

## EXPLANATORY STATEMENT

Issued by the Authority of the Minister for Finance and Deregulation

FMA Act Determination 2008/02— Section 32 (Transfer of Functions from the former Environment Department to DCC)

Subsection 32(2) of the *Financial Management and Accountability Act 1997* (FMA Act) provides that the Minister for Finance and Deregulation (Finance Minister) may, by determination, amend Schedules to annual Appropriation Acts to transfer appropriations in connection with the transfer of a function between agencies under the FMA Act. The determination has the effect of amending the Schedules concerned in accordance with the determination.

This power has been delegated from the Finance Minister to the Secretary of the Department of Finance and Deregulation under section 62 of the FMA Act.

Special Gazette No. S254 reflects the administrative arrangements order of 3 December 2007, made by the Governor-General in Council, which resulted in the abolition and establishment of Departments of State. As a result of these changes various annual Appropriation Acts require amendment in order to reflect the changes in departmental arrangements.

The purpose of this Determination is to allow a transfer of appropriations from the former Department of the Environment and Water Resources to the Department of Climate Change. The Department of Climate Change, in the Prime Minister and Cabinet portfolio, was created by Special Gazette No. S254. This Determination amends the relevant Appropriation Acts to insert the Department of Climate Change into Schedule 1 of *Appropriation Act (No. 1) 2007-2008* and Schedule 2 of *Appropriation Act (No. 2) 2007-2008*. The appropriation amounts transferred are as follows:

- From annual *Appropriation Act (No. 1) 2007-2008* an amount of \$19,307,426.86 of the administered item for the former Department of the Environment and Water Resources to the Department of Climate Change.
- From annual *Appropriation Act (No. 1) 2007-2008* an amount of \$19,644,581.81 of the departmental item for the former Department of the Environment and Water Resources to the Department of Climate Change.
- From annual *Appropriation Act (No. 2) 2007-2008* an amount of \$9,000,000.00 of the other departmental item (equity injections) for the former Department of the Environment and Water Resources to the Department of Climate Change.

In accordance with the *Legislative Instruments Act 2003*, the former Department of the Environment and Water Resources and the Department of Climate Change were consulted in the preparation of this instrument.

The Determination is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.