



Financial Management and Accountability Act 1997 Determination 2011/19 — Section 32 (Transfer of Functions from DPMC to AGD)

Financial Management and Accountability Act 1997

I, PETER GIBSON, Acting 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 responsibility for the Privacy and Freedom of Information Reform function from the Department of the Prime Minister and Cabinet to the Attorney-General's Department.

Dated 29th November 2011

PETER GIBSON
Acting 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 2011/19 — Section 32 (Transfer of Functions from DPMC to AGD)*.

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) “DPMC” – refers to the Department of the Prime Minister and Cabinet.
- (b) “AGD” – refers to the Attorney-General’s Department.

Note 3: Responsibility for the Privacy and Freedom of Information Reform function was transferred from the Department of the Prime Minister and Cabinet to the Attorney-General’s Department due to a Government decision with effect from 19 October 2011.

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) 2010-2011*

Schedule 1 amends *Appropriation Act (No. 1) 2010-2011* to reduce an amount of \$777,120.00 from the “Departmental” item for DPMC.

4 Amendment of *Appropriation Act (No. 1) 2011-2012*

Schedule 2 amends *Appropriation Act (No. 1) 2011-2012* to reduce an amount of \$331,561.43 of the “Departmental” item for DPMC and to increase the “Departmental” item for AGD by \$1,108,681.43.

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

(Clause 3)

- [1] **Schedule 1, Prime Minister and Cabinet portfolio, Department of the Prime Minister and Cabinet table, for Total: Department of Prime Minister and Cabinet, under the heading “Departmental”**

omit

156,664.52876

insert

156,332.96733

- [2] **Schedule 1, Prime Minister and Cabinet portfolio, Department of the Prime Minister and Cabinet table**

omit the notes, 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 2010/27 – Section 32 (Transfer of Functions from Health to DPMC) amended two amounts in this table:

- (a) amended the amount alongside “Total”, under the heading “Departmental”, to transfer an amount to the Departmental item from the Department of Health and Ageing; and
- (b) added an “Outcome 3” and, alongside Outcome 3, an amount under the heading “Administered”, to transfer an amount to the Outcome 3 Administered item from the Department of Health and Ageing.

Functions relating to sport and recreation were transferred from the Department of Health and Ageing to the Department of the Prime Minister and Cabinet due to a Government decision with effect from 14 September 2010.

Note 3: Financial Management and Accountability Act 1997 Determination 2010/29 – Section 32 (Transfer of Functions from DPMC to OAIC) amended in this table the amount alongside “Total” under the heading “Departmental”, to transfer an amount to the departmental item for the Office of the Australian Information Commissioner.

The Office of the Australian Information Commissioner was established by the *Australian Information Commissioner Act 2010*, effective on 1 November 2010.

Note 4: Financial Management and Accountability Act 1997 Determination 2010/31 – Section 32 (Transfer of Functions from ASIO to PM&C) amended an amount alongside “Total” under the heading “Departmental”, to transfer an amount to the departmental item from the Australian Security Intelligence Organisation.

On 14 September 2010 the ministerial portfolios were restructured and departments were renamed. Functions relating to cyber policy co-ordination were transferred from the Australian Security Intelligence Organisation to the Department of the Prime Minister and Cabinet.

Note 5: Financial Management and Accountability Act 1997 Determination 2010/35 — Section 32 (Transfer of Functions from DPMC to Finance) amended two amounts in this table:

- (a) the amount alongside “Total” under the heading “Departmental”, to transfer an amount to the departmental item for the Department of Finance and Deregulation; and
- (b) the amount alongside Outcome 1 under the heading “Administered”, to transfer an amount alongside Outcome 2 under the heading “Administered” for the Department of Finance and Deregulation.

Note 6: Financial Management and Accountability Act 1997 Determination 2010/36 — Section 32 (Transfer of Functions from DPMC to DOIT) amended the amount alongside “Total” under the heading “Departmental”, to transfer an amount to the former Department of Infrastructure, Transport, Regional Development and Local Government.

The Australian Government has made a decision to transfer the Office of the Co-ordinator General to the Department of Infrastructure and Transport.

Note 7: Financial Management and Accountability Act 1997 Determination 2010/40 — Section 32 (Transfer of Functions from FaHCSIA to DPMC) amended this table as follows:

- (a) amended the amount alongside “Total”, under the heading “Departmental”, to transfer an amount to the departmental item from the Department of Families, Housing, Community Services and Indigenous Affairs;
- (b) amended the amount alongside Outcome 1 under the heading “Administered”, to transfer an amount from the Department of Families, Housing, Community Services and Indigenous Affairs; and
- (c) added an “Outcome 2” and, alongside Outcome 2, an amount under the heading “Administered”, to transfer an amount from the Department of Families, Housing, Community Services and Indigenous Affairs.

Note 8: Financial Management and Accountability Act 1997 Determination 2011/02 — Section 32 (Transfer of Functions from DSEWPC to DPMC) amended this table as follows:

- (a) amended the amount alongside “Total”, under the heading “Departmental”, to transfer an amount from the Department of Sustainability, Environment, Water Population and Communities; and
- (b) amended the amount alongside Outcome 2 under the heading “Administered”, to transfer an amount from the Department of Sustainability, Environment, Water Population and Communities.

Note 9: Financial Management and Accountability Act 1997 Determination 2011/06 — Section 32 (Transfer of Functions from Defence to DPMC) amended an amount alongside “Total: Department of the Prime Minister and Cabinet” under the heading “Departmental”, to transfer an amount from the Department of Defence

Note 10: Financial Management and Accountability Act 1997 Determination 2011/07 — Section 32 (Transfer of Functions from the former DEWHA to DPMC) amended the amount alongside Outcome 5 under the heading “Administered”, to transfer an amount to the Department of the Prime Minister and Cabinet

Note 11: Financial Management and Accountability Act 1997 Determination 2011/08 — Section 32 (Transfer of Functions from FACSIA to DPMC) amended an amount alongside “Total: Department of the Prime Minister and Cabinet” under the heading “Departmental”, to transfer an amount from the Families, Housing, Community Services and Indigenous Affairs.

Note 12: Financial Management and Accountability Act 1997 Determination 2011/10 — Section 32 (Transfer of Functions from the former DEWHA to DPMC) amended the amount alongside “Total: Department of the Environment, Water, Heritage and the Arts” under the heading “Departmental Outputs”, to transfer an amount to the Department of the Prime Minister and Cabinet.

Note 13: Financial Management and Accountability Act 1997 Determination 2011/13 – Section 32 (Transfer of Functions from DPMC to DBCDE) amended an amount alongside “Total: Department of the Prime Minister and Cabinet” under the heading “Departmental”, to transfer an amount to the departmental item for the Department of Broadband, Communications and the Digital Economy.

Note 14: Financial Management Accountability Act 1997 Determination 2011/19 – Section 32 (Transfer of Functions from DPMC to AGD) amended an amount alongside “Total: Department of the Prime Minister and Cabinet under the heading “Departmental”, to transfer an amount to the “Departmental” item for the Attorney-General’s Department.

Schedule 2 **Amendment of *Appropriation Act (No. 1) 2011-2012***

(Clause 4)

- [1] **Schedule 1, Prime Minister and Cabinet portfolio, Department of the Prime Minister and Cabinet table, for Total: Department of Prime Minister and Cabinet, under the heading “Departmental”**

omit

204,965.235

insert

204,188.115

- [2] **Schedule 1, Prime Minister and Cabinet portfolio, Department of the Prime Minister and Cabinet table, total for Departmental 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: Financial Management and Accountability Act 1997 Determination 2011/13 — Section 32 (Transfer of Functions from DPMC to DBCDE) amended the amount alongside “Total: Department of the Prime Minister and Cabinet” under the heading “Departmental”, to transfer an amount to the Department of Broadband, Communications and the Digital Economy.

Note 3: Financial Management and Accountability Act 1997 Determination 2011/19 — Section 32 (Transfer of Functions from DPMC to AGD) amended the amount alongside “Total: Department of the Prime Minister and Cabinet” under the heading “Departmental”, to transfer an amount to the Attorney-General’s Department.

- [3] **Schedule 1, Attorney-General’s portfolio, Attorney-General’s Department table, for “Total: Attorney-General’s Department”, under the heading “Departmental”**

omit

222,127

insert

223,235.68143

[4] Schedule 1, Attorney-General's portfolio, after the Attorney-General's Department 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 2011/19 — Section 32 (Transfer of Functions from DPMC to AGD) amended the amount alongside "Total: Attorney-General's Department" under the heading "Departmental", to transfer an amount from the departmental item for the Department of the Prime Minister Cabinet to the Attorney-General's Department.