



## **FMA Act Determination 2008/18 — Section 32 (Transfer of Functions from former DCITA to DBCDE)**

### *Financial Management and Accountability Act 1997*

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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 former Department of Communications, Information Technology and the Arts Outcome 3, “Development of services and provision of a regulatory environment which encourages a sustainable and effective communications sector for the benefit of all Australians and an internationally competitive information economy and Information and Communications Technology industry” to the Department of Broadband, Communications and the Digital Economy.

Dated 29<sup>th</sup> April 2008

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

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## 1 Name of Determination

This Determination is the *FMA Act Determination 2008/18 — Section 32 (Transfer of Functions from former DCITA to DBCDE)*.

*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 Communications, Information Technology and the Arts portfolio was abolished; and
- (b) the Department of Communications, Information Technology and the Arts was abolished; and
- (c) the Broadband, Communications and Digital Economy portfolio was established; and
- (d) the Department of Broadband, Communications and Digital Economy was established.

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

- (a) “DBCDE” – refers to the Department of Broadband, Communications and the Digital Economy.
- (b) “DCITA” – refers to the Department of Communications, Information Technology and the Arts.

## 2 Commencement

This Determination has 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) 2005-2006*

Schedule 1 amends the *Appropriation Act (No. 1) 2005–2006* to transfer an amount of \$3,659,626.87 of the administered item for Outcome 3 for the former Department of Communications, Information Technology and the Arts to Outcome 1 of the administered item for the Department of Broadband, Communications and the Digital Economy.

*Note* The amount transferred relates to the development of services and provision of a regulatory environment which encourages a sustainable and effective communications sector for the benefit of all Australians and an internationally competitive information economy and Information and Communications Technology industry.

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**4      *Amendment of Appropriation Act (No. 1) 2006-2007***

Schedule 2 amends the *Appropriation Act (No. 1) 2006-2007* to transfer an amount of \$5,223,141.00 of the administered item for Outcome 3 for the former Department of Communications, Information Technology and the Arts to Outcome 1 of the administered item for the Department of Broadband, Communications and the Digital Economy.

*Note* The amount transferred relates to the development of services and provision of a regulatory environment which encourages a sustainable and effective communications sector for the benefit of all Australians and an internationally competitive information economy and Information and Communications Technology industry.

**5      *Amendment of Appropriation Act (No. 3) 2006-2007***

Schedule 3 amends the *Appropriation Act (No. 3) 2006-2007* to transfer an amount of \$6,678,743.00 of the administered item for Outcome 3 for the former Department of Communications, Information Technology and the Arts to Outcome 1 of the administered item for the Department of Broadband, Communications and the Digital Economy.

*Note* The amount transferred relates to the development of services and provision of a regulatory environment which encourages a sustainable and effective communications sector for the benefit of all Australians and an internationally competitive information economy and Information and Communications Technology industry.

## Schedule 1      **Amendment of *Appropriation Act* (No. 1) 2005–2006**

(section 3)

**[1]      Schedule 1, Communications, Information Technology and the  
Arts portfolio, Department of Communications, Information  
Technology and the Arts table, Outcome 3, Administered  
Expenses**

*omit*

170,848

*insert*

167,188.37313

**[2]      Schedule 1, Communications, Information Technology and the  
Arts portfolio, after the Department of Communications,  
Information Technology and the Arts 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 2008/15 amended the amount alongside Total: Department of Communications, Information Technology and the Arts, under the heading Departmental Outputs, to transfer an amount to the Department of Health and Ageing.

Note 3: FMA Act Section 32 Determination 2008/18 amended the amount alongside Outcome 3, under the heading Administered Expenses, to transfer an amount to the Department of Broadband, Communications and the Digital Economy.

**[3] Schedule 1, Attorney-General's portfolio, after the Office of the Privacy Commissioner table**

*insert*

**BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY PORTFOLIO**

Appropriation (plain figures)—2005–2006

	Departmental Outputs	Administered Expenses	Total
	\$'000	\$'000	\$'000
<b>DEPARTMENT OF BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY</b>			
<b>Outcome 1 -</b>			
Development of services and provision of a regulatory environment which encourages a sustainable and effective communications sector for the benefit of all Australians and an internationally competitive information economy and Information and Communications Technology industry		3,659.62687	
<b>Total: Department of Broadband Communications and the Digital Economy</b>			

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 2008/18 inserted the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount from the former Department of Communications, Information Technology and the Arts.

## **Schedule 2      Amendment of *Appropriation Act* (No. 1) 2006–2007**

(section 4)

**[1]      Schedule 1, Communications, Information Technology and the  
Arts portfolio, Department of Communications, Information  
Technology and the Arts table, Outcome 3, Administered  
Expenses**

*omit*

433,836

*insert*

428,612.859

**[2]      Schedule 1, Communications, Information Technology and the  
Arts portfolio, after the Department of Communications,  
Information Technology and the Arts 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 2008/18 amended the amount alongside Outcome 3, under the heading Administered Expenses, to transfer an amount to the Department of Broadband, Communications and the Digital Economy.

**[3] Schedule 1, Attorney-General's portfolio, after the Office of the Privacy Commissioner table**

*insert*

**BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY PORTFOLIO**

Appropriation (plain figures)—2006-2007

	Departmental Outputs \$'000	Administered Expenses \$'000	Total \$'000
<b>DEPARTMENT OF BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY</b>			
<b>Outcome 1 -</b>			
Development of services and provision of a regulatory environment which encourages a sustainable and effective communications sector for the benefit of all Australians and an internationally competitive information economy and Information and Communications Technology industry		5,223.141	
<b>Total: Department of Broadband Communications and the Digital Economy</b>			

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 2008/18 inserted the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount from the former Department of Communications, Information Technology and the Arts.

## **Schedule 3      Amendment of *Appropriation Act* (No. 3) 2006–2007**

(section 5)

**[1]      Schedule 1, Communications, Information Technology and the  
Arts portfolio, Department of Communications, Information  
Technology and the Arts table, Outcome 3, Administered  
Expenses**

*omit*

**28,666**

*insert*

**21,987.257**

**[2]      Schedule 1, Communications, Information Technology and the  
Arts portfolio, after the Department of Communications,  
Information Technology and the Arts 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 2008/18 amended the amount alongside Outcome 3, under the heading Administered Expenses, to transfer an amount to the Department of Broadband, Communications and the Digital Economy.



**[3] Schedule 1, Attorney-General's portfolio, after the Office of the Privacy Commissioner table**

*insert*

**BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY PORTFOLIO**

**Additional Appropriation (bold figures)—2006-2007**

	Departmental Outputs	Administered Expenses	Total
	\$'000	\$'000	\$'000
<b>DEPARTMENT OF BROADBAND, COMMUNICATIONS AND THE DIGITAL ECONOMY</b>			
<b>Outcome 1 -</b>			
Development of services and provision of a regulatory environment which encourages a sustainable and effective communications sector for the benefit of all Australians and an internationally competitive information economy and Information and Communication Technology industry		<b>6,678.743</b>	
<b>Total: Department of Broadband, Communications and the Digital Economy</b>			

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 2008/18 inserted the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount from the former Department of Communications, Information Technology and the Arts.