



PGPA Act Determination (Industry, Science and Resources SOETM Special Account 2021)

made under subsections 78(1) and (3) of the

Public Governance, Performance and Accountability Act 2013

Compilation No. 1

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Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *PGPA Act Determination (Industry, Science and Resources SOETM Special Account 2021)* that shows the text of the law as amended and in force on 8 March 2023 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1—Establishment

1 Name

This instrument is the *PGPA Act Determination (Industry, Science and Resources SOETM Special Account 2021)*.

3 Authority

This instrument is made under subsections 78(1) and 78(3) of the Act.

4 Definitions

In this instrument:

Act means the *Public Governance, Performance and Accountability Act 2013*.

Department means the Department of Industry, Science and Resources.

SOETM means Services for Other Entities and Trust Moneys.

the special account means the *Industry, Science and Resources SOETM Special Account 2021* established by this instrument.

5 Establishment of the special account

For paragraph 78(1)(a) of the Act, the *Industry, Science and Resources SOETM Special Account 2021* is established as a special account.

6 Accountable authority responsible for the special account

For paragraph 78(1)(d) of the Act, the accountable authority responsible for the special account is the Secretary of the Department.

Section 7

Part 2—Special account credits and debits

7 Amounts that may be credited to the special account

For paragraph 78(1)(b) of the Act, the following amounts may be credited to the special account:

- (a) an amount held on trust, or otherwise on behalf of or for the benefit of a person other than the Commonwealth;
- (b) an amount received in the course of the performance of functions that relate to one or more purposes of the special account;
- (c) an amount received from any person for one or more purposes of the special account.

8 Purposes of the special account

For paragraph 78(1)(c) of the Act, the purposes of the special account, in relation to which amounts may be debited from the special account, are:

- (a) to disburse an amount held on trust or otherwise for the benefit of a person other than the Commonwealth;
- (b) to disburse an amount in connection with services performed for, on behalf of, or together with, a Commonwealth entity, Commonwealth company, government, organisation, body or person;
- (c) to disburse an amount in connection with joint activities performed for, on behalf of, or together with, a Commonwealth entity, Commonwealth company, government, organisation, body or person;
- (d) to disburse an amount in connection with an agreement between the Commonwealth and another government;
- (e) to repay an amount where a court order, Act or other law requires or permits the repayment of an amount received; and
- (f) to reduce the balance of the special account (and, therefore, the available appropriation for the special account) without making a real or notional payment.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
PGPA Act Determination (Industry, Science, Energy and Resources SOETM Special Account 2021)	8 June 2021 (F2021L00711)	1 July 2021 (s 2(1))	
PGPA Act Determination (Industry, Science, Energy and Resources SOETM Special Account Amendment 2022)	24 Jan 2023 (F2023L00050)	8 Mar 2023 (s 2(1))	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
s 1	am F2023L00050 ed C1
s 2	rep LA s 48D
s 4	def <i>SOETM instrument</i> rep end of 8 July 2021 (s 11(2)(a)) def <i>SOETM special account</i> rep end of 8 July 2021 (s 11(2)(b)) am F2023L00050 ed C1
s 5	am F2023L00050 ed C1
Part 3	rep end of 8 July 2021 (s 11(1))
s 9	rep end of 8 July 2021 (s 11(1))
s 10	rep LA s 48C
s 11	rep end of 8 July 2021 (s 11(1))

Endnote 5—Editorial changes

In preparing this compilation for registration, the following kinds of editorial change(s) were made under the *Legislation Act 2003*.

Sections 1, 4 and 5**Kind of editorial change**

Give effect to the misdescribed amendments as intended

Details of editorial change

Schedule 1 of the *PGPA Act Determination (Industry, Science, Energy and Resources SOETM Special Account Amendment 2022)* provides as follows:

Schedule 1—Amendments***PGPA Act (Industry, Science, Energy and Resources SOETM Special Account 2021)***

The title to be amended reads “*PGPA Act (Industry, Science, Energy and Resources SOETM Special Account 2021)*” rather than the correct title of “*PGPA Act Determination (Industry, Science, Energy and Resources SOETM Special Account 2021)*”.

This compilation was editorially changed by applying the amendments from Schedule 1 of the *PGPA Act Determination (Industry, Science, Energy and Resources SOETM Special Account Amendment 2022)* to the *PGPA Act Determination (Industry, Science, Energy and Resources SOETM Special Account 2021)* to give effect to the misdescribed amendments as intended.