



## **FMA Act Determination 2009/05 — Section 32 (Transfer of Functions from Health to AOTDTA)**

### *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 due to the transfer of the functions relating to Organ and Tissue Donation matters and associated components from the Department of Health and Ageing to the Australian Organ and Tissue Donation and Transplantation Authority.

Dated 11 May 2009

**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 2009/05 — Section 32 (Transfer of Functions from Health to AOTDTA)*.

*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) “Health” – refers to the Department of Health and Ageing.
- (b) “AOTDTA” – refers to the Australian Organ and Tissue Donation and Transplantation Authority.

## 2 Commencement

This Determination commences, or is taken to have commenced, as follows:

- (a) on 1 January 2009 — sections 1, 2, 3 and 4 and Schedules 1 and 2;
- (b) on 1 April 2009 — section 5 and Schedule 3.

*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) 2004–2005*

Schedule 1 amends the *Appropriation Act (No. 2) 2004–2005* to transfer an amount of \$1,000,000.00 of “Equity Injections” (an *other departmental item* defined in Section 3 of that Act) from the Department of Health and Ageing to the “Equity Injections” for the Australian Organ and Tissue Donation and Transplantation Authority.

*Note* The amount transferred relates to the transfer of functions relating to Organ and Tissue Donation matters and associated components.

## 4 Amendment of *Appropriation Act (No. 1) 2008–2009*

Schedule 2 amends the *Appropriation Act (No. 1) 2008–2009* to transfer an amount of \$1,350,000.00 of the administered item for Outcome 13 for the Department of Health and Ageing to the administered item for Outcome 1 for the Australian Organ and Tissue Donation and Transplantation Authority.

*Note* The amount transferred relates to the transfer of functions relating to Organ and Tissue Donation matters and associated components.

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## **5 Amendment of *Appropriation Act (No. 3) 2008–2009***

Schedule 3 amends the *Appropriation Act (No. 3) 2008–2009* to transfer:

- (a) an amount of \$2,564,000.00 of the departmental item for the Department of Health and Ageing to the departmental item for the Australian Organ and Tissue Donation and Transplantation Authority.
- (b) an amount of \$16,164,000.00 of the administered item for Outcome 13 for the Department of Health and Ageing to the administered item for Outcome 1 for the Australian Organ and Tissue Donation and Transplantation Authority.

*Note* The amounts transferred relate to the transfer of functions relating to Organ and Tissue Donation matters and associated components.

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

(section 3)

### **[1]      Schedule 2, Health and Ageing portfolio, Department of Health and Ageing table, Equity Injections**

*omit*

5,070

*insert*

4,070

### **[2]      Schedule 2, Health and Ageing portfolio, after the Department of Health and Ageing 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 payment items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Specific Payments to the States and Territories"; 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 2009/02 amended the amount alongside Equity Injections, under the heading Total, to transfer an amount to the Australian Organ and Tissue Donation and Transplantation Authority.

Note 3:      FMA Act Section 32 Determination 2009/05 amended the amount alongside Equity Injections, under the heading Total, to transfer an amount to the Australian Organ and Tissue Donation and Transplantation Authority.

**[3] Schedule 2, Health and Ageing portfolio, Australian Organ and Tissue Donation and Transplantation Authority table, Equity Injections**

*omit*

795

*insert*

1,795

**[4] Schedule 2, Health and Ageing portfolio, after the Australian Organ and Tissue Donation and Transplantation Authority 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 payment items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading "Specific Payments to the States and Territories"; 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 2009/02 inserted the Australian Organ and Tissue Donation and Transplantation Authority table and the amount alongside Equity Injections, under the heading Total, to transfer an amount from the Department of Health and Ageing.

Note 3: FMA Act Section 32 Determination 2009/05 amended the amount alongside Equity Injections, under the heading Total, to transfer an amount from the Department of Health and Ageing.

## **Schedule 2      Amendment of *Appropriation Act* (No. 1) 2008–2009**

(section 4)

**[1]      Schedule 1, Health and Ageing portfolio, Department of Health  
and Ageing table, Outcome 13, Administered Expenses**

*omit*

87,355

*insert*

86,005

**[2]      Schedule 1, Health and Ageing portfolio, after the Department of  
Health and Ageing 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 agency under the heading “Departmental Outputs”; and
- (b)      for administered items, the actual appropriation item is the amount set out  
opposite an Outcome of an agency under the heading “Administered Expenses”.

No other amounts in the table have been amended.

Note 2:      FMA Act Section 32 Determination 2008/69 amended the amount alongside Total:  
Department of Health and Ageing, under the heading Departmental Outputs, to  
transfer an amount from the Department of the Environment, Water, Heritage and the  
Arts.

Note 3:      FMA Act Section 32 Determination 2009/02 amended the amount alongside Total:  
Department of Health and Ageing, under the heading Departmental Outputs, to  
transfer an amount to the Australian Organ and Tissue Donation and Transplantation  
Authority.

Note 4:      FMA Act Section 32 Determination 2009/05 amended the amount alongside Outcome  
13, under the heading Administered Expenses, to transfer an amount to the Australian  
Organ and Tissue Donation and Transplantation Authority.

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**[3] Schedule 1, Health and Ageing portfolio, Australian Organ and Tissue Donation and Transplantation Authority table, Outcome 1, Administered Expenses**

*insert*

1,350

**[4] Schedule 1, Health and Ageing portfolio, after the Australian Organ and Tissue Donation and Transplantation Authority 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 agency under the heading "Departmental Outputs"; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading "Administered Expenses".

No other amounts in the table have been inserted.

Note 2: FMA Act Section 32 Determination 2009/02 inserted the Australian Organ and Tissue Donation and Transplantation Authority table and the amount alongside Total: Australian Organ and Tissue Donation and Transplantation Authority, under the heading Departmental Outputs, to transfer an amount from the Department of Health and Ageing.

Note 3: FMA Act Section 32 Determination 2009/05 inserted an amount alongside Outcome 1, under the heading Administered Expenses, to transfer an amount from the Department of Health and Ageing.

## **Schedule 3 Amendment of *Appropriation Act (No. 3) 2008–2009***

(section 5)

**[1] Schedule 1, Health and Ageing portfolio, Department of Health and Ageing table, total for the Department of Health and Ageing, Departmental Outputs**

*omit*

**10,964**

*insert*

**8,400**

**[2] Schedule 1, Health and Ageing portfolio, Department of Health and Ageing table, Outcome 13, Administered Expenses**

*omit*

**16,816**

*insert*

**652**

**[3] Schedule 1, Health and Ageing portfolio, after the Department of Health and Ageing 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 agency under the heading “Departmental Outputs”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading “Administered Expenses”.

No other amounts in the table have been amended.

Note 2: FMA Act Section 32 Determination 2009/05 amended the amount alongside Total: Department of Health and Ageing, under the heading Departmental Outputs, and amended the amount alongside Outcome 13, under the heading Administered Expenses, to transfer amounts to the Australian Organ and Tissue Donation and Transplantation Authority.



**[4] Schedule 1, Health and Ageing portfolio, after the Department of Health and Ageing table**

*insert*

**HEALTH AND AGEING PORTFOLIO**

**Additional Appropriation (bold figures)—2008-2009**

	Departmental Outputs	Administered Expenses	Total
	\$'000	\$'000	\$'000
<b>AUSTRALIAN ORGAN AND TISSUE DONATION AND TRANSPLANTATION AUTHORITY</b>			
<b>Outcome 1 -</b>			
Improved access to organ and tissue transplants, including through a nationally coordinated and consistent approach and system		<b>16,164</b>	
<b>Total: Australian Organ and Tissue Donation and Transplantation Authority</b>	<b>2,564</b>		

**[5] Schedule 1, Health and Ageing portfolio, after the Australian Organ and Tissue Donation and Transplantation Authority table**

*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 agency under the heading "Departmental Outputs"; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading "Administered Expenses".

No other amounts in the table have been inserted.

Note 2: FMA Act Section 32 Determination 2009/05 inserted the Australian Organ and Tissue Donation and Transplantation Authority table and the amount alongside Total: Australian Organ and Tissue Donation and Transplantation Authority, under the heading Departmental Outputs, and the amount alongside Outcome 1, under the heading Administered Expenses, to transfer amounts from the Department of Health and Ageing.