



FMA Act Determination 2008/19 — Section 32 (Transfer of Functions from the former DEST to DEEWR)

Financial Management and Accountability Act 1997

I, Tim Youngberry, Division Manager, Financial Reporting and Cash Management Division, Department of Finance and Deregulation, make this Determination under subsection 32 (2) of the *Financial Management and Accountability Act 1997* (the *FMA Act*).

This Determination is made because of changes in the administrative arrangements on 3 December 2007, specifically the transfer of education and training related functions of the former Department of Education, Science and Training to the Department of Education, Employment and Workplace Relations.

Dated 20 May 2008

Tim Youngberry
Division Manager
Financial Reporting and Cash Management Division
Department of Finance and Deregulation

1 Name of Determination

This Determination is the *FMA Act Determination 2008/19 — Section 32 (Transfer of Functions from the former DEST to DEEWR)*.

Note 1 This Determination has been made by a delegate of the Secretary of the Department of Finance and Deregulation. The Secretary is a delegate of the Minister for Finance and Deregulation: see sections 53 and 62 of the FMA Act.

Note 2 The Appropriation Acts, as made, refer to the names of particular Departments. However, some of those references have changed due to the reorganisation of government functions on 3 December 2007. The relevant changes are:

- (a) the Education, Employment and Workplace Relations portfolio was established; and
- (b) the Department of Education, Employment and Workplace Relations was established; and
- (c) the Education, Science and Training portfolio was abolished; and
- (d) the Department of Education, Science and Training was abolished

Note 3 Acronyms and other organisational names used in this Determination are as follows:

- (a) “DEEWR” – refers to the Department of Education, Employment and Workplace Relations.
- (b) “DEST” – refers to the Department of Education, Science and Training.

2 Commencement

This Determination is taken to have commenced on 3 December 2007.

Note Under subsection 32 (8) of the FMA Act, a Determination may be expressed to take effect before its making and registration under the *Legislative Instruments Act 2003*.

3 Amendment of Appropriation Act (No. 1) 2007–2008

Schedule 1 amends the *Appropriation Act (No. 1) 2007–2008* to transfer:

- (a) an amount of \$260,000,000.00 of the departmental item for the former Department of Education, Science and Training to the departmental item for the Department of Education, Employment and Workplace Relations.
- (b) an amount of \$169,649,190.32 of the administered item for Outcome 1 for the former Department of Education, Science and Training to Outcome 2 of the administered item for the Department of Education, Employment and Workplace Relations.
- (c) an amount of \$44,583,119.96 of the administered item for Outcome 2 for the former Department of Education, Science and Training to Outcome 3 of the administered item for the Department of Education, Employment and Workplace Relations.

(d) an amount of \$583,012,085.58 of the administered item for Outcome 3 for the former Department of Education, Science and Training to Outcome 4 of the administered item for the Department of Education, Employment and Workplace Relations.

(e) an amount of \$75,626,292.03 of the administered item for Outcome 4 for the former Department of Education, Science and Training to Outcome 5 of the administered item for the Department of Education, Employment and Workplace Relations.

(f) an amount of \$19,531,237.96 of the administered item for Outcome 6 for the former Department of Education, Science and Training to Outcome 6 of the administered item for the Department of Education, Employment and Workplace Relations.

Note The amounts transferred relate to the transfer of education and training related functions of the former DEST to DEEWR.

4 Amendment of Appropriation (Northern Territory National Emergency Response) Act (No. 1) 2007–2008

Schedule 2 amends the *Appropriation (Northern Territory National Emergency Response) Act (No. 1) 2007–2008* to transfer:

(a) an amount of \$2,039,000.00 of the departmental item for the former Department of Education, Science and Training to the departmental item for the Department of Education, Employment and Workplace Relations.

(b) an amount of \$22,397,000.00 of the administered item for Outcome 1 for the former Department of Education, Science and Training to Outcome 2 of the administered item for the Department of Education, Employment and Workplace Relations.

(c) an amount of \$9,222,000.00 of the administered item for Outcome 3 for the former Department of Education, Science and Training to Outcome 4 of the administered item for the Department of Education, Employment and Workplace Relations.

Note The amounts transferred relate to the transfer of education and training related functions of the former DEST to DEEWR.

5 Revocation of Previous Instrument

This Determination revokes and replaces the *Financial Management and Accountability Act 1997 Determination 2007/01 – Section 32 (Transfer from the Department of Education, Science and Training to the Department of Education, Employment and Workplace Relations)* made on 7 December 2007.

6 Savings

(a) Nothing in clause 5 affects the validity of anything done under the *Financial Management and Accountability Act 1997 Determination 2007/01 – Section 32 (Transfer from the Department of Education, Science and Training to the Department of Education, Employment and Workplace Relations)*.

(b) Nothing in this Determination affects the validity of expenditure under an appropriation that existed at the time of the expenditure.

Schedule 1 **Amendment of *Appropriation Act*** **(No. 1) 2007–2008**

(section 3)

- [1] **Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, total for
Department of Education, Science and Training, Departmental
Outputs**

omit

488,211

insert

228,211

- [2] **Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, Outcome
1, Administered Expenses**

omit

234,371

insert

64,721.80968

- [3] **Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, Outcome
2, Administered Expenses**

omit

50,486

insert

5,902.88004

- [4] **Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, Outcome
3, Administered Expenses**

omit

1,146,872

insert

563,859.91442

**[5] Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, Outcome
4, Administered Expenses**

omit

116,213

insert

40,586.70797

**[6] Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, Outcome
6, Administered Expenses**

omit

36,621

insert

17,089.76204

**[7] Schedule 1, Education, Science and Training portfolio, after the
Department of Education, Science and Training table**

omit the notes, insert

Note 1: The table has been amended by a Determination under section 32 of the FMA Act. That determination has amended only the actual appropriation items:

(a) for departmental items, the actual appropriation item is the "Total" amount in relation to an entity under the heading "Departmental Outputs"; and

(b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Administered Expenses".

No other amounts in the table have been amended.

Note 2: FMA Act Section 32 Determination 2008/16 amended the amount alongside Total: Department of Education, Science and Training under the heading Departmental Outputs, and amended the amount alongside Outcome 5, under the heading Administered Expenses, to transfer an amount to the Department of Resources, Energy and Tourism.

Note 3: FMA Act Section 32 Determination 2008/19 amended the amount alongside Total: Department of Education, Science and Training under the heading Departmental Outputs and amended the amounts alongside Outcome 1, Outcome 2, Outcome 3, Outcome 4, and Outcome 6, under the heading Administered Expenses, to transfer an amount to the Department of Education, Employment and Workplace Relations.

- [8] Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, total for Department of Education, Employment and Workplace Relations, Departmental Outputs**

insert

260,000

- [9] Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, Outcome 2, Administered Expenses**

insert

169,649.19032

- [10] Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, Outcome 3, Administered Expenses**

insert

44,583.11996

- [11] Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, Outcome 4, Administered Expenses**

insert

583,012.08558

- [12] Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, Outcome 5, Administered Expenses**

omit

7.05245

insert

75,633.34448

[13] Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, Outcome 6, Administered Expenses

insert

19,531.23796

[14] Schedule 1, Education, Employment and Workplace Relations portfolio, after the Department of Education, Employment and Workplace Relations table

omit the notes, insert

Note 1: The table has been inserted by a Determination under section 32 of the FMA Act. That determination has inserted only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the "Total" amount in relation to an entity under the heading "Departmental Outputs"; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Administered Expenses".

No other amounts in the table have been inserted.

Note 2: FMA Act Section 32 Determination 2008/08 inserted the amounts along side Outcome 1 and Outcome 5, under the heading Administered Expenses, to transfer amounts from the Department of Families, Housing, Community Services and Indigenous Affairs.

Note 3: FMA Act Section 32 Determination 2008/19 inserted the amounts along side Outcome 2, Outcome 3, Outcome 4, Outcome 6, and amended the amount alongside Outcome 5 under the heading Administered Expenses, to transfer amounts from the former Department of Education, Science and Training.

**Schedule 2 Amendment of Appropriation
(Northern Territory National
Emergency Response) Act (No. 1)
2007–2008**

(section 4)

- [1] **Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, total for
Department of Education, Science and Training, Departmental
Outputs**

omit

2,039

insert

-

- [2] **Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, Outcome
1, Administered Expenses**

omit

22,397

insert

-

- [3] **Schedule 1, Education, Science and Training portfolio,
Department of Education, Science and Training table, Outcome
3, Administered Expenses**

omit

9,222

insert

-

**[4] Schedule 1, Education, Science and Training portfolio, after the
Department of Education, Science and Training table**

insert

Note 1: The table has been amended by a Determination under section 32 of the FMA Act.
That determination has amended only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the "Total" amount in relation to an entity under the heading "Departmental Outputs"; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Administered Expenses".

No other amounts in the table have been amended.

Note 2: FMA Act Section 32 Determination 2008/19 amended the amount alongside Total: Department of Education, Employment and Workplace Relations, under the heading Departmental Outputs, and the amount alongside Outcome 1 and Outcome 3 under the heading Administered Expenses, to transfer an amount to the Department of Education, Employment and Workplace Relations.

**[5] Schedule 1, Education, Employment and Workplace Relations
portfolio, Department of Education, Employment and Workplace
Relations table, total for Department of Education, Employment
and Workplace Relations, Departmental Outputs**

insert

2,039

**[6] Schedule 1, Education, Employment and Workplace Relations
portfolio, Department of Education, Employment and Workplace
Relations table, Outcome 2, Administered Expenses**

insert

22,397

[7] Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, Outcome 4, Administered Expenses

insert

9,222

[8] Schedule 1, Education, Employment and Workplace Relations portfolio, after the Department of Education, Employment and Workplace Relations table,

omit the notes, insert

Note 1: The table has been inserted by a Determination under section 32 of the FMA Act. That determination has inserted only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the "Total" amount in relation to an entity under the heading "Departmental Outputs"; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Administered Expenses".

No other amounts in the table have been inserted.

Note 2: FMA Act Section 32 Determination 2008/08 inserted the amount alongside Outcome 1, Administered Expenses, to transfer an amount from the Department of Families, Housing, Community Services and Indigenous Affairs.

Note 3: FMA Act Section 32 Determination 2008/19 inserted the amount alongside Total: Department of Education, Science and Training, under the heading Departmental Outputs, and the amount alongside Outcome 4, and amended the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount from the former Department of Education, Science and Training.