



FMA Act Determination 2008/16 — Section 32 (Transfer of Functions from former DEST to DRET)

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 the Radio Active Waste Management program and related functions, from the former Department of Education, Science and Training to the Department of Resources, Energy and Tourism.

Dated 29th April 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 2008/16 — Section 32 (Transfer of Functions from former DEST to DRET)*.

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, Science and Training portfolio was abolished; and
- (b) the Department of Education, Science and Training was abolished; and
- (c) the Resources, Energy and Tourism portfolio was established; and
- (d) the Department of Resources, Energy and Tourism was established.

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

- (a) “DEST” – refers to the Department of Education, Science and Training.
- (b) “DRET” – refers to the Department of Resources, Energy and Tourism.

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 \$500,000.00 of the departmental item for the former Department of Education, Science and Training to the departmental item for the Department of Resources, Energy and Tourism.
- (b) an amount of \$5,212,214.61 of the administered item for Outcome 5 for the former Department of Education, Science and Training to Outcome 2 of the administered item for the Department of Resources, Energy and Tourism.

Note The amounts transferred relate to the transfer of the Radio Active Waste Management program and related functions.

4 Revocation of Previous Instrument

This Determination revokes and replaces the *Financial Management and Accountability Act 1997 Determination 2007/04 – Section 32 (Transfer from the Department of Education, Science and Training to the Department of Resources, Energy and Tourism)* made on 7 December 2007.

5 Savings

(a) Nothing in clause 4 affects the validity of anything done under the *Financial Management and Accountability Act 1997 Determination 2007/04 – Section 32 (Transfer from the Department of Education, Science and Training to the Department of Resources, Energy and Tourism)*.

(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

488,711

insert

488,211

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

omit

361,880

insert

356,667.78539

**[3] 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 2008/16 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.

**[4] Schedule 1, Resources, Energy and Tourism portfolio,
Department of Resources, Energy and Tourism table, total for
Department of Resources, Energy and Tourism, Departmental
Outputs**

omit

33,088.16021

insert

33,588.16021

**[5] Schedule 1, Resources, Energy and Tourism portfolio,
Department of Resources, Energy and Tourism table, after
Outcome 1**

Insert

Outcome 2 –

Science, Research and Innovation - Australia
maintains the strong science, research and
innovation capacity required to generate and
utilise knowledge

- 5,212.21461 -

**[6] Schedule 1, Resources, Energy and Tourism portfolio, after the
Department of Resources, Energy and Tourism 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 2008/14 inserted the amount alongside Total: Department of Resources, Energy and Tourism, under the heading Departmental Outputs, and inserted the amount alongside Outcome 1, under the heading Administered Expenses, to transfer amounts from the former Department of Industry, Tourism and Resources.

Note 3: FMA Act Section 32 Determination 2008/16 amended the amount alongside Total: Department of Resources, Energy and Tourism, under the heading Departmental Outputs and inserted Outcome 2 and the amount alongside Outcome 2, under the heading Administered Expenses, to transfer amounts from the former Department of Education, Science and Training.