



FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C Education, Employment and Social Services)

Financial Management and Accountability Act 1997

I, ALAN GREENSLADE, First Assistant Secretary, Financial Analysis, Reporting and Management, Department of Finance, make this Determination under section 32 of the *Financial Management and Accountability Act 1997* (FMA Act), as delegate of the Secretary of the Department of Finance, who, in turn, is a delegate of the Finance Minister.

This Determination is made in response to the Administrative Arrangements Order, made on 18 September 2013. The Department of Education, Employment and Workplace Relations (DEEWR) has been abolished and its functions were transferred:

- in relation to indigenous affairs, to the Department of the Prime Minister and Cabinet (PM&C);
- in relation to education, to the Department of Education (Education);
- in relation to employment, to the Department of Employment (Employment);
- in relation to disability employment services, to the Department of Social Services.

Dated 2 May 2014

ALAN GREENSLADE
First Assistant Secretary
Financial Analysis, Reporting and Management
Department of Finance

1 Name of Determination

This Determination is the *FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)*.

2 Commencement

This Determination commences on 2 May 2014.

3 Purpose

The purpose of this Determination is to adjust amounts appropriated to support functions transferred to the Department of the Prime Minister and Cabinet, the Department of Education, the Department of Employment and the Department of Social Services, from the former Department of Education, Employment and Workplace Relations, consistent with the Administrative Arrangements Order made on 18 September 2013.

Note 1: This Determination has been made under section 32 of the FMA Act by a delegate of the Secretary of the Department of Finance. The Secretary is a delegate of the Finance Minister (in accordance with section 62 of the FMA Act) and the Secretary has, in turn, sub-delegated that power to the signatory of this Determination (in accordance with section 53 of the FMA Act).

Note 2: On 18 September 2013, the Governor-General in Council acting on the Prime Minister's recommendation under section 64 of the Constitution abolished the Department of Education, Employment and Workplace Relations.

Note 3: This Determination is the sixth transfer of appropriations in relation to the abolition of the Department of Education, Employment and Workplace Relations. An initial transfer of appropriations occurred on 18 September 2013, under *FMA Act Determination 2013/06 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A second transfer of appropriations occurred on 1 December 2013, under *FMA Act Determination 2013/19 — Section 32 (Transfer of Functions from DEEWR to PM&C)*. A third transfer of appropriations occurred on 13 December 2013, under *FMA Act Determination 2013/20 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A fourth transfer of appropriations occurred on 11 February 2014, under *FMA Act Determination 2014/03 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A fifth transfer of appropriations occurred on 1 April 2014, under *FMA Act Determination 2014/05 — Section 32 (Transfer of Functions from DEEWR to Social Services)*.

4 Amendment of Appropriation Act

Schedule 1 of *Appropriation Act (No. 1) 2013-2014* is amended as set out in Schedule 1 to this Determination.

Schedule 1 of *Appropriation Act (No. 1) 2012-2013* is amended as set out in Schedule 2 to this Determination.

5 Definitions

In this Determination, unless the contrary intention appears, **FMA Act** means the *Financial Management and Accountability Act 1997*.

Schedule 1 Amendment of Appropriation Act (No. 1) 2013-2014

1 At the end of Schedule 1, after the note to Table 39 for FMA Act Determination 2014/10 — Section 32 (Transfer of Functions from DSS to PM&C)

Insert:

26 FMA Act Determination 2014/11— Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)

Schedule 1 to this Act is amended in accordance with section 32 of the *Financial Management and Accountability Act 1997* (FMA Act).

Amendment of appropriations in Table 40:

Amendments to appropriations are as specified in Table 40.

The appropriation item (listed in Column 1) for the Agency (listed in Column 2) is amended by the relevant amount (listed in Column 3). A positive amount in Column 3 is an increase in the appropriation and a negative amount is a decrease in the appropriation.

Table 40: Amendment of appropriations

	Column 1	Column 2	Column 3
Item	Appropriation item	Agency	Amount (\$'000)
1	Departmental item	Department of the Prime Minister and Cabinet	+19,741
2	Departmental item	Department of Education, Employment and Workplace Relations	-19,741
3	Administered item, Outcome 2	Department of the Prime Minister and Cabinet	+863
4	Administered item, Outcome 1	Department of Education, Employment and Workplace Relations	-863
5	Administered item, Outcome 2	Department of the Prime Minister and Cabinet	+11,058
6	Administered item, Outcome 2	Department of Education, Employment and Workplace Relations	-11,058
7	Administered item, Outcome 2	Department of the Prime Minister and Cabinet	+116,830
8	Administered item, Outcome 3	Department of Education, Employment and Workplace Relations	-116,830
9	Departmental item	Department of Education	+10,177
10	Departmental item	Department of Education, Employment and Workplace Relations	-10,177
11	Departmental item	Department of Employment	+110,265
12	Departmental item	Department of Education, Employment and Workplace Relations	-110,265
13	Departmental item	Department of Social Services	+1,017
14	Departmental item	Department of Education, Employment and Workplace Relations	-1,017

Note: Section 32 of the FMA Act enables the Finance Minister to determine that Schedules to Appropriation Acts are amended in relation to a transfer of functions between Agencies. A determination under section 32 of the FMA Act cannot result in a change to the total amount appropriated. *FMA Act Determination 2014/08 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)* affects this Act in a specified way to result in no change to the total amount appropriated.

Due to a change to the Administrative Arrangements Order made on 18 September 2013, functions relating to indigenous affairs were transferred from the former Department of Education, Employment and Workplace Relations to the Department of the Prime Minister and Cabinet, the Department of Education, the Department of Employment and the Department of Social Services.

This Determination is the sixth transfer of appropriations in relation to the abolition of the Department of Education, Employment and Workplace Relations. An initial transfer of appropriations occurred on 18 September 2013, under *FMA Act Determination 2013/06 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A second transfer of appropriations occurred on 1 December 2013, under *FMA Act Determination 2013/19 — Section 32 (Transfer of Functions from DEEWR to PM&C)*. A third transfer of appropriations occurred on 13 December 2013, under *FMA Act Determination 2013/20 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A fourth transfer of appropriations occurred on 11 February 2014, under *FMA Act Determination 2014/03 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A fifth transfer of appropriations occurred on 1 April 2014, under *FMA Act Determination 2014/05 — Section 32 (Transfer of Functions from DEEWR to Social Services)*.

2 Schedule 1, Education, Employment and Workplace Relations portfolio, after the Department of Education, Employment and Workplace Relations table

After Note 5, insert:

Note 6: *FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)* decreased the departmental item and the administered items for Outcome 1, Outcome 2 and Outcome 3 for the former Department of Education, Employment and Workplace Relations (DEEWR) by the amounts specified in Table 40 at the end of Schedule 1 to this Act.

3 Schedule 1, Prime Minister and Cabinet portfolio, after the Department of the Prime Minister and Cabinet table

After Note 5, insert:

Note 6: *FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)* increased the departmental item and the administered items for Outcome 2 for the Department of the Prime Minister and Cabinet by the amounts specified in Table 40 at the end of Schedule 1 to this Act.

4 Schedule 1, Families, Housing, Community Services and Indigenous Affairs portfolio, after the Department of Families, Housing, Community Services and Indigenous Affairs

After Note 11, insert:

Note 12: *FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)* increased the departmental item for the Department of Social Services (previously the Department of Families, Housing, Community Services and Indigenous Affairs) by the amounts specified in Table 40 at the end of Schedule 1 to this Act.

Schedule 2 Amendment of Appropriation Act (No. 1) 2012-2013

1 At the end of Schedule 1, after the note to Table 7 for FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)

Insert:

7 FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)

Schedule 1 to this Act is amended in accordance with section 32 of the *Financial Management and Accountability Act 1997* (FMA Act).

Amendment of appropriations in Table 8:

Amendments to appropriations are as specified in Table 8.

The appropriation item (listed in Column 1) for the Agency (listed in Column 2) is amended by the relevant amount (listed in Column 3). A positive amount in Column 3 is an increase in the appropriation and a negative amount is a decrease in the appropriation.

Table 8: Amendment of appropriations

	Column 1	Column 2	Column 3
Item	Appropriation item	Agency	Amount \$'000
1	Departmental item	Department of the Prime Minister and Cabinet	+3,942
2	Departmental item	Department of Education, Employment and Workplace Relations	-3,942
3	Departmental item	Department of Social Services	+2,348
4	Departmental item	Department of Education, Employment and Workplace Relations	-2,348
5	Departmental item	Department of Education	+10,586
6	Departmental item	Department of Education, Employment and Workplace Relations	-10,586
7	Departmental item	Department of Employment	+15,880
8	Departmental item	Department of Education, Employment and Workplace Relations	-15,880

Note: Section 32 of the FMA Act enables the Finance Minister to determine that Schedules to Appropriation Acts are amended in relation to a transfer of functions between Agencies. A determination under section 32 of the FMA Act cannot result in a change to the total amount appropriated. *FMA Act Determination 2014/08 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)* affects this Act in a specified way to result in no change to the total amount appropriated.

Due to a change to the Administrative Arrangements Order made on 18 September 2013, functions relating to indigenous affairs were transferred from the former Department of Education, Employment and Workplace Relations to the Department of the Prime Minister and Cabinet, the Department of Education, the Department of Employment and the Department of Social Services.

This Determination is the sixth transfer of appropriations in relation to the abolition of the Department of Education, Employment and Workplace Relations. An initial transfer of appropriations occurred on 18 September 2013, under *FMA Act Determination 2013/06 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A second transfer of appropriations occurred on 1 December 2013, under *FMA Act Determination 2013/19 — Section 32 (Transfer of Functions from DEEWR to PM&C)*. A third transfer of appropriations occurred on 13 December 2013, under *FMA Act Determination 2013/20 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A fourth transfer of appropriations occurred on 11 February 2014, under *FMA Act Determination 2014/03 — Section 32 (Transfer of Functions from DEEWR to Education and Employment)*. A fifth transfer of appropriations occurred on 1 April 2014, under *FMA Act Determination 2014/05 — Section 32 (Transfer of Functions from DEEWR to Social Services)*.

2 Schedule 1, Education, Employment and Workplace Relations portfolio, after the Department of Education, Employment and Workplace Relations table

Insert:

Note 1: *FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)* decreased the departmental item for the former Department of Education, Employment and Workplace Relations (DEEWR) by the amount specified in Table 8 at the end of Schedule 1 to this Act.

3 Schedule 1, Prime Minister and Cabinet portfolio, after the Department of the Prime Minister and Cabinet table

Insert:

Note 1: *FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)* increased the departmental item for the Department of the Prime Minister and Cabinet by the amounts specified in Table 8 at the end of Schedule 1 to this Act.

4 Schedule 1, Families, Housing, Community Services and Indigenous Affairs portfolio, after the Department of Families, Housing, Community Services and Indigenous Affairs

After Note 2, insert:

Note 3: *FMA Act Determination 2014/11 — Section 32 (Transfer of Functions from DEEWR to PM&C, Education, Employment and Social Services)* increased the departmental item for the Department of Social Services (previously the Department of Families, Housing, Community Services and Indigenous Affairs) by the amounts specified in Table 40 at the end of Schedule 1 to this Act.