



Financial Management and Accountability Amendment Regulations 2008 (No. 2)¹

Select Legislative Instrument 2008 No. 108

I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Financial Management and Accountability Act 1997*.

Dated 19 June 2008

P. M. JEFFERY
Governor-General

By His Excellency's Command

LINDSAY TANNER
Minister for Finance and Deregulation

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1 Name of Regulations

These Regulations are the *Financial Management and Accountability Amendment Regulations 2008 (No. 2)*.

2 Commencement

These Regulations commence as follows:

- (a) on the day after they are registered — regulations 1 to 4 and Schedule 1;
- (b) on 1 July 2008 — regulation 5 and Schedule 2.

3 Amendment of *Financial Management and Accountability Regulations 1997* — Schedule 1

Schedule 1 amends the *Financial Management and Accountability Regulations 1997*.

4 Transitional

On the commencement of Schedule 1, the Fraud Control Guidelines:

- (a) made under subregulation 19(1) of the *Financial Management and Accountability Regulations 1997*; and
- (b) as in force immediately before the commencement of Schedule 1;

continue in force as Fraud Control Guidelines made under subregulation 19(1) as amended by Schedule 1.

5 Amendment of *Financial Management and Accountability Regulations 1997* — Schedule 2

Schedule 2 amends the *Financial Management and Accountability Regulations 1997*.

Schedule 1 Amendments commencing on registration

(regulation 3)

[1] Subregulation 19 (1)

omit

Minister for Justice

insert

Minister for Home Affairs

[2] Regulation 22

substitute

22 Investment of public money

- (1) For subparagraphs (a) (iv) and (b) (v) of the definition of ***authorised investment*** in subsection 39 (10) of the Act, each of the following is another form of investment:
- (a) a bill of exchange accepted or endorsed only by a bank;
 - (b) a professionally managed money market trust if the Minister or the Treasurer is satisfied that:
 - (i) the only investments managed by the trust are mentioned in subparagraph (a) (i), (ii) or (iii), or (b) (i), (ii) or (iii), of the definition of authorised investment in subsection 39 (10) of the Act, or in paragraph (a); and
 - (ii) a charge over trust assets does not support any borrowings by the trust;
 - (c) a dematerialised security that is the equivalent of an investment mentioned in subparagraph a (iii) or (b) (iii) of the definition of authorised investment in subsection 39 (10) of the Act;

(d) a dematerialised security that is the equivalent of an investment mentioned in paragraph (a).

(2) In subregulation (1):

dematerialised security means a debt obligation that is registered on Austraclear.

Note The Austraclear system is operated in accordance with the *Austraclear Regulations of Austraclear Limited*. In mid-2008, this was available on the internet at:

http://www.asx.com.au/supervision/pdf/sfe_operating_rules/austraclear_system_regulations.pdf

[3] Schedule 1, Part 2, item 204

renumber as item 201

Schedule 2 Amendments commencing on 1 July 2008

(regulation 5)

[1] After Part 4

insert

Part 5 Relevant Agency receipts

15 Relevant Agency receipts

- (1) Subject to regulation 16, for subsection 31 (1) of the Act, the following kinds of amounts are prescribed:
 - (a) specified amounts received by an Agency;
 - (b) amounts that offset costs of the Agency that receives the amount;
 - (c) amounts received in relation to the participation in, or taking advantage of, a specified program by the Agency that receives the amount;
 - (d) amounts received in relation to the sale of minor departmental assets of the Agency that receives the amount;
 - (e) amounts received in relation to the carrying on of business activities by the Agency that receives the amount.
- (2) For paragraph (1) (a), *specified amounts* means the following:
 - (a) amounts received as sponsorships, grants, subsidies, contributions, gifts or bequests in relation to the departmental activities of the Agency that receives the amount;
 - (b) amounts that are debited from a Special Account, in accordance with the debit purposes of the Special Account;
 - (c) amounts received in relation to an application to the Agency under the *Freedom of Information Act 1982*;

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- (d) amounts received as discounts, monetary incentives or rebates in relation to procurement arrangements;
 - (e) amounts received as insurance recoveries in relation to departmental activities;
 - (f) amounts received by way of, or in satisfaction of a claim for, compensation or damages;
 - (g) amounts received as GST.
- (3) Subject to subregulation (4), for paragraph (1) (b), **receipts that offset costs** means amounts received by an Agency, to the extent that the amount received offsets costs incurred by the Agency in relation to:
- (a) the sale or hiring out of goods; or
 - (b) the provision by the Agency of either or both of staff and services; or
 - (c) the transfer of annual and long service leave entitlements; or
 - (d) the payment to an employee, consultant, contractor or other person engaged by an Agency of an employee benefit; or
 - (e) the subleasing of real property; or
 - (f) the conduct of litigation or dispute resolution by an Agency; or
 - (g) royalties and licence fees.
- (4) Subregulations (2) and (3) do not apply to an amount received by an Agency if a departmental item has been appropriated for the Agency in relation to the amount received by the Agency.
- (5) For paragraph (1) (c), receipts in relation to an Agency's participation in, or taking advantage of, **a specified program** include amounts received by an Agency:
- (a) in relation to a program that supports employees engaged in national security or defence activities; or
 - (b) in relation to an employment subsidy scheme; or
 - (c) in relation to a rebate of fuel tax, if the fuel tax was paid under a departmental item; or
 - (d) in relation to a refund of fringe benefits tax that was paid in excess of the Agency's legal liability; or

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- (e) in relation to any other program or scheme determined, in writing, by the Finance Minister.
- (6) For paragraph (1) (e), *receipts in relation to an Agency carrying on business activities* means amounts received by an Agency in relation to a business activity that has been conducted in accordance with the Commonwealth competitive neutrality policy, to the extent that the amount received exceeds the cost to the Agency in carrying out the activity.
- (7) If the total of amounts received by an Agency, in a financial year, in relation to:
- (a) the sale of minor departmental assets; and
 - (b) the Agency carrying on business activities;
- is, in aggregate, 5% of the amount that was appropriated to the Agency, in relation to the relevant departmental item, for the relevant financial year, any further amount is not a kind of amount for subsection 31 (1) of the Act.
- (8) In this regulation:
employee means:
- (a) a member of the Defence Force;
 - (b) an office-holder;
 - (c) a person engaged under any of the following Acts:
 - (i) *Air Force Act 1923*;
 - (ii) *Australian Bureau of Statistics Act 1975*;
 - (iii) *Australian Federal Police Act 1979*;
 - (iv) *Australian Prudential Regulation Authority Act 1998*;
 - (v) *Australian Securities and Investments Commission Act 2001*;
 - (vi) *Australian Security Intelligence Organisation Act 1979*;
 - (vii) *Commonwealth Electoral Act 1918*;
 - (viii) *Defence Act 1903*;
 - (ix) *Director of Public Prosecutions Act 1983*;
 - (x) *Family Law Act 1975*;
 - (xi) *Governor-General Act 1974*;

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- (xii) *High Court of Australia Act 1979*;
 - (xiii) *Intelligence Services Act 2001*;
 - (xiv) *Members of Parliament (Staff) Act 1984*;
 - (xv) *Naval Defence Act 1910*;
 - (xvi) *Office of National Assessments Act 1977*;
 - (xvii) *Parliamentary Service Act 1999*;
 - (xviii) *Public Service Act 1999*.

minor departmental asset means an asset of an Agency of which the purchase price is less than \$10 000 000.

16 Limits on Agency receipts

- (1) Despite any other regulation, an amount received by way of a tax, levy, fine or penalty is not a kind of amount for subsection 31 (1) of the Act.
- (2) If the Commonwealth competitive neutrality policy applies to the activity of an Agency in relation to which an amount was received, the amount is a kind of amount for subsection 31 (1) of the Act only to the extent to which the activity is undertaken consistent with that policy.
- (3) If the Commonwealth cost recovery policy applies to the activity of an Agency in relation to which an amount was received, the amount is a kind of amount for subsection 31 (1) of the Act only to the extent to which the activity is undertaken consistent with that policy.

[2] Schedule 1, Part 1, including the notes

substitute

Schedule 1 Prescribed agencies

(regulation 5)

Part 1 Prescribed agencies that do not handle money other than public money

Item	Agency	Chief Executive
101	Administrative Appeals Tribunal, comprising: <ul style="list-style-type: none"> (a) the Registrar of the Administrative Appeals Tribunal; and (b) the District Registrars, the Conference Registrars, the Deputy Registrars and the staff of the Tribunal mentioned in subsection 24N (3) of the <i>Administrative Appeals Tribunal Act 1975</i>; and (c) persons made available to the Tribunal under subsection 24N (4) of that Act <i>See Note B</i>	Registrar
102	AusAID, comprising: <ul style="list-style-type: none"> (a) the person occupying, or performing the duties of, the office within the Department of Foreign Affairs and Trade known as Director-General of AusAID; and (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Director-General 	Director-General
103	Australian Bureau of Statistics, comprising: <ul style="list-style-type: none"> (a) the Australian Statistician; and (b) the staff mentioned in subsection 16 (1) of the <i>Australian Bureau of Statistics Act 1975</i>; and (c) persons engaged under subsection 16 (2) of that Act <i>See Note B</i>	Australian Statistician

Item	Agency	Chief Executive
104	<p>Australian Centre for International Agricultural Research (ACIAR), comprising:</p> <ul style="list-style-type: none"> (a) the Chief Executive Officer of ACIAR established under section 4A of the <i>Australian Centre for International Agricultural Research Act 1982</i>; and (b) commissioners appointed under Part III of that Act; and (c) members of the Policy Advisory Council listed in section 19 of that Act; and (d) the staff mentioned in sections 30 and 31 of that Act; and (e) consultants engaged under section 32 of that Act. <p><i>See Note B</i></p>	Chief Executive Officer
105	<p>Australian Commission for Law Enforcement Integrity (ACLEI) comprising the staff members mentioned in section 11 of the <i>Law Enforcement Integrity Commissioner Act 2006</i></p> <p><i>See Note B</i></p>	Integrity Commissioner
106	<p>Australian Communications and Media Authority (the ACMA), comprising:</p> <ul style="list-style-type: none"> (a) the Chair, the Deputy Chair, the other members and the associate members of the ACMA; and (b) the staff mentioned in subsection 54 (1) of the <i>Australian Communications and Media Authority Act 2005</i>; and (c) persons whose services are made available for the purposes of the ACMA under subsection 55 (1) of that Act <p><i>See Note B</i></p>	Chair

Item	Agency	Chief Executive
107	Australian Competition and Consumer Commission, comprising: <ul style="list-style-type: none"> (a) the Chairperson, members and associate members of the Australian Competition and Consumer Commission; and (b) the staff mentioned in section 27 of the <i>Trade Practices Act 1974</i>; and (c) consultants engaged under section 27A of that Act; and (d) a person taken to be a member, or an associate member, of the Australian Energy Regulator under section 8AB or 44AM of that Act; and (e) the persons made available to assist the Australian Energy Regulator under paragraph 44AAC (a) of that Act; and (f) consultants made available to assist the Australian Energy Regulator under paragraph 44AAC (b) of that Act 	Chairperson
	<i>See Note B</i>	
108	Australian Crime Commission, comprising: <ul style="list-style-type: none"> (a) the Chief Executive Officer and examiners of the Australian Crime Commission; and (b) the staff mentioned in section 47 of the <i>Australian Crime Commission Act 2002</i>; and (c) consultants engaged under section 48 of that Act; and (d) persons whose services are made available under section 49 of that Act 	Chief Executive Officer
	<i>See Note B</i>	

Item	Agency	Chief Executive
109	Australian Customs Service, comprising: <ul style="list-style-type: none"> <li data-bbox="507 367 919 427">(a) the Chief Executive Officer of Customs; and <li data-bbox="507 439 1002 499">(b) the staff mentioned in section 15 of the <i>Customs Administration Act 1985</i> <i>See Note B</i>	Chief Executive Officer of Customs
110	Australian Electoral Commission, comprising: <ul style="list-style-type: none"> <li data-bbox="507 636 1002 734">(a) the Electoral Commissioner, the Deputy Electoral Commissioner, and the Australian Electoral Officers; and <li data-bbox="507 745 1002 844">(b) the staff and other persons mentioned in section 29 of the <i>Commonwealth Electoral Act 1918</i> <i>See Note B</i>	Electoral Commissioner
111	Australian Fair Pay Commission Secretariat (the <i>AFPC Secretariat</i>), comprising: <ul style="list-style-type: none"> <li data-bbox="507 972 1002 1032">(a) the Director of the AFPC Secretariat; and <li data-bbox="507 1043 1002 1081">(b) the staff of the AFPC Secretariat; and <li data-bbox="507 1093 1002 1218">(c) consultants engaged by the Director of the AFPC Secretariat under section 7ZU of the <i>Workplace Relations Act 1996</i> <i>See Note B</i>	Director
112	Australian Federal Police, comprising: <ul style="list-style-type: none"> <li data-bbox="507 1317 1002 1442">(a) the Commissioner of Police and any Deputy Commissioner of Police appointed under the <i>Australian Federal Police Act 1979</i>; and <li data-bbox="507 1453 1002 1574">(b) AFP employees, special members and special protective service officers of the Australian Federal Police, within the meaning of that Act 	Commissioner of Police

Item	Agency	Chief Executive
113	<p>Australian Industrial Registry, comprising:</p> <p>(a) the Industrial Registrar and Deputy Industrial Registrars; and</p> <p>(b) the staff mentioned in section 83 of <i>Workplace Relations Act 1996</i></p> <p><i>See Note B</i></p>	Industrial Registrar
115	<p>Australian Institute of Family Studies (AIFS), comprising:</p> <p>(a) the Director of the AIFS; and</p> <p>(b) the staff mentioned in section 114M of the <i>Family Law Act 1975</i></p> <p><i>See Note B</i></p>	Director
116	<p>Australian National Audit Office, comprising:</p> <p>(a) the Auditor-General; and</p> <p>(b) the staff mentioned in section 40 of the <i>Auditor-General Act 1997</i>; and</p> <p>(c) persons engaged under section 27 of that Act</p> <p><i>See Note B</i></p>	Auditor-General
117	<p>Australian Office of Financial Management (AOFM), comprising:</p> <p>(a) the person occupying, or performing the duties of, the office known as the Chief Executive of AOFM; and</p> <p>(b) persons engaged under the <i>Public Service Act 1999</i> to assist the Chief Executive</p>	Chief Executive of AOFM

Item	Agency	Chief Executive
118	Australian Pesticides and Veterinary Medicines Authority (<i>APVMA</i>), comprising: <ul style="list-style-type: none"> (a) the Chief Executive Officer appointed under section 33 of the <i>Agricultural and Veterinary Chemicals (Administration) Act 1992</i>; and (b) the Advisory Board established under section 14 of that Act; and (c) staff mentioned in section 45 of that Act; and (d) persons whose services are made available to APVMA under section 46 of that Act; and (e) consultants engaged under section 47 of that Act. 	Chief Executive Officer
	<i>See Note B</i>	
119	Australian Prudential Regulation Authority (<i>APRA</i>), comprising: <ul style="list-style-type: none"> (a) the Chair of APRA appointed under section 18 of the <i>Australian Prudential Regulation Authority Act 1998</i>; and (b) members appointed under section 16 of that Act; and (c) staff mentioned in subsection 45 (1) of that Act; and (d) persons whose services are made available to APRA under section 46 of that Act; and 	Chair

Item	Agency	Chief Executive
	(e) consultants engaged under section 47 of that Act.	
120	Australian Public Service Commission (APS Commission), comprising: <ul style="list-style-type: none"> (a) the Public Service Commissioner; and (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Commissioner See Note B	Public Service Commissioner
121	Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), comprising: <ul style="list-style-type: none"> (a) the Chief Executive Officer of ARPANSA; and (b) the staff mentioned in section 58 of the <i>Australian Radiation Protection and Nuclear Safety Act 1998</i> See Note B	Chief Executive Officer of ARPANSA
122	Australian Research Council, established by subsection 5 (1) of the <i>Australian Research Council Act 2001</i> See Note B	Chief Executive Officer
123	Australian Secret Intelligence Service, comprising: <ul style="list-style-type: none"> (a) the Director-General of the Australian Secret Intelligence Service; and (b) persons employed by the Director-General 	Director-General

Item	Agency	Chief Executive
124	Australian Securities and Investments Commission, comprising: <ul style="list-style-type: none"> <li data-bbox="507 398 1011 456">(a) the Chairperson and other members of the Commission; and <li data-bbox="507 470 1011 591">(b) the staff mentioned in section 120 of the <i>Australian Securities and Investments Commission Act 2001</i>; and <li data-bbox="507 604 1011 663">(c) consultants engaged under section 121 of that Act; and <li data-bbox="507 676 1011 770">(d) persons whose services are made available to the Commission under section 122 of that Act. 	Chairperson
	<i>See Note B</i>	
125	Australian Security Intelligence Organisation, comprising: <ul style="list-style-type: none"> <li data-bbox="507 909 1011 945">(a) the Director-General of Security; and <li data-bbox="507 958 1011 1039">(b) persons employed under section 84 of the <i>Australian Security Intelligence Organisation Act 1979</i> 	Director-General of Security
126	Australian Sports Anti-Doping Authority (the <i>ASADA</i>), comprising: <ul style="list-style-type: none"> <li data-bbox="507 1137 1011 1196">(a) the Chair, the Deputy Chair and the other members of the ASADA; and <li data-bbox="507 1209 1011 1290">(b) the staff mentioned in section 49 of the <i>Australian Sports Anti-Doping Authority Act 2006</i>; and <li data-bbox="507 1303 1011 1397">(c) the persons whose services are made available to the ASADA under section 50 of that Act. 	Chair
	<i>See Note B</i>	

Item	Agency	Chief Executive
127	<p>Australian Taxation Office, comprising:</p> <p>(a) the Commissioner of Taxation and the Second Commissioners of Taxation; and</p> <p>(b) persons engaged under the <i>Public Service Act 1999</i> to assist the Commissioner</p> <p><i>See Note B</i></p>	Commissioner of Taxation
128	<p>Australian Trade Commission (Austrade), comprising:</p> <p>(a) the Chief Executive Officer mentioned in section 7B of the <i>Australian Trade Commission Act 1985</i>; and</p> <p>(b) the staff mentioned in section 60 of that Act; and</p> <p>(c) consultants engaged under section 62 of that Act</p> <p><i>See Note B</i></p>	Chief Executive Officer
129	<p>Australian Transaction Reports and Analysis Centre (<i>AUSTRAC</i>), comprising:</p> <p>(a) the Chief Executive Officer of AUSTRAC; and</p> <p>(b) the staff mentioned in section 224 of the <i>Anti-Money Laundering and Counter-Terrorism Financing Act 2006</i>; and</p> <p>(c) consultants engaged under subsection 225 (1) of that Act; and</p> <p>(d) the persons whose services are made available to the Chief Executive Officer of AUSTRAC under subsection 225 (3) of that Act.</p> <p><i>See Note B</i></p>	Chief Executive Officer

Item	Agency	Chief Executive
130	Bureau of Meteorology, comprising: (a) the Director mentioned in section 5 of the <i>Meteorology Act 1955</i> ; and (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Director <i>See Note A</i>	Director
131	Biosecurity Australia, comprising: (a) the person occupying, or performing the duties of, the office within the Department of Agriculture, Fisheries and Forestry known as Chief Executive of Biosecurity Australia; and (b) the persons engaged under the <i>Public Service Act 1999</i> who assist the Chief Executive	Chief Executive
132	Cancer Australia, comprising: (a) the Chief Executive Officer appointed under section 14 of the <i>Cancer Australia Act 2006</i> ; and (b) the staff mentioned in section 8 of that Act; and (c) consultants (if any) engaged under section 9 of that Act; and (d) the Advisory Council established under section 24 of that Act <i>See Note B</i>	Chief Executive Officer
133	Centrelink (Commonwealth Services Delivery Agency), comprising: (a) the Chief Executive Officer appointed under section 29 of the <i>Commonwealth Services Delivery Agency Act 1997</i> ; and	Chief Executive Officer

Item	Agency	Chief Executive
	<ul style="list-style-type: none"> (b) the staff mentioned in subsection 35 (1) of that Act; and (c) consultants (if any) engaged under subsection 37 (1) of that Act <p><i>See Note B</i></p>	
134	<p>Commonwealth Grants Commission, comprising:</p> <ul style="list-style-type: none"> (a) the Chairperson and members of the Commonwealth Grants Commission; and (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Commission 	Secretary of the Commission
135	<p>ComSuper, comprising:</p> <ul style="list-style-type: none"> (a) the Commissioner for Superannuation; and (b) the staff mentioned in section 26 of the <i>Superannuation Act 1976</i> <p><i>See Note B</i></p>	Commissioner for Superannuation
136	<p>Corporations and Markets Advisory Committee (<i>CAMAC</i>), comprising:</p> <ul style="list-style-type: none"> (a) the Convenor and other members appointed under section 147 of the <i>Australian Securities and Investments Commission Act 2001</i>; and (b) the staff mentioned in section 156 of that Act; and (c) consultants engaged under section 157 of that Act; and (d) persons whose services are made available to CAMAC under section 158 of that Act. <p><i>See Note B</i></p>	Convenor

Item	Agency	Chief Executive
137	<p>CrimTrac Agency, comprising:</p> <p>(a) the Chief Executive Officer; and</p> <p>(b) persons engaged under the <i>Public Service Act 1999</i> to assist the Chief Executive Officer</p> <p><i>See Note A</i></p>	Chief Executive Officer
138	<p>Dairy Adjustment Authority, comprising:</p> <p>(a) the member of the Dairy Adjustment Authority mentioned in subclause 59 (4) of Schedule 2 to the <i>Dairy Produce Act 1986</i>; and</p> <p>(b) persons whose services are made available to the Authority under clause 70 of Schedule 2 to that Act; and</p> <p>(c) consultants engaged under clause 71 of Schedule 2 to that Act; and</p> <p>(d) persons engaged under the <i>Public Service Act 1999</i> to assist the Authority</p>	Member
139	<p>Defence Materiel Organisation, comprising:</p> <p>(a) the Chief Executive Officer; and</p> <p>(b) persons engaged under the <i>Public Service Act 1999</i> to assist the Chief Executive Officer; and</p> <p>(c) members of the Defence Force whose services are made available to assist the Chief Executive Officer</p>	Chief Executive Officer

Item	Agency	Chief Executive
140	<p>Equal Opportunity for Women in the Workplace Agency, comprising:</p> <p>(a) the Director of the Equal Opportunity for Women in the Workplace Agency; and</p> <p>(b) persons mentioned in section 29 of the <i>Equal Opportunity for Women in the Workplace Act 1999</i>; and</p> <p>(c) consultants engaged under section 30 of that Act to assist the Director</p> <p><i>See Note B</i></p>	Director
141	<p>Export Wheat Commission, comprising:</p> <p>(a) the Chairperson and the other members of the Export Wheat Commission; and</p> <p>(b) the staff mentioned in section 14 of the <i>Wheat Marketing Act 1989</i>; and</p> <p>(c) the persons whose services are made available to the Export Wheat Commission under section 15 of that Act.</p> <p><i>See Note B</i></p>	Chairperson
142	<p>Family Court of Australia, comprising:</p> <p>(a) the Chief Executive Officer of the Family Court of Australia; and</p> <p>(b) the officers and staff of the Registries of the Court (within the meaning of section 38N of the <i>Family Law Act 1975</i>)</p> <p><i>See Note B</i></p>	Chief Executive Officer

Item	Agency	Chief Executive
143	Federal Court of Australia, comprising: <ul style="list-style-type: none"> (a) the Registrar of the Federal Court of Australia; and (b) other officers and staff of the Registries of the Court (within the meaning of section 18N of the <i>Federal Court of Australia Act 1976</i>) 	Registrar
	<i>See Note B</i>	
144	Federal Magistrates Court of Australia, comprising: <ul style="list-style-type: none"> (a) the Chief Executive Officer of the Federal Magistrates Court of Australia; and (b) the staff of the Federal Magistrates Court of Australia engaged under the <i>Public Service Act 1999</i> 	Chief Executive Officer
	<i>See Note B</i>	
145	Future Fund Management Agency, comprising: <ul style="list-style-type: none"> (a) the Chair of the Future Fund Board of Guardians appointed under section 38 of the <i>Future Fund Act 2006</i>; and (b) the staff mentioned in section 77 of that Act; and (c) consultants engaged (if any) and persons seconded to the Agency (if any) under section 78 of that Act 	Chair of the Future Fund Board of Guardians
	<i>See Note B</i>	
146	Geoscience Australia, comprising: <ul style="list-style-type: none"> (a) the office known as the Chief Executive of Geoscience Australia; and (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Chief Executive 	Chief Executive of Geoscience Australia

Item	Agency	Chief Executive
147	Great Barrier Reef Marine Park Authority, comprising: <ul style="list-style-type: none"> (a) the Chairperson and members of the Authority appointed under section 10 of the <i>Great Barrier Reef Marine Park Act 1975</i>; and (b) the staff mentioned in subsection 40 (1) of that Act; and (c) other persons engaged under section 41 of that Act; and (d) the State and local government officers and employees mentioned in subsection 42 (1) of that Act; and (e) the officers and employees of Commonwealth Agencies and authorities mentioned in subsection 42 (2) of that Act. 	Chairperson
	<i>See Note B</i>	
148	Human Rights and Equal Opportunity Commission, comprising: <ul style="list-style-type: none"> (a) the President and Commissioners; and (b) the staff mentioned in section 43 of the <i>Human Rights and Equal Opportunity Commission Act 1986</i> 	President
	<i>See Note B</i>	
149	Insolvency and Trustee Service Australia (ITSA), comprising: <ul style="list-style-type: none"> (a) the Chief Executive of ITSA; and (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Chief Executive 	Chief Executive
	<i>See Note A</i>	

Item	Agency	Chief Executive
150	Inspector-General of Taxation, comprising: <ul style="list-style-type: none"> <li data-bbox="507 367 963 488">(a) the Inspector-General of Taxation mentioned in section 6 of the <i>Inspector-General of Taxation Act 2003</i>; and <li data-bbox="507 501 963 595">(b) persons engaged under the <i>Public Service Act 1999</i> to assist the Inspector-General of Taxation; and <li data-bbox="507 609 1002 757">(c) persons made available to the Inspector-General of Taxation under subsection 36 (3) of the <i>Inspector-General of Taxation Act 2003</i>; and <li data-bbox="507 770 922 896">(d) consultants engaged under subsection 36 (4) of the <i>Inspector-General of Taxation Act 2003</i> <i>See Note B</i>	Inspector-General of Taxation
151	IP Australia, comprising: <ul style="list-style-type: none"> <li data-bbox="507 1005 995 1068">(a) the Director-General of IP Australia; and <li data-bbox="507 1081 963 1167">(b) persons engaged under the <i>Public Service Act 1999</i> to assist the Director-General 	Director-General
152	Medicare Australia comprising: <ul style="list-style-type: none"> <li data-bbox="507 1229 1011 1323">(a) the Chief Executive Officer appointed under section 8AG of the <i>Medicare Australia Act 1973</i>; and <li data-bbox="507 1337 963 1400">(b) the staff mentioned in subsection 20 (1) of that Act; and <li data-bbox="507 1413 963 1476">(c) consultants (if any) engaged under subsection 21 (1) of that Act <i>See Note B</i>	Chief Executive Officer

Item	Agency	Chief Executive
153	<p>Migration Review Tribunal and Refugee Review Tribunal (MRT–RRT) comprising:</p> <ul style="list-style-type: none">(a) the Principal Member, Senior Members and other members of the Migration Review Tribunal (MRT) mentioned in section 395 of the <i>Migration Act 1958</i>; and(b) the Registrar, Deputy Registrars and other officers of the MRT mentioned in section 407 of that Act; and(c) the Principal Member, Deputy Principal Member, Senior Members and other members of the Refugee Review Tribunal (RRT) mentioned in section 458 of the <i>Migration Act 1958</i>; and(d) the Registrar and other officers of the RRT mentioned in section 472 of that Act	Principal Member of the RRT

Item	Agency	Chief Executive
154	<p>Murray-Darling Basin Authority, comprising:</p> <ul style="list-style-type: none"> (a) the Authority Chair and other members of the Authority mentioned in section 177 of the <i>Water Act 2007</i>; and (b) the members of the Basin Officials Committee established under section 201 of that Act; and (c) the members of the Basin Community Committee established under section 202 of that Act; and (d) the members of any other advisory committee established under section 203 of that Act; and (e) the staff mentioned in section 206 of that Act; and (f) persons whose services are made available to the Authority under section 207 of that Act; and (g) any authorised officer appointed under section 217 of that Act <p><i>See Note B</i></p>	Authority Chair
155	<p>National Archives of Australia, comprising:</p> <ul style="list-style-type: none"> (a) the Director-General; and (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Director-General <p><i>See Note A</i></p>	Director-General
156	<p>National Blood Authority, comprising:</p> <ul style="list-style-type: none"> (a) the General Manager of the National Blood Authority; and (b) the staff mentioned in section 36 of the <i>National Blood Authority Act 2003</i>; and (c) consultants engaged under section 37 of that Act <p><i>See Note B</i></p>	General Manager

Item	Agency	Chief Executive
157	<p>National Capital Authority, comprising:</p> <p>(a) the Chairman and the Chief Executive of the Authority; and</p> <p>(b) the staff mentioned in section 47 of <i>Australian Capital Territory (Planning and Land Management) Act 1988</i>; and</p> <p>(c) consultants engaged under section 48 of that Act</p> <p><i>See Note B</i></p>	Chief Executive
158	<p>National Competition Council, comprising:</p> <p>(a) the Council President and the Councillors mentioned in section 29C of the <i>Trade Practices Act 1974</i>; and</p> <p>(b) the staff mentioned in section 29M of that Act; and</p> <p>(c) the persons engaged under section 29N of that Act</p> <p><i>See Note B</i></p>	Council President
159	<p>National Health and Medical Research Council (NHMRC) comprising:</p> <p>(a) the Chief Executive Officer mentioned in section 6 of the <i>National Health and Medical Research Council Act 1992</i>; and</p> <p>(b) the Chair and other members of the Council of the NHMRC mentioned in section 20 of that Act; and</p>	Chief Executive Officer

Item	Agency	Chief Executive
	<ul style="list-style-type: none"> (c) the members of Principal Committees established under section 35 of that Act; and (d) the members of any working committees established under section 39 of that Act; and (e) the staff mentioned in section 45 of that Act; and (f) consultants engaged under section 46 of that Act; and (g) the Commissioner of Complaints mentioned in section 55 of that Act; and (h) a person assisting: <ul style="list-style-type: none"> (i) the Chief Executive Officer; or (ii) the Council; or (iii) a committee; or (iv) the Commissioner of Complaints; in the performance of functions under the Act; and (i) members of the NHMRC Licensing Committee established under section 13 of the <i>Research Involving Human Embryos Act 2002</i> 	
	<i>See Note B</i>	
160	National Native Title Tribunal, comprising: <ul style="list-style-type: none"> (a) the Native Title Registrar, and (b) the Deputy Registrar or Deputy Registrars appointed by the Registrar under section 130 of the <i>Native Title Act 1993</i>; and (c) the staff mentioned in section 130 of that Act; and (d) other persons engaged under section 132 of that Act 	Native Title Registrar
	<i>See Note B</i>	

Item	Agency	Chief Executive
161	<p>National Offshore Petroleum Safety Authority (NOPSA), established by section 150XD of the <i>Petroleum (Submerged Lands) Act 1967</i>, comprising:</p> <ul style="list-style-type: none"> (a) the Chief Executive Officer of NOPSA; and (b) the staff mentioned in subsection 150YH (1) of that Act; and (c) consultants engaged under subsection 150YI (1) of that Act; and (d) the officers and employees mentioned in subsection 150YI (3) of that Act <p><i>See Note B</i></p>	Chief Executive Officer
162	<p>National Water Commission, established by section 6 of the <i>National Water Commission Act 2004</i>, comprising:</p> <ul style="list-style-type: none"> (a) the Chief Executive Officer and Commissioners of the National Water Commission; and (b) the staff mentioned in subsection 35 (1) of that Act; and (c) the officers and employees mentioned in subsections 36 (1) and (2) of that Act; and (d) the consultants engaged under subsection 37 (1) of that Act <p><i>See Note B</i></p>	Chief Executive Officer
165	<p>Office of National Assessments, comprising:</p> <ul style="list-style-type: none"> (a) the Director-General of the Office of National Assessments; and (b) the staff mentioned in section 17 of the <i>Office of National Assessments Act 1977</i> <p><i>See Note B</i></p>	Director-General

Item	Agency	Chief Executive
166	Office of Parliamentary Counsel, comprising: (a) the First Parliamentary Counsel and Second Parliamentary Counsel; and (b) the staff mentioned in section 16 of the <i>Parliamentary Counsel Act 1970</i> <i>See Note B</i>	First Parliamentary Counsel
167	Office of the Australian Building and Construction Commissioner, comprising: (a) the Australian Building and Construction Commissioner; and (b) the Deputy Australian Building and Construction Commissioners; and (c) the staff mentioned in subsection 25 (1) of the <i>Building and Construction Industry Improvement Act 2005</i> ; and (d) the consultants engaged under subsection 25 (3) of that Act. <i>See Note B</i>	Australian Building and Construction Commissioner
168	Office of the Commonwealth Ombudsman, comprising: (a) the Commonwealth Ombudsman and the Deputy Commonwealth Ombudsmen; and (b) the staff mentioned in section 31 of the <i>Ombudsman Act 1976</i> <i>See Note B</i>	Commonwealth Ombudsman
169	Office of the Privacy Commissioner, comprising: (a) the Privacy Commissioner; and (b) the staff mentioned in section 26A of the <i>Privacy Act 1988</i> <i>See Note B</i>	Privacy Commissioner

Item	Agency	Chief Executive
170	Office of the Director of Public Prosecutions, comprising: <ul style="list-style-type: none"> <li data-bbox="507 394 983 456">(a) the Director of Public Prosecutions; and <li data-bbox="507 465 938 528">(b) the Associate Director of Public Prosecutions; and <li data-bbox="507 537 978 636">(c) staff mentioned in section 27 of the <i>Director of Public Prosecutions Act 1983</i>; and <li data-bbox="507 645 991 707">(d) persons engaged under section 28 of that Act; and <li data-bbox="507 716 951 808">(e) persons whose services are made available to the Director under section 29 of that Act 	Director of Public Prosecutions
	<i>See Note B</i>	
171	Office of the Inspector-General of Intelligence and Security, comprising: <ul style="list-style-type: none"> <li data-bbox="507 936 991 999">(a) the Inspector-General of Intelligence and Security; and <li data-bbox="507 1008 999 1104">(b) the staff mentioned in section 32 of the <i>Inspector-General of Intelligence and Security Act 1986</i> 	Inspector-General of Intelligence and Security
	<i>See Note B</i>	
172	Office of the Official Secretary to the Governor-General, comprising: <ul style="list-style-type: none"> <li data-bbox="507 1232 887 1294">(a) the Official Secretary to the Governor-General; and <li data-bbox="507 1303 1010 1368">(b) persons employed under section 13 of the <i>Governor-General Act 1974</i> 	Official Secretary to the Governor-General
173	Office of the Renewable Energy Regulator, comprising: <ul style="list-style-type: none"> <li data-bbox="507 1462 778 1485">(a) the Regulator; and <li data-bbox="507 1494 999 1592">(b) staff mentioned in section 151 of the <i>Renewable Energy (Electricity) Act 2000</i>; and 	Regulator

Item	Agency	Chief Executive
	(c) persons engaged under contract under section 155 of that Act to assist in the performance of any function of the Regulator	
	<i>See Note B</i>	
174	Office of the Workplace Ombudsman, comprising: (a) the Workplace Ombudsman; and (b) the staff assisting the Workplace Ombudsman in the performance of the Workplace Ombudsman's functions; and (c) the workplace inspectors appointed under section 167 of the <i>Workplace Relations Act 1996</i> .	Workplace Ombudsman
	<i>See Note B</i>	
175	Old Parliament House, comprising: (a) the Director; and (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Director.	Director
	<i>See Note A</i>	
176	Private Health Insurance Ombudsman, comprising: (a) the Private Health Insurance Ombudsman mentioned in section 238-1 of the <i>Private Health Insurance Act 2007</i> ; and (b) the staff mentioned in section 253-45 of that Act	Private Health Insurance Ombudsman
	<i>See Note B</i>	
177	Productivity Commission, comprising: (a) the Chair and other members of the Productivity Commission; and	Chair of the Commission

Item	Agency	Chief Executive
	<ul style="list-style-type: none"> (b) persons engaged under the <i>Public Service Act 1999</i> to assist the Commission; and (c) persons engaged under section 45 of the <i>Productivity Commission Act 1998</i> 	
	<i>See Note B</i>	
178	Professional Services Review Scheme, comprising: <ul style="list-style-type: none"> (a) the Director of Professional Services Review and Deputy Directors of Professional Services Review; and (b) the staff mentioned in section 106ZM of the <i>Health Insurance Act 1973</i>; and (c) persons whose services are made available to the Director under section 106ZN of that Act; and (d) consultants engaged under section 106ZP of that Act 	Director of Professional Services Review
	<i>See Note B</i>	
179	Royal Australian Mint, comprising: <ul style="list-style-type: none"> (a) the Chief Executive Officer of the Royal Australian Mint; and (b) persons engaged under the <i>Public Service Act 1999</i> who assist the Chief Executive Officer; and (c) persons employed under other arrangements to assist the Chief Executive Officer 	Chief Executive Officer

Item	Agency	Chief Executive
180	Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority) established by section 103 of the <i>Seafarers Rehabilitation and Compensation Act 1992</i> , comprising: <ol style="list-style-type: none"> <li data-bbox="507 495 943 613">(a) the Chairperson of the Authority mentioned in section 109 of the <i>Seafarers Rehabilitation and Compensation Act 1992</i>; and <li data-bbox="507 629 1007 748">(b) staff made available to the Authority by Comcare under subsection 72A (2) of the <i>Safety, Rehabilitation and Compensation Act 1988</i>; and <li data-bbox="507 763 991 981">(c) the Chief Executive Officer of Comcare, to the extent that the Authority has delegated its functions or powers to the Chief Executive Officer under subsection 125 (1) of the <i>Seafarers Rehabilitation and Compensation Act 1992</i> 	Chairperson
181	Workplace Authority, comprising: <ol style="list-style-type: none"> <li data-bbox="507 1043 967 1099">(a) the Workplace Authority Director; and <li data-bbox="507 1115 948 1171">(b) the Workplace Authority Deputy Directors; and <li data-bbox="507 1187 943 1245">(c) the staff assisting the Workplace Authority Director. 	Workplace Authority Director
<i>See Note B</i>		
<p><i>Note A</i> This agency also encompasses an Executive Agency, established under section 65 of the <i>Public Service Act 1999</i> by order of the Governor-General in the Commonwealth <i>Gazette</i> mentioned for the agency:</p>		
<ul style="list-style-type: none"> <li data-bbox="448 1406 1225 1440">• Bureau of Meteorology (<i>Gazette</i> S 221, published on 27 June 2002) <li data-bbox="448 1447 1177 1480">• CrimTrac Agency (<i>Gazette</i> GN 23, published on 14 June 2000) <li data-bbox="448 1487 1273 1543">• Insolvency and Trustee Service Australia (<i>Gazette</i> GN 23, published on 14 June 2000; and <i>Gazette</i> PS 20, published on 24 May 2001) <li data-bbox="448 1550 1273 1606">• National Archives of Australia (<i>Gazette</i> GN 8, published on 28 February 2001) <li data-bbox="448 1612 1273 1668">• Office of Workplace Services (<i>Gazette</i> S 42, published on 17 March 2006) <li data-bbox="448 1675 1235 1709">• Old Parliament House (<i>Gazette</i> GN S 96, published on 1 May 2008). 		
2008, 108	<i>Financial Management and Accountability Amendment Regulations 2008 (No. 2)</i>	35

Note B This agency also encompasses a Statutory Agency (a body or group of persons declared by an Act to be a Statutory Agency for the purposes of the *Public Service Act 1999*).

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.