



FMA Act Determination 2009/03 — Section 32 (Transfer of Functions from ACCC to Treasury)

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 due to the transfer of the Monitoring of Grocery Prices function from the Australian Competition and Consumer Commission to the Department of the Treasury.

Dated 29 January 2009

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 2009/03 — Section 32 (Transfer of Functions from ACCC to Treasury)*.

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

- (a) “ACCC” – refers to the Australian Competition and Consumer Commission.
- (b) “Treasury” – refers to the Department of the Treasury.

2 Commencement

This Determination is taken to have commenced on 5 January 2009.

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) 2008–2009*

Schedule 1 amends the *Appropriation Act (No. 1) 2008–2009* to transfer an amount of \$1,060,210.00 of the departmental item for the Australian Competition and Consumer Commission to the departmental item for the Department of the Treasury.

Note The amount transferred relates to the transfer of the Monitoring of Grocery Prices function.

4 Amendment of *Appropriation Act (No. 2) 2008–2009*

Schedule 2 amends the *Appropriation Act (No. 2) 2008–2009* to transfer an amount of \$949,039.00 of “Previous Years’ Outputs” (an *other departmental item* defined in section 3 of the Act) from the Australian Competition and Consumer Commission to the Previous Years’ Outputs for the Department of the Treasury.

Note The amount transferred relates to the transfer of the Monitoring of Grocery Prices function.

Schedule 1 **Amendment of *Appropriation Act (No. 1) 2008-2009***

(section 3)

[1] Schedule 1, Treasury portfolio, Australian Competition and Consumer Commission table, total for Australian Competition and Consumer Commission, Departmental Outputs

omit

139,227

insert

138,166.790

[2] Schedule 1, Treasury portfolio, after the Australian Competition and Consumer Commission table

insert the notes

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 2009/03 amended the amount alongside Total: Australian Competition and Consumer Commission under the heading Departmental Outputs, to transfer an amount to the Department of the Treasury.

[3] Schedule 1, Treasury portfolio, Department of the Treasury table, total for Department of the Treasury, Departmental Outputs

omit

144,143

insert

145,203.210

[4] Schedule 1, Treasury portfolio, after the Department of the Treasury 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 2008/55 amended the amount alongside Total: Department of the Treasury, under the heading Departmental Outputs, to transfer an amount to the Office of the Auditing and Assurance Standards Board.

Note 3: FMA Act Section 32 Determination 2008/56 amended the amount alongside Total: Department of the Treasury, under the heading Departmental Outputs, to transfer an amount to the Office of the Australian Accounting Standards Board.

Note 4: FMA Act Section 32 Determination 2009/03 amended the amount alongside Total: Department of the Treasury, under the heading Departmental Outputs, to transfer an amount from the Australian Competition and Consumer Commission.

Schedule 2 **Amendment of *Appropriation Act (No. 2) 2008-2009***

(section 4)

[1] **Schedule 2, Treasury portfolio, Australian Competition and Consumer Commission table, Previous Years' Outputs**

omit

2,948

insert

1,998.961

[2] **Schedule 2, Treasury portfolio, after the Australian Competition and Consumer Commission table**

insert the notes

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 2009/03 amended the amount alongside Previous Years' Outputs, under the heading Total, to transfer an amount to the Department of the Treasury.

[3] Schedule 2, Treasury portfolio, Department of the Treasury table, Previous Years' Outputs

omit

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insert

949.039

[4] Schedule 2, Treasury portfolio, after the Department of the Treasury table

insert the notes

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 2009/03 amended the amount alongside Previous Years' Outputs, under the heading Total, to transfer an amount from the Australian Competition and Consumer Commission.