

EXPLANATORY STATEMENT

The instrument to which this explanatory statement relates	<i>FMA Act Determination 2010/11 – Section 32 (Transfer of Functions from DEWHA to DCCEE)</i>
Date instrument was made	16 June 2010
The legislative authority under which the instrument is made	<p>Subsection 32(2) of the <i>Financial Management and Accountability Act 1997</i> (FMA Act) enables the Minister for Finance and Deregulation (Finance Minister) to determine that one or more Schedules to one or more Appropriation Acts are amended in relation to the transfer of a function from one agency to another.</p> <p>Under section 62 of the FMA Act the Finance Minister has delegated this power to the Secretary of the Department of Finance and Deregulation (Finance). Under section 53 of the FMA Act, the Secretary of Finance has delegated this power to officials within Finance.</p>
Purpose and effect of the instrument	<p>Schedule 1 of this Instrument amends the <i>Appropriation Act (No. 1) 2008-2009</i> to transfer an amount of \$5,044,800.37 of the departmental item for the Department of the Environment, Water, Heritage and the Arts (DEWHA) to the departmental item for the Department of Climate Change and Energy Efficiency (DCCEE). The effect of this schedule is to:</p> <ul style="list-style-type: none"> • reduce the departmental item in <i>Appropriation Act (No. 1) 2008-2009</i> for DEWHA and increase the departmental item in <i>Appropriation Act (No. 1) 2008-2009</i> for DCCEE.
	<p>Schedule 2 of this Instrument amends the <i>Appropriation Act (No. 3) 2009-2010</i> to transfer an amount of \$6,000,000 of the departmental item for the Department of the Environment, Water, Heritage and the Arts (DEWHA) to the departmental item for the Department of Climate Change and Energy Efficiency (DCCEE). The effect of this schedule is to:</p> <ul style="list-style-type: none"> • reduce the departmental item in <i>Appropriation Act (No. 3) 2009-2010</i> for DEWHA and increase the departmental item in <i>Appropriation Act (No. 3) 2009-2010</i> for DCCEE.

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Background	<p>The Amendment to the Administrative Arrangements Order dated 8 March 2010 transferred energy efficiency functions from the Department of the Environment, Water, Heritage and the Arts to the Department of Climate Change. As part of this reorganisation of government functions, the then Department of Climate Change was renamed the Department of Climate Change and Energy Efficiency.</p> <p>This Determination transfers departmental appropriations for the energy efficiency function, from DEWHA to DCCEE.</p>
Notes on the Instrument	<p>In accordance with the <i>Legislative Instruments Act 2003</i>, DEWHA and DCCEE were consulted in the preparation of this instrument.</p> <p>This Determination is a legislative instrument for the purposes of the <i>Legislative Instruments Act 2003</i>.</p>