



Financial Management and Accountability Act 1997 Determination 2010/25 – Section 32 (Transfer of Functions from DEEWR to APSC)

Financial Management and Accountability Act 1997

I, TIM YOUNGBERRY, First Assistant Secretary, Financial Reporting and Cash Management Division, Department of Finance and Deregulation, make this Determination under subsection 32(2) of the *Financial Management and Accountability Act 1997* (the **FMA Act**).

This Determination is made due to a decision of the Australian Government to transfer functions relating to Australian Public Service employment and workplace relations policy and the Defence Force Remuneration Tribunal from the Department of Education, Employment and Workplace Relations to the Australian Public Service Commission.

Dated 8 November 2010

TIM YOUNGBERRY
First Assistant Secretary
Financial Reporting and Cash Management Division
Department of Finance and Deregulation

1 Name of Determination

This Determination is the *Financial Management and Accountability Act 1997 Determination 2010/25 – Section 32 (Transfer of Functions from DEEWR to APSC)*.

Note 1: This Determination has been made by a delegate of the Secretary of the Department of Finance and Deregulation. The Secretary is a delegate of the Minister for Finance and Deregulation in accordance with section 62 of the FMA Act. The Secretary has delegated his power in accordance with section 53 of the FMA Act.

Note 2: Acronyms used in this Determination are as follows:

- (a) “DEEWR” – refers to the Department of Education, Employment and Workplace Relations; and
- (b) “APSC” – refers to the Australian Public Service Commission.

Note 3: Functions relating to Australian Public Service employment and workplace relations policy and the Defence Force Remuneration Tribunal were transferred from the Department of Education, Employment and Workplace Relations to the Australian Public Service Commission due to a change to the *Administrative Arrangements Order* on 29 June 2010.

2 Commencement

This Determination commences on the day on which it is made.

Note: Under subsection 32(8) of the FMA Act, a determination may be expressed to take effect before its making and registration under the *Legislative Instruments Act 2003*.

3 Amendment of *Appropriation Act (No. 1) 2009-2010*

Schedule 1 amends *Appropriation Act (No. 1) 2009-2010* to transfer an amount of \$982,736.63 of the departmental item from DEEWR to the departmental item to APSC.

4 Amendment of *Appropriation Act (No. 1) 2010-2011*

Schedule 2 amends *Appropriation Act (No. 1) 2010-2011* to transfer an amount of \$4,027,152.00 of the departmental item from DEEWR to the departmental item to APSC.

Schedule 1 **Amendment of *Appropriation Act (No. 1) 2009-2010***

(Clause 3)

- [1] **Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, alongside “Total: Department of Education, Employment and Workplace Relations, in the “Departmental Outputs” column**

omit

849,988.54236

insert

849,005.80573

- [2] **Schedule 1, Education, Employment and Workplace Relations portfolio, after the Department of Education, Employment and Workplace Relations table**

omit the notes, insert

Note 1: The table has been amended by a determination under the *Financial Management and Accountability Act 1997*. Such determinations amend only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the “Total” amount in relation to an agency under the heading “Departmental”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading “Administered”.

No other amounts in the table have been amended.

Note 2: *FMA Act Section 32 Determination 2009/12* amended the amount alongside “Total: Department of Education, Employment and Workplace Relations” in the “Departmental Outputs” column, to transfer an amount to Safe Work Australia.

Note 3: *Financial Management and Accountability Act 1997 Determination 2010/24 (Transfer of Functions from DEEWR to Austrade)* amended an amount in this table alongside “Total: Department of Education, Employment and Workplace Relations”, in the “Departmental Outputs” column, to transfer an amount to Austrade.

Functions relating to the international promotion of Australia’s education and training sectors were transferred from the Department of Education, Employment and Workplace Relations to the Australian Trade Commission due to a Government decision with effect from 1 July 2010.

Note 4: *Financial Management and Accountability Act 1997 Determination 2010/25 – Section 32 (Transfer of Functions from DEEWR to APSC)* amended an amount in this table alongside “Total: Department of Education, Employment and Workplace Relations”, in the “Departmental Outputs” column, to transfer an amount to the APSC.

Functions relating to Australian Public Service employment and workplace relations policy and the Defence Force Remuneration Tribunal were transferred from the Department of Education, Employment and Workplace Relations to the Australian Public Service Commission due to a change to the *Administrative Arrangements Order* on 29 June 2010.

[3] Schedule 1, Prime Minister and Cabinet portfolio, Australian Public Service Commission table, alongside “Total: Australian Public Service Commission”, in the “Departmental Outputs” column

omit

20,981

insert

21,963.73663

[4] Schedule 1, Prime Minister and Cabinet portfolio, after the Australian Public Service Commission table

insert

Note 1: The table has been amended by a determination under the *Financial Management and Accountability Act 1997*. Such determinations amended only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the “Total” amount in relation to an agency under the heading “Departmental”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading “Administered”.

No other amounts in the table have been amended.

Note 2: Financial Management and Accountability Act 1997 Determination 2010/25 – Section 32 (Transfer of Functions from DEEWR to APSC) amended an amount in this table alongside “Total: Australian Public Service Commission” in the “Departmental Outputs” column, to transfer an amount from the Department of Education, Employment and Workplace Relations.

Functions relating to Australian Public Service employment and workplace relations policy and the Defence Force Remuneration Tribunal were transferred from the Department of Education, Employment and Workplace Relations to the Australian Public Service Commission due to a change to the *Administrative Arrangements Order* on 29 June 2010.

Schedule 2 **Amendment of *Appropriation Act (No. 1) 2010-2011***

(Clause 4)

- [1] **Schedule 1, Education, Employment and Workplace Relations portfolio, Department of Education, Employment and Workplace Relations table, alongside “Total: Department of Education, Employment and Workplace Relations”, in the “Departmental” column**

omit

818,094

insert

814,066.848

- [2] **Schedule 1, Education, Employment and Workplace Relations portfolio, after the Department of Education, Employment and Workplace Relations table**

insert

Note 1: The table has been amended by a determination under the *Financial Management and Accountability Act 1997*. Such determinations amend only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the “Total” amount in relation to an agency under the heading “Departmental”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading “Administered”.

No other amounts in the table have been amended.

Note 2: *Financial Management and Accountability Act 1997 Determination 2010/25 – Section 32 (Transfer of Functions from DEEWR to APSC)* amended an amount in this table alongside “Total: Department of Education, Employment and Workplace Relations”, in the “Departmental” column, to transfer an amount from the APSC.

Functions relating to Australian Public Service employment and workplace relations policy and the Defence Force Remuneration Tribunal were transferred from the Department of Education, Employment and Workplace Relations to the Australian Public Service Commission due to a change to the *Administrative Arrangements Order* on 29 June 2010.

- [3] **Schedule 1, Prime Minister and Cabinet portfolio, Australian Public Service Commission table, alongside “Total: Australian Public Service Commission” in the “Departmental” column**

omit

33,527

insert

37,554.152

[4] Schedule 1, Prime Minister and Cabinet portfolio, after the Australian Public Service Commission table

insert

Note 1: The table has been amended by a determination under the *Financial Management and Accountability Act 1997*. That determination has amended only the actual appropriation items:

- (a) for departmental items, the actual appropriation item is the “Total” amount in relation to an agency under the heading “Departmental”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading “Administered”.

No other amounts in the table have been amended.

Note 2: Financial Management and Accountability Act 1997 Determination 2010/25 – Section 32 (Transfer of Functions from DEEWR to APSC) amended an amount in this table alongside “Total: Australian Public Service Commission”, in the “Departmental” column, to transfer an amount from the Department of Education, Employment and Workplace Relations.

Functions relating to Australian Public Service employment and workplace relations policy and the Defence Force Remuneration Tribunal were transferred from the Department of Education, Employment and Workplace Relations to the Australian Public Service Commission due to a change to the *Administrative Arrangements Order* on 29 June 2010.