

EXPLANATORY STATEMENT

The instrument to which this explanatory statement relates	<i>Financial Management and Accountability Act 1997 Determination 2010/17 – Section 32 (Transfer of Functions from the former DITRDLG to DORA)</i>
Date instrument was made	1 October 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 certain officials within Finance.</p>
Purpose and effect of the instrument	<p>Schedule 1 of this Instrument amends the <i>Appropriation Act (No. 1) 2010-2011</i> to transfer the amounts of:</p> <ul style="list-style-type: none"> (a) \$21,000,000.00 of the departmental item from the former Department of Infrastructure, Transport, Regional Development and Local Government (DITRDLG), to the Department of Regional Australia, Regional Development and Local Government (DORA); and (b) \$144,215,595.79 of the administered item, of Outcome 3 from DITRDLG to Outcome 1 for DORA. <p>The effect of this schedule is to reduce the departmental and administered items in <i>Appropriation Act (No. 1) 2010-2011</i> for DITRDLG and establish departmental and administered items in <i>Appropriation Act (No. 1) 2010-2011</i> for DORA.</p> <p>Schedule 2 of this Instrument amends the <i>Appropriation Act (No. 2) 2010-2011</i> to transfer an amount of \$209,816,682.30 of the Payments to States, ACT, NT and local government item from the former Department of Infrastructure, Transport, Regional Development and Local Government (DITRDLG), to the Department of Regional Australia, Regional Development and Local Government (DORA).</p> <p>The effect of this schedule is to reduce the Payments to States, ACT, NT and local government item in <i>Appropriation Act (No. 2) 2010-2011</i> for DITRDLG and establish a corresponding item in <i>Appropriation Act (No. 2) 2010-2011</i> for DORA.</p>

EXPLANATORY STATEMENT

Background	<p>On 14 September 2010, ministerial portfolios were restructured and departments were renamed in accordance with the <i>Administrative Arrangements Order</i> made on that date.</p> <p>The former Department of Infrastructure, Transport, Regional Development and Local Government was renamed the Department of Infrastructure and Transport, and some of its former functions were transferred to the Department of Regional Australia, Regional Development and Local Government, a department within the Prime Minister and Cabinet portfolio created on 14 September 2010.</p>
Notes on the Instrument	<p>In accordance with Part 3 of the <i>Legislative Instruments Act 2003</i>, the Department of Infrastructure and Transport and the Department of the Prime Minister and Cabinet were consulted in the preparation of this instrument. This Determination is a legislative instrument for the purposes of section 5 of the <i>Legislative Instruments Act 2003</i>.</p>