



FMA Act Determination 2008/37 — Section 32 (Transfer of Functions from DITRD LG to AGD)

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 services to Territories function from the Department of Infrastructure, Transport, Regional Development and Local Government to the Attorney-General's Department.

Dated 27 June 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 2008/37 — Section 32 (Transfer of Functions from DITRDLG to AGD)*.

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 Transport and Regional Services portfolio was renamed the Infrastructure, Transport, Regional Development and Local Government portfolio; and
- (b) the Department of Transport and Regional Services was renamed the Department of Infrastructure, Transport, Regional Development and Local Government.

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

- (a) “AGD” – refers to the Attorney-General’s Department.
- (b) “DITRDLG” – refers to the Department of Infrastructure, Transport, Regional Development and Local Government.

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) 1999-2000*

Schedule 1 amends the *Appropriation Act (No. 1) 1999-2000* to transfer an amount of \$233,786.14 of the administered item for Outcome 1 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General’s Department.

Note The amount transferred relates to the transfer of the services to Territories function.

4 Amendment of *Appropriation Act (No. 1) 2000-2001*

Schedule 2 amends the *Appropriation Act (No. 1) 2000-2001* to transfer an amount of \$994,409.28 of the administered item for Outcome 1 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General’s Department.

Note The amount transferred relates to the transfer of the services to Territories function.

5 *Amendment of Appropriation Act (No. 1) 2001-2002*

Schedule 3 amends the *Appropriation Act (No. 1) 2001-2002* to transfer an amount of \$676,378.38 of the administered item for Outcome 1 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General's Department.

Note The amount transferred relates to the transfer of the services to Territories function.

6 *Amendment of Appropriation Act (No. 1) 2002-2003*

Schedule 4 amends the *Appropriation Act (No. 1) 2002-2003* to transfer an amount of \$348,705.00 of the administered item for Outcome 2 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General's Department.

Note The amount transferred relates to the transfer of the services to Territories function.

7 *Amendment of Appropriation Act (No. 1) 2003-2004*

Schedule 5 amends the *Appropriation Act (No. 1) 2003-2004* to transfer an amount of \$759,417.93 of the administered item for Outcome 2 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General's Department.

Note The amount transferred relates to the transfer of the services to Territories function.

8 *Amendment of Appropriation Act (No. 1) 2004-2005*

Schedule 6 amends the *Appropriation Act (No. 1) 2004-2005* to transfer an amount of \$5,244,825.74 of the administered item for Outcome 2 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General's Department.

Note The amount transferred relates to the transfer of the services to Territories function.

9 *Amendment of Appropriation Act (No. 1) 2005-2006*

Schedule 7 amends the *Appropriation Act (No. 1) 2005-2006* to transfer an amount of \$12,491,795.56 of the administered item for Outcome 2 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General's Department.

Note The amount transferred relates to the transfer of the services to Territories function.

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

Schedule 8 amends the *Appropriation Act (No. 1) 2006-2007* to transfer an amount of \$23,399,509.39 of the administered item for Outcome 2 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General's Department.

Note The amount transferred relates to the transfer of the services to Territories function.

11 *Amendment of Appropriation Act (No. 1) 2007-2008*

Schedule 9 amends the *Appropriation Act (No. 1) 2007-2008* to transfer an amount of \$762,128.49 of the administered item for Outcome 2 for the Department of Infrastructure, Transport, Regional Development and Local Government to Outcome 3 of the administered item for the Attorney-General's Department.

Note The amount transferred relates to the transfer of the services to Territories function.

Schedule 1 **Amendment of *Appropriation Act* (No. 1) 1999-2000**

(section 3)

[1] **Schedule, Attorney-General's portfolio, Attorney-General's Department table, after Outcome 2**

*insert***Outcome 3 -**

Linking Australia through transport and regional
services

- 233.78614 -

[2] **Schedule, Attorney-General's portfolio, after the Attorney- General's Department 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 2008/37 inserted Outcome 3 and the amount
alongside Outcome 3, under the heading Administered Expenses, to transfer amounts
from the Department of Infrastructure, Transport, Regional Development and Local
Government.

[3] **Schedule, Transport and Regional Services portfolio, Department of Transport and Regional Services table, Outcome 1, Administered Expenses**

omit

114171

insert

113937.21386

[4] Schedule, Transport and Regional Services portfolio, after the Department of Transport and Regional Services 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. The Determination also did not amend the portfolio name or the agency name as those references in the Act were substituted as specified in the Acts Interpretation (Substituted References – Section 19B) Amendment Order 2007 (No. 2), made by the Governor-General on 14 December 2007, under section 19B of the Acts Interpretation Act 1901.

Note 2: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Schedule 2 **Amendment of *Appropriation Act (No. 1) 2000-2001***

(section 4)

[1] **Schedule, Attorney-General's portfolio, Attorney-General's Department table, after Outcome 2**

insert

Outcome 3 -

Linking Australia through transport and regional
services

- 994.40928 -

[2] **Schedule, Attorney-General's portfolio, after the Attorney-General's Department table**

insert

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- (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 2008/37 inserted Outcome 3 and the amount alongside Outcome 3, under the heading Administered Expenses, to transfer amounts from the Department of Infrastructure, Transport, Regional Development and Local Government.

[3] **Schedule, Transport and Regional Services portfolio, Department of Transport and Regional Services table, Outcome 1, Administered Expenses**

omit

234431

insert

233436.59072

[4] Schedule, Transport and Regional Services portfolio, after the Department of Transport and Regional Services 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
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Note 2: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Schedule 3 **Amendment of *Appropriation Act (No. 1) 2001-2002***

(section 5)

[1] **Schedule, Attorney-General's portfolio, Attorney-General's Department table, after Outcome 2**

insert

Outcome 3 -

A better transport system for Australia and greater
recognition and opportunities for local, regional and
territory communities

- 676.37838 -

[2] **Schedule, Attorney-General's portfolio, after the Attorney-General's Department table**

insert

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No other amounts in the table have been amended.

Note 2: FMA Act Section 32 Determination 2008/37 inserted Outcome 3 and the amount alongside Outcome 3, under the heading Administered Expenses, to transfer amounts from the Department of Infrastructure, Transport, Regional Development and Local Government.

[3] **Schedule, Transport and Regional Services portfolio, Department of Transport and Regional Services table, Outcome 1, Administered Expenses**

omit

203445

insert

202768.62162

[4] Schedule, Transport and Regional Services portfolio, after the Department of Transport and Regional Services 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:

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Note 2: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Schedule 4 **Amendment of *Appropriation Act* (No. 1) 2002-2003**

(section 6)

[1] **Schedule 1, Attorney-General's portfolio, Attorney-General's Department table, after Outcome 2**

insert

Outcome 3 -

Greater recognition and development opportunities for local, regional and territory communities	-	348.705	-
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[2] **Schedule 1, Attorney-General's portfolio, after the Attorney- General's Department table**

insert

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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 2008/37 inserted Outcome 3 and the amount
alongside Outcome 3, under the heading Administered Expenses, to transfer amounts
from the Department of Infrastructure, Transport, Regional Development and Local
Government.

[3] **Schedule 1, Transport and Regional Services portfolio, Department of Transport and Regional Services table, Outcome 2, Administered Expenses**

omit

116,002

insert

115,653.295

[4] Schedule 1, Transport and Regional Services portfolio, after the Department of Transport and Regional Services 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:

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Note 2: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 2, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Schedule 5 **Amendment of *Appropriation Act* (No. 1) 2003-2004**

(section 7)

[1] **Schedule 1, Attorney-General's portfolio, Attorney-General's Department table, after Outcome 2**

*insert***Outcome 3 -**

Greater recognition and development opportunities for local, regional and territory communities	-	759.41793	-
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[2] **Schedule 1, Attorney-General's portfolio, after the Attorney- General's Department 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:

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Note 2: FMA Act Section 32 Determination 2008/37 inserted Outcome 3 and the amount alongside Outcome 3, under the heading Administered Expenses, to transfer amounts from the Department of Infrastructure, Transport, Regional Development and Local Government.

[3] **Schedule 1, Transport and Regional Services portfolio, Department of Transport and Regional Services table, Outcome 2, Administered Expenses**

omit

115,909

insert

115,149.58207

[4] Schedule 1, Transport and Regional Services portfolio, after the Department of Transport and Regional Services 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:

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Note 2: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 2, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Schedule 6 **Amendment of *Appropriation Act* (No. 1) 2004-2005**

(section 8)

[1] **Schedule 1, Attorney-General's portfolio, Attorney-General's Department table, after Outcome 2**

*insert***Outcome 3 -**

Greater recognition and development opportunities for local, regional and territory communities	-	5,244.82574	-
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[2] **Schedule 1, Attorney-General's portfolio, after the Attorney- General's Department 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:

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[3] **Schedule 1, Transport and Regional Services portfolio, Department of Transport and Regional Services table, Outcome 2, Administered Expenses**

omit

178,628

insert

173,383.17426

[4] Schedule 1, Transport and Regional Services portfolio, after the Department of Transport and Regional Services table

insert

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Note 2: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 2, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Schedule 7 **Amendment of *Appropriation Act* (No. 1) 2005-2006**

(section 9)

[1] **Schedule 1, Attorney-General's portfolio, Attorney-General's Department table, after Outcome 2**

*insert***Outcome 3 -**

Assisting regions to manage their own futures	-	12,491.79556	-
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[2] **Schedule 1, Attorney-General's portfolio, after the Attorney- General's Department 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
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Note 2: FMA Act Section 32 Determination 2008/37 inserted Outcome 3 and the amount alongside Outcome 3, under the heading Administered Expenses, to transfer amounts from the Department of Infrastructure, Transport, Regional Development and Local Government.

[3] **Schedule 1, Transport and Regional Services portfolio, Department of Transport and Regional Services table, Outcome 2, Administered Expenses**

omit

232,312

insert

219,820.20444

[4] Schedule 1, Transport and Regional Services portfolio, after the Department of Transport and Regional Services 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:

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Note 2: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 2, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Schedule 8 **Amendment of *Appropriation Act (No. 1) 2006-2007***

(section 10)

[1] **Schedule 1, Attorney-General's portfolio, Attorney-General's Department table, after Outcome 2**

insert

Outcome 3 -

Assisting regions to manage their own futures	-	23,399.50939	-
---	---	--------------	---

[2] **Schedule 1, Attorney-General's portfolio, after the Attorney-General's Department 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 2008/07 amended the amount alongside Total: Attorney-General's Department, under the heading Departmental Outputs, to transfer an amount to the Department of the Prime Minister and Cabinet.

Note 3: FMA Act Section 32 Determination 2008/37 inserted Outcome 3 and the amount alongside Outcome 3, under the heading Administered Expenses, to transfer amounts from the Department of Infrastructure, Transport, Regional Development and Local Government.

[3] **Schedule 1, Transport and Regional Services portfolio, Department of Transport and Regional Services table, Outcome 2, Administered Expenses**

omit

199,208

insert

175,808.49061

[4] Schedule 1, Transport and Regional Services portfolio, after the Department of Transport and Regional Services 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:

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Note 2: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 2, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Schedule 9 **Amendment of *Appropriation Act* (No. 1) 2007-2008**

(section 11)

[1] **Schedule 1, Attorney-General's portfolio, Attorney-General's Department table, Outcome 3, Administered Expenses**

omit

69,213.4032

insert

69,975.53169

[2] **Schedule 1, Attorney-General's portfolio, after the Attorney- General's Department table**

omit the notes, insert

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- (a) for departmental items, the actual appropriation item is the "Total" amount in relation to an entity under the heading "Departmental Outputs"; and
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No other amounts in the table have been amended.

Note 2: FMA Act Section 32 Determination 2008/01 inserted Outcome 3 and the amount alongside Outcome 3, under the heading Administered Expenses, to transfer an amount from the Department of Infrastructure, Transport, Regional Development and Local Government.

Note 3: FMA Act Section 32 Determination 2008/07 amended the amount alongside Total: Attorney-General's Department, under the heading Departmental Outputs, to transfer an amount to the Department of the Prime Minister and Cabinet.

Note 4: FMA Act Section 32 Determination 2008/11 amended the amount alongside Total: Attorney-General's Department, under the heading Departmental Outputs, to transfer an amount from the Department of Infrastructure, Transport, Regional Development and Local Government.

Note 5: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 3, under the heading Administered Expenses, to transfer an amount from the Department of Infrastructure, Transport, Regional Development and Local Government.

**[3] Schedule 1, Transport and Regional Services portfolio,
Department of Transport and Regional Services table, Outcome
2, Administered Expenses**

omit

141,834.5968

insert

141,072.46831

**[4] Schedule 1, Transport and Regional Services portfolio, after the
Department of Transport and Regional Services 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:

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No other amounts in the table have been amended. The Determination also did not amend the portfolio name or the agency name as those references in the Act were substituted as specified in the Acts Interpretation (Substituted References – Section 19B) Amendment Order 2007 (No. 2), made by the Governor-General on 14 December 2007, under section 19B of the Acts Interpretation Act 1901.

Note 2: FMA Act Section 32 Determination 2008/01 amended the amount alongside Outcome 2, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.

Note 3: FMA Act Section 32 Determination 2008/09 amended the amount alongside Outcome 2, under the heading Administered Expenses, to transfer an amount to the Department of Health and Ageing.

Note 4: FMA Act Section 32 Determination 2008/11 amended the amount alongside Total: Department of Transport and Regional Services, under the heading Departmental Outputs, to transfer an amount to the Attorney-General's Department.

Note 5: FMA Act Section 32 Determination 2008/37 amended the amount alongside Outcome 2, under the heading Administered Expenses, to transfer an amount to the Attorney-General's Department.