

## **EXPLANATORY STATEMENT**

Issued by the Authority of the Minister for Finance and Deregulation

FMA Act Determination 2008/36— Section 32 (Transfer of Functions from FaHCSIA to DEEWR)

Subsection 32(2) of the *Financial Management and Accountability Act 1997* (FMA Act) provides that the Minister for Finance and Deregulation (Finance Minister) may, by determination, amend Schedules to annual Appropriation Acts to transfer appropriations in connection with the transfer of a function between agencies under the FMA Act. The determination has the effect of amending the Schedules concerned in accordance with the determination.

This power has been delegated from the Finance Minister to the Secretary of the Department of Finance and Deregulation under section 62 of the FMA Act.

This transfer reflects the Administrative Arrangements Order of 25 January 2008, made by the Governor-General in Council, which resulted in changes in the administrative arrangements of the Commonwealth. As a result of these changes various annual Appropriation Acts require amendment in order to reflect the changes in matters dealt with by departments.

The purpose of this Determination is to allow a transfer of appropriations from the Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) to the Department of Education, Employment and Workplace Relations (DEEWR). The appropriation amounts transferred are as follows:

- From annual *Appropriation Act (No. 1) 2005-2006* an amount of \$4,542,230.73 of the departmental item for FaHCSIA to the departmental item for DEEWR.
- From annual *Appropriation Act (No. 1) 2007-2008* an amount of \$30,799,043.20 of the departmental item for FaHCSIA to the departmental item for DEEWR.
- From annual *Appropriation Act (No. 4) 2007-2008* an amount of \$1,527,404.00 of the other departmental item for FaHCSIA to the other departmental item for DEEWR.

In accordance with the *Legislative Instruments Act 2003*, FaHCSIA and DEEWR were consulted in the preparation of this instrument.

The Determination is a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.