

EXPLANATORY STATEMENT

<p>The instrument to which this explanatory statement relates</p>	<p><i>Financial Management and Accountability Act 1997 Determination 2011/20 – Section 32 (Transfer of Functions from DPMC to AGD)</i></p>
<p>Date instrument was made</p>	<p>14 December 2011</p>
<p>The legislative authority under which the instrument is made</p>	<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>
<p>Purpose and effect of the instrument</p>	<p>Schedule 1 of this Instrument amends <i>Appropriation Act (No. 1) 2010-2011</i> to transfer:</p> <p>(a) \$331,561.43 of the departmental item (Outcome 1) for the Department of Prime Minister and Cabinet (DPMC) to the Departmental item (Outcome 1) for the Attorney-General’s Department (AGD).</p> <p>Schedule 2 of this Instrument amends <i>Appropriation Act (No. 1) 2011-2012</i> to:</p> <p>(a) transfer \$777,120.00 of the department item (Outcome 1) for DPMC to the Departmental item for AGD; and</p> <p>(b) increase \$1,108,681.43 of the departmental item (Outcome 1) for AGD.</p> <p>The effect of this schedule is to transfer appropriations relating to the Privacy and Freedom of Information Reform function from DPMC to AGD.</p>
<p>Background</p>	<p>Responsibilities for the Privacy and Freedom of Information Reform functions were transferred from DPMC to AGD due to a change in the <i>Administrative Arrangements Order</i> with effect from 19 October 2011.</p>
<p>Notes on the Instrument</p>	<p>In accordance with Part 3 of the <i>Legislative Instruments Act 2003</i>, Finance and DPS 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>