

Financial Management and Accountability Amendment Regulations 2000 (No. 4) 2000 No. 224

EXPLANATORY STATEMENT

STATUTORY RULES 2000 No. 224

Issued by the Authority of the Minister for Finance and Administration

Financial Management and Accountability Act 1997

Financial Management and Accountability Amendment Regulations 2000 (No. 4)

Subsection 65(1) of the *Financial Management and Accountability Act 1997* (the Act) provides that the Governor-General may make Regulations for the purposes of the Act.

The attached Statutory Rules amend the Financial Management and Accountability Regulations 1997 (the principal regulations).

The amendments are proposed to Schedule 1 to the regulations which lists the Agencies which are prescribed for the purposes of the definition of "Agency" in section 5 of the Act. In addition to Departments of State and Departments of the Parliament, section 5 of the Act includes in the definition of "Agency", "a prescribed Agency", being an organisational unit which is to be regarded, for the purposes of the Act, as a separate Agency from the Department of State within the portfolio. Regulation 5 prescribes all such Agencies by reference to the Schedule to the regulations. The Schedule names those Agencies, defines the persons which they comprise and specifies the Agency Chief Executive.

Details of the regulations are as follows:

Regulation 1

This advises that the name of the regulations is the *Financial Management and Accountability Amendment Regulations 2000 (No. 4)*.

Regulation 2

This provides that the proposed amendments are taken to have commenced on 1 July 2000.

The proposed retrospective commencement date is in accordance with section 48(2) of the *Acts Interpretation Act 1901* and will not affect the rights of a person (other than the Commonwealth or an authority of the Commonwealth) or impose liabilities on a person (other than the Commonwealth or an authority of the Commonwealth) in respect of anything done or omitted to be done before the date of commencement.

Regulation 3

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

Schedule 1

[1] Schedule 1, after item 137

This item inserts a new Item 137A in Schedule 1 to make the Office of the Privacy Commissioner (OPC) a prescribed Agency, Having regard to the nature and operation of the OPC, it is considered appropriate that it should be financially independent of the Human Rights and Equal Opportunity Commission for the purposes of the FMA Act.