

EXPLANATORY STATEMENT

The instrument to which this explanatory statement relates	<i>Financial Management and Accountability Act 1997 Determination 2012/16 – Section 32 (Transfer of functions from DPMC to DRALGAS)</i>
Date instrument was made	19 April 2012
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	Schedule 1 of 2012/16 amends <i>Appropriation Act (No. 1) 2011-2012</i> to transfer \$38,145,000.00 of the CAC Act body payment item for the Australia Council from DPMC to DRALGAS.
Background	The transfer of appropriation arises due to a Government decision to transfer responsibility for the Arts, Culture and Sport functions from the Department of the Prime Minister and Cabinet to the Department of Regional Australia, Local Government, Arts and Sport.
Notes on the Instrument	In accordance with Part 3 of the <i>Legislative Instruments Act 2003</i> , DPMC and DRALGAS 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> .
Human Rights Impact Statement	This Instrument is exempt from disallowance under subsection 32(7) of the <i>Financial Management and Accountability Act 1997</i> . As such, a statement of compatibility prepared under subsection 9(1) of the <i>Human Rights (Parliamentary Scrutiny) Act 2011</i> is not required in this Explanatory Statement.