



FMA Act Determination 2009/09 — Section 32 (Transfer of Functions from DIAC to Customs)

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 functions relating to maritime people smuggling from the Department of Immigration and Citizenship to the Australian Customs Service.

Dated 14 May 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 2009/09 — Section 32 (Transfer of Functions from DIAC to Customs)*.

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) “DIAC” – refers to the Department of Immigration and Citizenship.
- (b) “Customs” – refers to the Australian Customs Service.

Note 3 It is anticipated that Customs will, through legislation, be renamed the Australian Customs and Border Protection Service. The *Financial Management and Accountability Regulations 1997* will also be amended to reflect the renaming of Customs.

2 Commencement

This Determination is taken to have commenced on 1 May 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 \$531,829.00 of the departmental item for the Department of Immigration and Citizenship to the departmental item for the Australian Customs Service.

Note The amount transferred relates to the transfer of maritime people smuggling functions.

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

(section 3)

[1] Schedule 1, Attorney-General's portfolio, Australian Customs Service table, total for the Australian Customs Service, Departmental Outputs

omit

1,011,165

insert

1,011,696.829

[2] Schedule 1, Attorney-General's portfolio, after the Australian Customs Service 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 2009/09 amended the amount alongside Total: Australian Customs Service, under the heading Departmental Outputs, to transfer an amount from the Department of Immigration and Citizenship.

[3] Schedule 1, Immigration and Citizenship portfolio, Department of Immigration and Citizenship table, total for the Department of Immigration and Citizenship, Departmental Outputs

omit

1,185,004

insert

1,184,472.171

[4] Schedule 1, Immigration and Citizenship portfolio, after the Department of Immigration and Citizenship 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 2009/09 amended the amount alongside Total: Department of Immigration and Citizenship, under the heading Departmental Outputs, to transfer an amount to the Australian Customs Service.