purposes
for which the Fund is set up unless allocated by or under this or some other law to some other purpose;

*(b)*development grants made to the Government of the Federation;

                                *(c)*development grants made to the Government of the Federation by any other
government or body;

*(d)*sums from time to time authorised by law;

                                *(e)*sums from time to time authorised by the resolution of the National Assembly
to be transferred from the Consolidated Revenue Fund.

**3.** (1) No moneys shall be withdrawn from the Fund for the purpose of meeting any expen-
diture except upon the authority of a warrant under the hand of the Minister.

     (2) Subject to the provisions of rules 5 and 7 of this Schedule, no such warrant shall be
issued (except in respect of statutory expenditure) unless the expenditure has been authorised by a Resolution of the National Assembly, under the authority of these rules.

**4.** (1) The Minister shall cause to be prepared in each financial year estimates of the receipts
and expenditure in respect of the Development Fund for the next following financial year,
which shall be laid before the National Assembly.

    (2) The proposals for all expenditure contained in the estimates (other than statutory expenditure) shall be submitted to the vote of the National Assembly by means of a motion
which shall seek to authorise expenditure under appropriate Heads for the several services
required.

**5.** (1) When in any financial year the capital estimates or supplementary capital estimates for
that year show a figure for the estimated total cost of any sub-head of a Head over any period which is in excess of the total sum appropriated for that sub-head for the current year, the

Minister of Finance may by warrant authorise the expenditure of any sum which when added
to the expenditure incurred on the same sub-head in previous years and to the expenditure
already authorised for the same sub-head for the current year does not cause to be exceeded the latest estimated expenditure for that sub-head included in the capital estimates or supplementary capital estimates approved by the National Assembly for that year.

[L. N. 50 of 1959. L.N. 77 of 1962.]

(2) When in any financial year the provisions included for any sub-head in the capital
estimates or supplementary capital estimates of the immediately preceding year was not fully expended, the Minister of Finance may by warrant authorise the expenditure of the unspent balance of the sum or sums authorised for that sub-head in the immediately preceding financial year, provided that the amount so authorised shall not when added to the expenditure in- curred in previous years and to the provision already made in the current year exceed the latest figure for the estimated total cost of the corresponding sub-head included in any capital estimates or supplementary capital estimates approved by the National Assembly.

(3) When in any financial year provision is made in the capital estimates or supplemen-
tary capital estimates under any Head for increased costs, the Minister of Finance may by
warrant increase the authorised expenditure under any sub-head of that Head provided that the total additional expenditure so authorised does not exceed the amount provided for increased costs.

[L. N. 50 of 1959.]

(4) When in any financial year it becomes necessary to incur expenditure additional to
that made in the capital estimates or supplementary capital estimates under any sub-head of
any Head the Minister of Finance may by warrant authorise such additional expenditure pro-
vided equivalent savings can be quoted from the provision made in that year under another
sub-head of the same Head.

(5) No warrant may be issued under this rule for an amount which if it were expended at once would exhaust the balance of the fund remaining after all other expenditure authorised for the year has been provided for.

(6) Any warrant issued under the authority of this rule shall be reported to the National
Assembly at its next ensuring meeting.

**6.** (1) If, at the commencement of any financial year, the National Assembly has not author-
ised expenditure in respect of the Development Fund for that financial year, the Minister may authorise by warrant the issue from the Development Fund of such moneys as are necessary for carrying on projects for which any expenditure has been authorised in any previous financial year.

[L.N. 47 of 1960.]

(2) Warrants issued under this rule shall only be for a period of four months or until the
proposals for all expenditure contained in the Estimates (other than statutory expenditure)
shall be submitted to the vote of the National Assembly whichever is shorter.

(3) Any moneys so authorised to be issued shall not exceed the sum specified for such
project in the draft Estimates presented for the financial year and shall be set off against the
amounts respectively provided in such Estimates upon the authority of the National Assembly being obtained.

(4) Any warrant issued under the authority of this rule shall be reported to the National
Assembly at its next ensuing meeting.

**7.** Whenever in circumstances other than those set out in rule 5 of this Schedule-

                                *(a)*any expenditure (other than statutory expenditure) is incurred or is likely to be
incurred in any financial year upon any service which is in excess of the sum provided for that service for that year; or

                                *(b)*any expenditure (other than statutory expenditure) is incurred or is likely to be
incurred in any financial year upon any service for which expenditure has not been authorised for that year,

the proposals for such expenditure shall be submitted to the vote of the National Assembly by means of a motion which shall seek to authorise expenditure under appropriate Heads for the services required.

**8.** (1) Notwithstanding rule 6 of this Schedule, the President may, by warrant under the hand
of the Minister, authorise the issue from the Fund of such sum as may be necessary for expen-
diture upon any service-

[L.N. 139 of 1965.]

                *(a)*of a special character which is not provided for in the expenditure already
authorised by the National Assembly for that year; or

                *(b)*which will result in an excess of the sum authorised for any service by the Na-
tional Assembly for that year,

and which in either event cannot, or cannot without serious injury to the public interest, be
postponed until adequate provision can be made by the National Assembly.

(2) No warrant may be issued for an amount which if it were expended at once would
exhaust the balance of the fund remaining after all other expenditure authorised for the year
has been provided for.

**9.** Any issue from the Fund authorised in accordance with the provisions of rule 7 of this
Schedule, shall be submitted to the National Assembly for approval in the manner prescribed
by rule 6 of this Schedule during its next ensuing meeting.

      THIRD SCHEDULE
[Section 23.]

*Rules for the operation of the Contingencies Fund*

**1.**The Minister may by warrant authorise the issue from the Contingencies Fund of such sum
as may be necessary for expenditure upon any service-

*(a)*of a special character which is not provided for in the appropriation Act; or

*(b)*which will result in an 'excess of the sum provided for that service in the appro-

                          priation Act,'           .,

and which cannot, or cannot without serious injury to the public interest, be postponed until
provision can be made by supplementary appropriation Act.

**2**. The amount for which any warrant is issued shall be withdrawn from the Contingencies
Fund and shall be paid into the Consolidated Revenue Fund to meet the expenditure specified
on the warrant and the moneys remaining available in the Fund shall be reduced accordingly.
Any amounts withdrawn and remaining unspent at the end of the year shall accrue to the Con-
solidated Revenue Fund.

**3**. Each warrant authorising the issue of a sum from the Fund shall specify under which Head
or Heads of the expenditure estimates the expenditure of the sum issued shall be recorded and
such expenditure shall be accounted for in the same manner as if it had been authorised by a
supplementary appropriation Act.

**4.** (1) All withdrawals from the Fund shall be reported to the National Assembly at its next
ensuing meeting and the National Assembly shall be asked to appropriate from the Consoli-
dated Revenue Fund to the Contingencies Fund a sum equal to the total of the sums with-
drawn and not already made good by previous appropriations from the Consolidated Revenue Fund so that the Contingencies Fund shall be restored to the amount appropriated under section 15 of the Act.

     (2) Appropriations to the Contingencies Fund under this rule shall be effected by inclu-
sion in a supplementary appropriation Act and the sums included in accordance with this rule
shall be set out separately from any sums it is sought to appropriate under section 13 or 14 of the Act.

**5.** No moneys shall accrue to the Fund other than moneys appropriated by an Act and any
interest or other accruals, which might otherwise be received by the Fund, shall accrue to the
Consolidated Revenue Fund. Any part of the Fund which may be invested shall form part of
Investments General referred to in section 10 of the Act.

        FINANCE (CONTROL AND MANAGEMENT) ACT

**SUBSIDIARY LEGISLATION**

*No Subsidiary Legislation*