



# **Financial Management and Accountability Act 1997 Determination 2011/18 — Section 32 (Transfer of Functions from AGD to ITSA)**

## *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 functions from the Attorney-General's Department to the Insolvency and Trustee Service Australia.

Dated 1<sup>st</sup> November 2011

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 *Financial Management and Accountability Act 1997 Determination 2011/18 — Section 32 (Transfer of Functions from AGD to ITSA)*.

*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:* Acronyms used in this Determination are as follows:

- (a) “AGD” – refers to the Attorney-General’s Department.
- (b) “ITSA” – refers to the Insolvency and Trustee Service Australia.

*Note 3:* Responsibilities for the single legal framework for secured lending and a single national online register of personal property security interests were transferred from the Attorney-General’s Department to the Insolvency and Trustee Service Australia due to a change in the *Administrative Arrangements Order* with effect from 14 April 2010.

## 2 Commencement

This Determination commences on the day on which it is made.

*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) 2010-2011*

Schedule 1 amends *Appropriation Act (No. 1) 2010-2011* to reduce the departmental item for AGD by \$5,342,902.59.

## 4 Amendment of *Appropriation Act (No. 1) 2011-2012*

Schedule 2 amends *Appropriation Act (No. 1) 2011-2012* to increase the departmental item for ITSA by \$5,342,902.59.

## Schedule 1      **Amendment of *Appropriation Act (No. 1) 2010-2011***

(Clause 3)

### [1]      **Schedule 1, Attorney-General's portfolio, Attorney-General's Department table, total for Departmental**

*omit*

**233,440.49287**

*insert*

**228,097.59028**

### [2]      **Schedule 1, Attorney-General's portfolio, after the Attorney-General's Department table**

*omit the notes, insert*

*Note 1:* The table has been amended by a determination under the *Financial Management and Accountability Act 1997*. 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: Financial Management and Accountability Act 1997 Determination 2010/18 — Section 32 (Transfer of Functions from AGD to DORA)* amended two amounts in this table:

- (a) the amount alongside "Total", under the heading "Departmental", to transfer an amount to the Departmental item for the Department of Regional Australia, Regional Development and Local Government; and
- (b) the amount alongside "Outcome 2", under the heading "Administered", to transfer an amount to "Outcome 2" under the heading "Administered" for the Department of Regional Australia, Regional Development and Local Government.

On 14 September 2010 the Department of Regional Australia, Regional Development and Local Government was created.

*Note 3: Financial Management and Accountability Act 1997 Determination 2010/28 — Section 32 (Transfer of Functions from AGD to DORA)* amended the amount alongside "Total: Attorney-General's Department" under the heading "Departmental", to transfer an amount to the Departmental item for the Department of Regional Australia, Regional Development and Local Government.

*Note 4: Financial Management and Accountability Act 1997 Determination 2010/37 — Section 32 (Transfer of Functions from AGD to DORA)* amended an amount in this table alongside Outcome 2 under the heading "Administered Expenses", to transfer an amount to the administered item for DORA.

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*Note 5: Financial Management and Accountability Act 1997 Determination 2011/01 – Section 32 (Transfer of Functions from FaHCSIA to AGD)* amended the amount alongside “Total: Attorney-General’s Department” under the heading “Departmental”, to transfer an amount from the departmental item for the Department of Families, Housing, Community Services and Indigenous Affairs.

*Note 6: Financial Management and Accountability Act 1997 Determination 2011/05 – Section 32 (Transfer of Functions from FaHCSIA to AGD)* amended the amount alongside “Total: Attorney-General’s Department” under the heading “Departmental”, to transfer an amount from the departmental item for the Department of Families, Housing, Community Services and Indigenous Affairs.

*Note 7: Financial Management and Accountability Act 1997 Determination 2011/18 – Section 32 (Transfer of Functions from AGD to ITSA)* amended the amount alongside “Total: Attorney-General’s Department” under the heading “Departmental”, to transfer an amount to the departmental item for the Insolvency and Trustee Service Australia.

## Schedule 2      **Amendment of *Appropriation Act (No. 1) 2011-2012***

(Clause 4)

### [1]      **Schedule 1, Attorney-General's portfolio, Insolvency and Trustee Service Australia table, total for Departmental**

*omit*

49,003

*insert*

54,345.90259

### [2]      **Schedule 1, Attorney-General's portfolio after the Insolvency and Trustee Service Australia table**

*insert*

*Note 1:* The table has been amended by a determination under the *Financial Management and Accountability Act 1997*. Such determinations amend 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"; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading "Administered".

No other amounts in the table have been amended.

*Note 2:* *Financial Management and Accountability Act 1997 Determination 2011/18 — Section 32 (Transfer of Functions from AGD to ITSA)* amended the amount alongside "Total: Insolvency and Trustee Service Australia" under the heading "Departmental" to transfer an amount from Attorney-General's Department.