



PGPA Act Determination (Indian Ocean, Jervis Bay and Norfolk Island Territories Special Account 2023)

I, KATY GALLAGHER, Minister for Finance, make the following determination.

Dated 25 / 05 / 2023

KATY GALLAGHER
Minister for Finance

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Part 1—Establishment

1 Name

This instrument is the *PGPA Act Determination (Indian Ocean, Jervis Bay and Norfolk Island Territories Special Account 2023)*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Column 1 | Column 2 | Column 3 |
|------------------------------|--|--------------|
| Provisions | Commencement | Date/Details |
| The whole of this instrument | The later of the day mentioned in paragraph 79(5)(a) of the Act and 1 July 2023. | |

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any version of this instrument published on the Federal Register of Legislation.

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*.

Indian Ocean Territories means the external territories of Christmas Island and the Cocos (Keeling) Islands, collectively.

Territories instruments means the *PGPA Act (Indian Ocean Territories Special Account 2014 – Establishment) Determination 02* and the *PGPA Act (Jervis Bay Territory Special Account 2014 – Establishment) Determination 03*.

Territories Special Accounts 2014 means the *Indian Ocean Territories Special Account 2014* and the *Jervis Bay Territory Special Account 2014* established by the Territories instruments.

the Department means the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

the special account means the *Indian Ocean, Jervis Bay and Norfolk Island Territories Special Account 2023* established by this instrument.

5 Establishment of the special account

For paragraph 78(1)(a) of the Act, the *Indian Ocean, Jervis Bay and Norfolk Island Territories Special Account 2023* 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.

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) amounts received by the Commonwealth in relation to the provision, within the Indian Ocean Territories and Jervis Bay Territory, of:
 - (i) services including but not limited to, power, water, healthcare, and medical supplies;
 - (ii) infrastructure including, but not limited to, ports, airports and rental properties;
- (b) amounts received by the Commonwealth in relation to the following, within the Territory of Norfolk Island:
 - (i) the provision of services including, but not limited to, power, water, healthcare, and medical supplies;
 - (ii) the provision of infrastructure including, but not limited to, ports, airports and rental properties;
 - (iii) the conduct and management of activities including, but not limited to, tourism and the operation of museums and gift shops;
 - (iv) operating, managing and maintaining heritage facilities and sites and meeting the Commonwealth's heritage obligations;
- (c) amounts of donations, gifts, bequests and sponsorships received by the Commonwealth in relation to the Territory of Norfolk Island;
- (d) amounts 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 make payments in relation to the provision, within the Indian Ocean Territories and Jervis Bay Territory, of:
 - (i) services including, but not limited to, power, water, healthcare, and medical supplies;

- (ii) infrastructure including, but not limited to, ports, airports and rental properties;
- (b) to make payments in relation to the following, within the Territory of Norfolk Island:
 - (i) the provision of services, including, but not limited to, power, water, healthcare, and medical supplies;
 - (ii) the provision of infrastructure including, but not limited to, ports, airports and rental properties;
 - (iii) the conduct and management of activities including, but not limited to, tourism and the operation of museums and gift shops;
 - (iv) operating, managing and maintaining heritage facilities and sites and meeting the Commonwealth's heritage obligations;
- (c) to repay amounts where a court order, Act or other law requires or permits the repayment of an amount received; and
- (d) to reduce the balance of the special account (and, therefore, the available appropriation for the special account) without making a real or notional payment.

Part 3—Transitional, revocation and repeal provisions

9 Opening balance of the special account

- (1) For paragraph 78(1)(b) of the Act, the amount in subsection 9(2) (*opening balance*) is required to be credited to the special account immediately after its establishment.
- (2) The opening balance is equal to the total of the amounts standing to the credit of each of the Territories Special Accounts 2014 immediately prior to the commencement of this instrument.

10 Revocation of Territories instruments

For subsection 78(3) of the Act, the Territories instruments are revoked.

11 Additional repeal provisions

- (1) For subsection 78(3) of the Act, Part 3 of this instrument is repealed at the end of the seventh day after the revocation of the Territories instruments under section 10 (*date of repeal*).
- (2) For subsection 78(3) of the Act, the following definitions in section 4 are repealed on the date of repeal:
 - (a) definition of *Territories instruments*;
 - (b) definition of *Territories Special Accounts 2014*.
- (3) Despite subsection 11(1), the effects of Part 3 of this instrument remain in force after the date of repeal.