

# Financial Management and Accountability Amendment Regulations 2000 (No. 2) 2000 No. 145

EXPLANATORY STATEMENT

STATUTORY RULES 2000 No. 145

Issued by the Authority of the Minister for Finance and Administration

*Financial Management and Accountability Act 1997*

Financial Management and Accountability Amendment Regulations 2000 (No. 2)

The attached Statutory Rules make regulations under subsection 65(1) of the *Financial Management and Accountability Act 1997* (the Act) to amend the Financial Management and Accountability Regulations.

The Regulations amend Schedule 1 to the Principal Regulations which lists the Agencies which are prescribed for the purposes of the definition of "Agency" in section 5 of the Act. In addition to Departments of State and Departments of the Parliament, section 5 of the Act includes in the definition of "Agency", "a prescribed Agency", being an organisational unit which is to be regarded, for the purposes of the Act, as a separate Agency from the Department of State within the portfolio. Regulation 5 of the Principal Regulations prescribes all such Agencies by reference to the Schedule to the regulations. The Schedule names those Agencies, defines the persons which they comprise and specifies the Agency Chief Executive.

The Regulations also amend Schedule 3, Item 1 of the Financial Management and Accountability Amendment Regulations 2000 (No. 1) which are to commence on 1 July 2000. This is a minor amendment to reflect the change of name of the Australian Archives to the National Archives of Australia.

Details of the regulation are as follows:

Regulation 1

This advises that the name of the regulations is the *Financial Management and Accountability Amendment Regulations 2000 (No. 2)*.

Regulation 2

This provides that the amendments are to commence:

(a) regulations 1, 2 and 3 and Schedule 1 - on 30 June 2000

(b) regulation 4 and Schedule 2 - on 1 July 2000.

Regulation 3

This provides that Schedule 1 amends the *Financial Management and Accountability Amendment Regulations 2000 (No. 2)*.

Regulation 4

This provides that Schedule 2 amends the *Financial Management and Accountability Regulations 1997*.

## Schedule 1

### [1] Schedule 3, item 1

This amends the reference to the Australian Archives to refer to the National Archives of Australia to represent its change of name as a consequence of the *Census Information Legislation Amendment Act 2000*.

## Schedule 2

### [1] Schedule 1, after item 124

This item inserts a new item 124A in Schedule 1 to make the Federal Magistrates Court a prescribed agency. Having regard to the nature and operation of the Federal Magistrates Court, it is considered appropriate that it should be financially independent of the Attorney-General's Department for the purposes of the Act.

### [21] Schedule 1, after item 125

This item inserts a new item 126 in Schedule 1 to make the Insolvency and Trustee Service Australia a prescribed agency. Having regard to the nature and operation of the Service, it is considered appropriate that it should be financially independent of the Attorney-General's Department for the purposes of the Act.