



## **FMA Act Determination 2008/39 — Section 32 (Transfer of Functions from Environment to DCC)**

*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 climate change functions, from the Department of the Environment, Water, Heritage and the Arts to the Department of Climate Change.

Dated 27 June 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 2008/39 — Section 32 (Transfer of Functions from Environment to DCC)*.

*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 Department of Climate Change was created within the Prime Minister and Cabinet portfolio
- (b) the Environment and Water Resources Portfolio was renamed the Environment, Water, Heritage and the Arts portfolio; and
- (c) the Department of the Environment and Water Resources was renamed the Department of the Environment, Water, Heritage and the Arts.

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

- (a) “DCC” – refers to the Department of Climate Change.
- (b) “Environment” – refers to the Department of the Environment, Water, Heritage and the Arts.

## 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) 2004–2005*

Schedule 1 amends the *Appropriation Act (No. 1) 2004–2005* to transfer an amount of \$5,490,506.24 of the departmental item for the Department of the Environment, Water, Heritage and the Arts to the departmental item for the Department of Climate Change.

*Note* The amount transferred relates to the transfer of climate change functions.

## 4 Amendment of *Appropriation Act (No. 1) 2007–2008*

Schedule 2 amends the *Appropriation Act (No. 1) 2007–2008* to transfer an amount of \$2,823,628.20 of the departmental item for the Department of the Environment, Water, Heritage and the Arts to the departmental item for the Department of Climate Change.

*Note* The amount transferred relates to the transfer of the climate change functions.

## Schedule 1      **Amendment of *Appropriation Act (No. 1) 2004–2005***

(section 3)

### [1]      **Schedule 1, Environment and Heritage portfolio, Department of the Environment and Heritage table, total for Department of the Environment and Heritage, Departmental Outputs**

*omit*

**232,680**

*insert*

**227,189.49376**

### [2]      **Schedule 1, Environment and Heritage portfolio, after the Department of the Environment and Heritage 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) Order 1997* made on 16 February 2007 and 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 2008/39 amended the amount alongside Total: Department of the Environment, Water, Heritage and the Arts, under the heading Departmental Outputs, to transfer an amount to the Department of Climate Change.

**[3] Schedule 1, Prime Minister and Cabinet portfolio, after the Department of the Prime Minister and Cabinet table**

*insert*

**PRIME MINISTER AND CABINET PORTFOLIO**

Appropriation (plain figures)—2004-2005

	Departmental Outputs \$'000	Administered Expenses \$'000	Total \$'000
<b>DEPARTMENT OF CLIMATE CHANGE</b>			
<b>Outcome 1 -</b>			
The environment, especially those aspects that are matters of national environmental significance, is protected and conserved			
<b>Total: Department of Climate Change</b>	<b>5,490.50624</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 2008/39 inserted the amount alongside Total: Department of Climate Change, under the heading Departmental Outputs, to transfer an amount from the Department of the Environment, Water, Heritage and the Arts.

## Schedule 2      **Amendment of *Appropriation Act* (No. 1) 2007–2008**

(section 4)

**[1]      Schedule 1, Environment and Water Resources portfolio,  
Department of the Environment and Water Resources table,  
total for Department of the Environment and Water Resources,  
Departmental Outputs**

*omit*

**475,719.90556**

*insert*

**472,896.27736**

**[2]      Schedule 1, Environment and Water Resources portfolio, after  
the Department of the Environment and Water Resources 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 2008/02 amended the amount alongside Total:  
Department of the Environment and Water Resources, under the heading  
Departmental Outputs, and the amount alongside Outcome 1, under the heading  
Administered Expenses, to transfer amounts to the Department of Climate Change.

Note 3:      FMA Act Section 32 Determination 2008/21 amended the amount alongside Total:  
Department of the Environment and Water Resources, under the heading  
Departmental Outputs, and the amount alongside Outcome 1, under the heading  
Administered Expenses, to transfer amounts to the Department of Resources, Energy  
and Tourism.

Note 4:      FMA Act Section 32 Determination 2008/22 amended the amount alongside Total:  
Department of the Environment and Water Resources, under the heading  
Departmental Outputs, to transfer an amount from the National Water Commission.

Note 5:      FMA Act Section 32 Determination 2008/38 amended the amount alongside Total:  
Department of the Environment and Water Resources, under the heading  
Departmental Outputs, to transfer an amount to the Department of Infrastructure,  
Transport, Regional Development and Local Government.

Note 6:      FMA Act Section 32 Determination 2008/39 amended the amount alongside Total:  
Department of the Environment and Water Resources, under the heading  
Departmental Outputs, to transfer an amount to the Department of Climate Change.

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**[3] Schedule 1, Prime Minister and Cabinet portfolio, Department of Climate Change table, total for Department of Climate Change, Departmental Outputs**

*omit*

**20,132.51981**

*insert*

**22,956.14801**

**[4] Schedule 1, Prime Minister and Cabinet portfolio, after the Department of Climate Change 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 2008/02 amended the amount alongside Total: Department of Climate Change, under the heading Departmental Outputs, to transfer an amount from the former Department of the Environment and Water Resources.

Note 3: FMA Act Section 32 Determination 2008/10 amended the amount alongside Total: Department of Climate Change, under the heading Departmental Outputs, to transfer an amount from the Department of Foreign Affairs and Trade.

Note 4: FMA Act Section 32 Determination 2008/39 amended the amount alongside Total: Department of Climate Change, under the heading Departmental Outputs, to transfer an amount from the Department of the Environment, Water, Heritage and the Arts.