

EXPLANATORY STATEMENT

The instrument to which this explanatory statement relates	<i>Financial Management and Accountability Act 1997 Determination 2010/25 – Section 32 (Transfer of functions from DEEWR to APSC)</i>
Date instrument was made	8 November 2010
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	<p>Schedule 1 of this Instrument amends <i>Appropriation Act (No. 1) 2009-2010</i> to transfer \$982,736.63 from the departmental outputs item of the Department of Education, Employment and Workplace Relations (DEEWR) to the departmental outputs item of the Australian Public Service Commission (APSC) within the same Act.</p> <p>Schedule 2 of this Instrument amends <i>Appropriation Act (No. 1) 2010-2011</i> to transfer \$4,027,152.00 from the departmental item of DEEWR to the departmental item of the APSC within the same Act.</p> <p>The effect of both schedules is to transfer appropriations relating to portfolio responsibility for Australian Public Service employment and workplace relations policy and the Deference Force Remuneration Tribunal, which have been transferred from DEEWR to APSC.</p>
Background	<p>Functions relating to the portfolio responsibility for Australian Public Service employment and workplace relations policy and the Deference Force Remuneration Tribunal were transferred from DEEWR to the APSC on 29 June 2010 due to a revised <i>Administrative Arrangements Order</i> issued on that date.</p>
Notes on the Instrument	<p>In accordance with Part 3 of the <i>Legislative Instruments Act 2003</i>, DEEWR and the APSC 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>.</p>