

EXPLANATORY STATEMENT

Select Legislative Instrument 2008 No. 267

Issued by the authority of the Minister for Finance and Deregulation

Financial Management and Accountability Act 1997

*Financial Management and Accountability Amendment Regulations 2008
(No. 6)*

The *Financial Management and Accountability Act 1997* (FMA Act) provides a framework of rules for the proper management of public money and public property by Chief Executives and officials of FMA Act agencies.

Subsection 65(1) of the FMA Act provides that the Governor-General in Council may make regulations prescribing matters required or permitted by the FMA Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the FMA Act.

Section 5 of the FMA Act provides that for the purposes of the FMA Act, a prescribed Agency means a body, organisation or group of persons prescribed by the regulations for the purposes of that definition. Agencies are prescribed in Schedule 1 to the *Financial Management and Accountability Regulations 1997* (the Principal Regulations).

The Amendment Regulations prescribed the Australian Organ and Tissue Donation and Transplantation Authority.

The Amendment Regulations also corrected several minor consolidation errors. The Export Wheat Commission was omitted from the Principal Regulations as it was re-named Wheat Exports Australia by the *Wheat Export Marketing Act 2008*. Wheat Exports Australia and the Workplace Authority were re-numbered in the Principal Regulations in order to ensure that items in Schedule 1 of the Principal Regulations are in alphabetical order.

The Amendment Regulations are a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.

In accordance with section 17 of the *Legislative Instruments Act 2003*, the Department of Health was consulted in relation to the prescribing of the Australian Organ and Tissue Donation and Transplantation Authority.

Regulations 1 to 3 and Schedule 1 to the Amendment Regulations commenced the day after the Amendment Regulations were registered on the Federal Register of Legislative Instruments. Regulation 4 and Schedule 2 will commence upon the commencement of the *Australian Organ and Tissue Donation and Transplantation Authority Act 2008*.