



## **FMA Act Determination 2010/09 — Section 32 (Transfer of Functions from DEWHA to DCCEE)**

### *Financial Management and Accountability Act 1997*

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I, Tim Youngberry, First Assistant Secretary, 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 a decision of the Australian Government to transfer energy efficiency functions from the Department of the Environment, Water, Heritage and the Arts to the Department of Climate Change and Energy Efficiency.

Dated 14 May 2010

**Tim Youngberry**  
First Assistant Secretary  
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 2010/09 — Section 32 (Transfer of Functions from DEWHA to DCCEE)*.

*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 in accordance with section 62 of the FMA Act. The Secretary has delegated his power in accordance with section 53 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. Specifically, on 8 March 2010, the *Administrative Arrangements Order* renamed the then Department of Climate Change as the Department of Climate Change and Energy Efficiency.

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

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

## 2 Commencement

This Determination is taken to have commenced on 30 April 2010.

*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) 2009-2010*

Schedule 1 amends the *Appropriation Act (No. 1) 2009-2010* to transfer an amount of \$354,957,256.92 of the administered item for Outcome 2 for the Department of the Environment, Water, Heritage and the Arts to the administered item for Outcome 1 for the Department of Climate Change and Energy Efficiency.

*Note* The amount transferred relates to the funding of functions related to energy efficiency.

## 4 Amendment of *Appropriation (Water Entitlements and Home Insulation) Act 2009-2010*

Schedule 2 amends the *Appropriation (Water Entitlements and Home Insulation) Act 2009-2010* to transfer an amount of \$218,806,346.03 of the administered item for Outcome 2 for the Department of the Environment, Water, Heritage and the Arts to the administered item for Outcome 1 for the Department of Climate Change and Energy Efficiency.

*Note* The amount transferred relates to the funding of functions related to energy efficiency.

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**5      Amendment of *Appropriation Act (No. 3) 2009-2010***

Schedule 3 amends the *Appropriation Act (No. 3) 2009-2010* to transfer an amount of \$397,521,000 of administered item for Outcome 2 for the Department of the Environment, Water, Heritage and the Arts to the administered item for Outcome 1 for the Department of Climate Change and Energy Efficiency.

*Note* The amount transferred relates to the funding of functions related to energy efficiency.

**6      Amendment of *Appropriation Act (No. 4) 2009-2010***

Schedule 4 amends the *Appropriation Act (No. 4) 2009-2010* to transfer an amount of \$8,045,000 of the States, ACT, NT and local government item for Outcome 2 for the Department of the Environment, Water, Heritage and the Arts to the States, ACT, NT and local government item for Outcome 1 for the Department of Climate Change and Energy Efficiency.

*Note* The amount transferred relates to the funding of functions related to energy efficiency.

# Schedule 1      **Amendment of *Appropriation Act* (No. 1) 2009-2010**

(Clause 3)

**[1]      Schedule 1, Environment, Water, Heritage and the Arts portfolio,  
Department of the Environment, Water, Heritage and the Arts  
table, Administered Expenses, Outcome 2**

*omit*

2,143,169

*insert*

1,788,211.74308

**[2]      Schedule 1, Environment, Water, Heritage and the Arts portfolio,  
after the Department of the Environment, Water, Heritage and  
the Arts 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 2010/07 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.

Note 3: FMA Act Section 32 Determination 2010/09 amended the amount alongside Outcome 2 under the heading Administered Expenses, to transfer an amount to the Department of Climate Change and Energy Efficiency.

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**[3] Schedule 1, Prime Minister and Cabinet portfolio, Department of Climate Change table, Administered Expenses, Outcome 1**

*omit*

**245,541**

*insert*

**600,498.25692**

**[4] Schedule 1, Prime Minister and Cabinet portfolio, after Department of Climate Change table**

*Insert the notes*

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 2010/07 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.

Note 3: FMA Act Section 32 Determination 2010/09 amended the amount alongside Outcome 1 under the heading Administered Expenses, to transfer an amount from the Department of the Environment, Water, Heritage and the Arts.

## Schedule 2      **Amendment of *Appropriation (Water Entitlements and Home Insulation) Act 2009-2010***

(Clause 4)

**[1]      Schedule 1, Environment, Water, Heritage and the Arts portfolio, Department of the Environment, Water, Heritage and the Arts table, Administered Expenses, Outcome 2**

*omit*

**695,780**

*insert*

**476,973.65397**

**[2]      Schedule 1, Environment, Water, Heritage and the Arts portfolio, after the Department of the Environment, Water, Heritage and the Arts table**

*insert the notes*

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 2010/09 amended the amount alongside Outcome 2 under the heading Administered Expenses, to transfer an amount to the Department of Climate Change and Energy Efficiency.

**[3] Schedule 1, before the Environment, Water, Heritage and the Arts Portfolio Summary Table**

*insert*

**CLIMATE CHANGE AND ENERGY EFFICIENCY PORTFOLIO**

**Supplementary Appropriation (bold figures)—2009-2010**

*Budget Appropriation (italic figures)—2009-2010*

Actual Available Appropriation (light figures)—2008-2009

|   | Departmental<br>Outputs | Administered<br>Expenses | Total  |
|---|-------------------------|--------------------------|--------|
|   | \$'000                  | \$'000                   | \$'000 |
| <b>DEPARTMENT OF CLIMATE CHANGE AND ENERGY EFFICIENCY</b>   |                         |                          |        |
| <b>Outcome 1 -</b>  |                         |                          |        |
| Reduction of Australia's greenhouse gas emissions, adaptation to the impacts of climate change, and negotiation of an effective global solution, through the development and implementation of a national response to climate change; and bilateral, regional and multilateral engagement internationally |                         | <b>218,806</b>           |        |
| <b>Total: Department of Climate Change and Energy Efficiency</b>  |                         |                          |        |

Note 1: This table has been inserted by FMA section 32 Determination 2010/09. 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.

## Schedule 3      **Amendment of *Appropriation Act (No. 3) 2009-2010***

(Clause 5)

- [1]      Schedule 1, Environment, Water, Heritage and the Arts portfolio, Department of the Environment, Water, Heritage and the Arts table, Administered Expenses, Outcome 2**

*omit*

**397,521**

*insert*

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- [2]      Schedule 1, Environment, Water, Heritage and the Arts portfolio, after the Department of the Environment, Water, Heritage and the Arts table**

*insert the notes*

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 2010/09 amended the amount alongside Outcome 2 under the heading Administered Expenses, to transfer an amount to the Department of Climate Change and Energy Efficiency.



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**[3] Schedule 1, Prime Minister and Cabinet portfolio, Department of Climate Change table, Administered Expenses, Outcome 1**

*omit*

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*insert*

397,521

**[4] Schedule 1, Prime Minister and Cabinet portfolio, after Department of Climate Change table**

*Insert the notes*

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 2010/09 amended the amount alongside Outcome 1 under the heading Administered Expenses, to transfer an amount from the Department of the Environment, Water, Heritage and the Arts.

## Schedule 4      **Amendment of *Appropriation Act (No. 4) 2009-2010***

(Clause 6)

- [1]      Schedule 2, Environment, Water, Heritage and the Arts portfolio, Department of the Environment, Water, Heritage and the Arts table, Payments to States, ACT, NT and local government, Outcome 2**

*omit*

35,670

*insert*

27,625

- [2]      Schedule 2, Environment, Water, Heritage and the Arts portfolio, after the Department of the Environment, Water, Heritage and the Arts 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 States, 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 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 2010/09 amended the amount alongside Outcome 2, under the heading Payments to States, ACT, NT and local government to transfer an amount to the Department of Climate Change and Energy Efficiency.

**[3] Schedule 2, before the Environment, Water, Heritage and the Arts Portfolio Summary Table**

*insert*

**CLIMATE CHANGE AND ENERGY EFFICIENCY PORTFOLIO**

**Additional Appropriation (bold figures)—2009-2010**

*Budget Appropriation (italic figures)—2009-2010*

Actual Available Appropriation (light figures)—2008-2009

|   | Payments to<br>States, ACT,<br>NT and local<br>government | New<br>Administered<br>Expenses | Total  |
|---|---|---------------------------------|--------|
|   | \$'000  | \$'000                          | \$'000 |
| <b>DEPARTMENT OF CLIMATE CHANGE AND ENERGY EFFICIENCY</b>   |   |                                 |        |
| <b>Operating</b>  |   |                                 |        |
| <b>Outcome 1 -</b>  |   |                                 |        |
| Reduction of Australia's greenhouse gas emissions, adaptation to the impacts of climate change, and negotiation of an effective global solution, through the development and implementation of a national response to climate change; and bilateral, regional and multilateral engagement internationally | <b>8,045</b>  |                                 |        |
| <b>Total: Department of Climate Change and Energy Efficiency</b>  |   |                                 |        |

Note 1: This table has been inserted by FMA section 32 Determination 2010/09. That determination has inserted only the actual appropriation items:

- 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
- 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
- for States, 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
- 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.