



FMA Act Determination 2008/50 — Section 32 (Transfer of Functions from the former DITR to DIISR)

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 a change in the administrative arrangements on 3 December 2007, specifically the abolition of the Department of Industry, Tourism and Resources, and the transfer of the industry and innovation related functions to the Department of Innovation, Industry, Science and Research.

Dated 30 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 2008/50 — Section 32 (Transfer of Functions from the former DITR to DIISR)*.

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 Industry, Tourism and Resources portfolio was abolished; and
- (b) the Department of Industry, Tourism and Resources was abolished; and
- (c) the Innovation, Industry, Science and Research portfolio was established; and
- (d) the Department of Innovation, Industry, Science and Research was established.

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

- (a) “DITR” – refers to the Department of Industry, Tourism and Resources.
- (b) “DIISR” – refers to the Department of Innovation, Industry, Science and Research.

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. 2) 2003-2004*

Schedule 1 amends the *Appropriation Act (No. 2) 2003-2004* to transfer an amount of \$143,000.00 of “Previous Years’ Outputs” (an *other departmental* item defined in Section 3 of that Act) from the former Department of Industry, Tourism and Resources to the Previous Years’ Outputs for the Department of Innovation, Industry, Science and Research.

Note The amount transferred relates to the transfer of industry and innovation related functions.

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

Schedule 2 amends the *Appropriation Act (No. 1) 2004-2005* to transfer an amount of \$18,230,756.72 of the departmental item from the former Department of Industry, Tourism and Resources to the departmental item for the Department of Innovation, Industry, Science and Research.

Note The amount transferred relates to the transfer of industry and innovation related functions.

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

Schedule 3 amends the *Appropriation Act (No. 1) 2005-2006* to transfer an amount of \$9,905,626.10 of the departmental item from the former Department of Industry, Tourism and Resources to the departmental item for the Department of Innovation, Industry, Science and Research.

Note The amount transferred relates to the transfer of industry and innovation related functions.

6 *Amendment of Appropriation Act (No. 3) 2005-2006*

Schedule 4 amends the *Appropriation Act (No. 3) 2005-2006* to transfer an amount of \$182,000.00 of the departmental item for the former Department of Industry, Tourism and Resources to the departmental item for the Department of Innovation, Industry, Science and Research.

Note The amount transferred relates to the transfer of industry and innovation related functions.

7 *Amendment of Appropriation Act (No. 2) 2006-2007*

Schedule 5 amends the *Appropriation Act (No. 2) 2006-2007* to transfer an amount of \$2,186,901.00 of “Equity Injections” (an *other departmental item* defined in Section 3 of that Act) from the former Department of Industry, Tourism and Resources to the Equity Injections for the Department of Innovation, Industry, Science and Research.

Note The amount transferred relates to the transfer of industry and innovation related functions.

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

Schedule 6 amends the *Appropriation Act (No. 3) 2006-2007* to transfer an amount of \$3,532,997.00 of the departmental item from the former Department of Industry, Tourism and Resources to the departmental item for the Department of Innovation, Industry, Science and Research.

Note The amount transferred relates to the transfer of industry and innovation related functions.

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

Schedule 7 amends the *Appropriation Act (No. 5) 2006-2007* to transfer an amount of \$153,000.00 of the departmental item from the former Department of Industry, Tourism and Resources to the departmental item for the Department of Innovation, Industry, Science and Research.

Note The amount transferred relates to the transfer of industry and innovation related functions.

Schedule 1 Amendment of *Appropriation Act* (No. 2) 2003-2004

(section 3)

**[1] Schedule 2, Industry, Tourism and Resources portfolio,
Department of Industry, Tourism and Resources table, Previous
Years' Outputs**

omit

143

insert

-

**[2] Schedule 2, Industry, Tourism and Resources portfolio, after the
Department of Industry, Tourism and Resources table**

insert

Note 1: The table has been amended by a Determination under section 32 of the FMA Act.
That determination has inserted only the actual appropriation items:

(a) for other departmental items, the actual appropriation item is the amount in
relation to an entity opposite the heading "Equity Injections", or, opposite the heading
"Loans", or, opposite the heading "Previous Years Outputs"; and

(b) for administered items, the actual appropriation item is the amount set out
opposite an Outcome of an entity under the heading "New Administered Expenses";
and

(c) for State, Act, NT and local government items the actual appropriation item is
the amount set out opposite an Outcome of an entity under the heading "Payments to
States, ACT, NT, and local government"; and

(d) for an administered assets and liabilities item the actual appropriation item is
the amount set out in relation to an entity opposite the heading "Administered Assets
and Liabilities".

No other amounts in the table have been amended.

Note 2: FMA Act Determination 2008/50 amended the amount alongside Previous Year's
Outputs, under the heading Total, to transfer an amount to the Department of
Innovation, Industry, Science and Research.

[3] Schedule 2, Industry, Tourism and Resources portfolio, after the Department of Industry, Tourism and Resources table

insert

INNOVATION, INDUSTRY, SCIENCE AND RESEARCH PORTFOLIO

Appropriation (plain figures) — 2003-2004

	Specific Payments to the States and Territories \$'000	New Administered Expenses \$'000	Total \$'000
DEPARTMENT OF INNOVATION, INDUSTRY, SCIENCE AND RESEARCH			
Non-operating			
Previous Years' Outputs			143
Total: Department of Innovation, Industry, Science and Research			

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 other departmental items, the actual appropriation item is the amount in relation to an entity opposite the heading "Equity Injections", or, opposite the heading "Loans", or, opposite the heading "Previous Years Outputs"; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "New Administered Expenses"; and
- (c) for State, Act, NT and local government items the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Payments to States, ACT, NT, and local government"; and
- (d) for an administered assets and liabilities item the actual appropriation item is the amount set out in relation to an entity opposite the heading "Administered Assets and Liabilities".

No other amounts in the table have been inserted.

Note 2: FMA Act Determination 2008/50 inserted the amount alongside Previous Year's Outputs, under the heading Total, to transfer an amount from the former Department of Industry, Tourism and Resources.

Schedule 2 Amendment of *Appropriation Act* (No. 1) 2004-2005

(section 4)

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

omit

268,956

insert

250,725.24328

**[2] Schedule 1, Industry, Tourism and Resources portfolio, after the
Department of Industry, Tourism and 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 2008/13 amended the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount to the Department of Innovation, Industry, Science and Research.

Note 3: FMA Act Section 32 Determination 2008/50 amended the amount alongside Total: Department of Industry, Tourism and Resources, under the heading Departmental Outputs, to transfer an amount to the Department of Innovation, Industry, Science and Research.

[3] Schedule 1, Innovation, Industry, Science and Research portfolio, Department of Innovation, Industry, Science and Research table, total for Department of Innovation, Industry, Science and Research, Departmental Outputs

insert

18,230.75672

[4] Schedule 1, Innovation, Industry, Science and Research portfolio, after the Department of Innovation, Industry, Science and Research table

omit the notes, insert

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 2008/13 inserted the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount from the former Department of Industry, Tourism and Resources.

Note 3: FMA Act Section 32 Determination 2008/50 inserted the amount alongside Total: Department of Innovation, Industry, Science and Research, under the heading Departmental Outputs, to transfer an amount from the former Department of Industry, Tourism and Resources.

Schedule 3 Amendment of *Appropriation Act (No. 1) 2005-2006*

(section 5)

**[1] Schedule 1, Industry, Tourism and Resources portfolio,
Department of Industry, Tourism and Resources table,
Departmental Outputs**

omit

265,508

insert

255,602.3739

**[2] Schedule 1, Industry, Tourism and Resources portfolio, after the
Department of Industry, Tourism and 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 2008/13 amended the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount to the Department of Innovation, Industry, Science and Research.

Note 3: FMA Act Section 32 Determination 2008/50 amended the amount alongside Total: Department of Industry, Tourism and Resources, under the heading Departmental Outputs, to transfer an amount to the Department of Innovation, Industry, Science and Research.

[3] Schedule 1, Innovation, Industry, Science and Research portfolio, Department of Innovation, Industry, Science and Research table, total for Department of Innovation, Industry, Science and Research, Departmental Outputs

insert

9,905.6261

[4] Schedule 1, Innovation, Industry, Science and Research portfolio, after the Department of Innovation, Industry, Science and Research 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 2008/13 inserted the amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount from the former Department of Industry, Tourism and Resources.

Note 3: FMA Act Section 32 Determination 2008/50 inserted the amount alongside Total: Department of Innovation, Industry, Science and Research, under the heading Departmental Outputs, to transfer an amount from the former Department of Industry, Tourism and Resources.

Schedule 4 Amendment of *Appropriation Act* (No. 3) 2005-2006

(section 6)

**[1] Schedule 1, Industry, Tourism and Resources portfolio,
Department of Industry, Tourism and Resources table,
Departmental Outputs**

omit

182

insert

-

**[2] Schedule 1, Industry, Tourism and Resources portfolio, after the
Department of Industry, Tourism and Resources 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 Determination 2008/50 amended the amount alongside Total: Department of Industry, Tourism and Resources, under the heading Departmental Outputs, to transfer an amount to the Department of Innovation, Industry, Science and Research.

[3] Schedule 1, Industry, Tourism and Resources portfolio, after the IP Australia table

insert

INNOVATION, INDUSTRY, SCIENCE AND RESEARCH PORTFOLIO

Additional Appropriation (bold figures)—2005-2006

	Departmental Outputs \$'000	Administered Expenses \$'000	Total \$'000
DEPARTMENT OF INNOVATION, INDUSTRY, SCIENCE AND RESEARCH			

Total: Department of Innovation, Industry, Science and Research	182
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- 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 amended.
- Note 2: FMA Act Determination 2008/50 inserted the amount alongside Total: Department of Innovation, Industry, Science and Research, under the heading Departmental Outputs, to transfer an amount from the former Department of Industry, Tourism and Resources.

Schedule 5 Amendment of *Appropriation Act* (No. 2) 2006-2007

(section 7)

[1] Schedule 2, Industry, Tourism and Resources portfolio, Department of Industry, Tourism and Resources table, Equity Injections

omit

10,493

insert

8,306.099

[2] Schedule 2, Industry, Tourism and Resources portfolio, after the Department of Industry, Tourism and 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 other departmental items, the actual appropriation item is the amount in relation to an entity opposite the heading "Equity Injections", or, opposite the heading "Loans", or, opposite the heading "Previous Years Outputs"; and

(b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "New Administered Expenses"; and

(c) for State, Act, NT and local government items the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Payments to States, ACT, NT, and local government"; and

(d) for an administered assets and liabilities item the actual appropriation item is the amount set out in relation to an entity opposite the heading "Administered Assets and Liabilities".

No other amounts in the table have been amended.

Note 2: FMA Act Section 32 Determination 2008/13 amended the amount alongside Outcome 1, under the heading Payments to States, ACT, NT and local government, to transfer an amount to the Department of Innovation, Industry, Science and Research.

Note 3: FMA Act Section 32 Determination 2008/14 amended the amount alongside Outcome 1, under the heading Payments to States, ACT, NT and local government, to transfer an amount to the Department of Resources, Energy and Tourism.

Note 4: FMA Act Section 32 Determination 2008/50 amended the amount alongside Equity Injections, under the heading Total, to transfer an amount to the Department of Innovation, Industry, Science and Research.

[3] Schedule 2, Innovation, Industry, Science and Research portfolio, Department of Innovation, Industry, Science and Research table, Equity Injections

insert

2,186.901

[4] Schedule 2, Innovation, Industry, Science and Research portfolio, after the Department of Innovation, Industry, Science and Research table

omit the notes, insert

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 other departmental items, the actual appropriation item is the amount in relation to an entity opposite the heading "Equity Injections", or, opposite the heading "Loans", or, opposite the heading "Previous Years Outputs"; and

(b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "New Administered Expenses"; and

(c) for State, Act, NT and local government items the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Payments to States, ACT, NT, and local government"; and

(d) for an administered assets and liabilities item the actual appropriation item is the amount set out in relation to an entity opposite the heading "Administered Assets and Liabilities".

No other amounts in the table have been inserted.

Note 2: FMA Act Section 32 Determination 2008/13 inserted the amount alongside Outcome 1, under the heading Payments to States, ACT, NT and local government, to transfer an amount from the former Department of Industry, Tourism and Resources.

Note 3: FMA Act Section 32 Determination 2008/50 inserted the amount alongside Equity Injections, under the heading Total, to transfer an amount from the former Department of Industry, Tourism and Resources.

Schedule 6 Amendment of *Appropriation Act (No. 3) 2006-2007*

(section 8)

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

omit

18,168

insert

14,635.003

**[2] Schedule 1, Industry, Tourism and Resources portfolio, after the
Department of Industry, Tourism and Resources 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 Determination 2008/50 amended the amount alongside Total: Department of Industry, Tourism and Resources, under the heading Departmental Outputs, to transfer an amount to the Department of Innovation, Industry, Science and Research.

**[3] Schedule 1, Industry, Tourism and Resources portfolio,
after the IP Australia table**

insert

INNOVATION, INDUSTRY, SCIENCE AND RESEARCH PORTFOLIO

Additional Appropriation (bold figures) — 2006-2007

	Departmental Outputs	Administered Expenses	Total
	\$'000	\$'000	\$'000
DEPARTMENT OF INNOVATION, INDUSTRY, SCIENCE AND RESEARCH			

Total: Department of Innovation, Industry, Science and Research	3,532.997
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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 Determination 2008/50 inserted the amount alongside Total: Department of Innovation, Industry, Science and Research, under the heading Departmental Outputs, to transfer an amount from the former Department of Industry, Tourism and Resources.

Schedule 7 Amendment of *Appropriation Act* (No. 5) 2006-2007

(section 9)

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

omit

153

insert

-

**[2] Schedule 1, Industry, Tourism and Resources portfolio, after the
Department of Industry, Tourism and Resources 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 2008/50 amended the amount alongside Total: Department of Industry, Tourism and Resources, under the heading Departmental Outputs, to transfer an amount to the Department of Innovation, Industry, Science and Research.

[3] Schedule 1, Industry, Tourism and Resources portfolio, after the Department of Industry, Tourism and Resources table

insert

INNOVATION, INDUSTRY, SCIENCE AND RESEARCH PORTFOLIO

Additional Appropriation (bold figures) — 2006-2007

	Departmental Outputs \$'000	Administered Expenses \$'000	Total \$'000
DEPARTMENT OF INNOVATION, INDUSTRY, SCIENCE AND RESEARCH			

Total: Department of Innovation, Industry, Science and Research	153
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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 Determination 2008/50 inserted the amount alongside Total: Department of Innovation, Industry, Science and Research, under the heading Departmental Outputs, to transfer an amount from the former Department of Industry, Tourism and Resources.