



Financial Management and Accountability Act 1997 Determination 2012/17 — Section 32 (Transfer of Functions from ABCC to FWBII)

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 abolish the Office of the Australian Building and Construction Commissioner and transfer all functions to the Office of the Fair Work Building Industry Inspectorate.

Dated 4 May 2012

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 2012/17 — Section 32 (Transfer of Functions from ABCC to FWBII)*.

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) “ABCC” – refers to the Office of the Australian Building and Construction Commissioner
- (b) “FWBII” – refers to the Office of the Fair Work Building Industry Inspectorate

Note 3: Due to a Government decision, ABCC is to be abolished as at 31 May 2012 and all functions will be transferred to FWBII.

2 Commencement

This Determination commences on 1 June 2012.

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

Schedule 1 amends *Appropriation Act (No. 1) 2010-2011* to:

- (a) reduce the departmental item for ABCC by \$8,500,000.00.

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

Schedule 2 amends *Appropriation Act (No. 1) 2011-2012* to:

- (a) reduce the departmental item for ABCC by \$35,593,298.00; and
- (b) increase the departmental item for FWBII by \$44,093,298.00.

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

(Clause 3)

- [1] **Schedule 1, Education, Employment and Workplace Relations Portfolio, Office of the Australian Building and Construction Commissioner table, alongside “Total: Office of the Australian Building and Construction Commissioner”, under the heading “Departmental”**

omit

33,332

insert

24,832

- [2] **Schedule 1, Education, Employment and Workplace Relations Portfolio, after the Office of the Australian Building and Construction Commissioner 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 2012/17 — Section 32 (Transfer of Functions from ABCC to FWBII)* amended an amount in this table alongside “Total: Office of the Australian Building and Construction Commissioner” under the heading “Departmental”, to transfer an amount to the departmental item for FWBII in *Appropriation Act (No. 1) 2011-2012*.

Due to a Government decision, ABCC is to be abolished as at 31 May 2012 and all functions will be transferred to FWBII.

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

(Clause 4)

- [1] **Schedule 1, Education, Employment and Workplace Relations Portfolio, Office of the Australian Building and Construction Commissioner table, alongside “Total: Office of the Australian Building and Construction Commissioner”, under the heading “Departmental”**

omit

36,006

insert

412.702

- [2] **Schedule 1, Education, Employment and Workplace Relations Portfolio, after the Office of the Australian Building and Construction Commissioner 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 2012/17 — Section 32 (Transfer of Functions from ABCC to FWBII)* amended an amount in this table alongside “Total: Office of the Australian Building and Construction Commissioner” under the heading “Departmental”, to transfer an amount to the departmental item for FWBII in *Appropriation Act (No. 1) 2011-2012*.

Due to a Government decision, ABCC is to be abolished as at 31 May 2012 and all functions will be transferred to FWBII.

[3] Schedule 1, Education, Employment and Workplace Relations Portfolio, immediately after the Office of the Australian Building and Construction Commissioner table

insert on a new page

	Departmental	Administered	Total
	\$'000	\$'000	\$'000
OFFICE OF THE FAIR WORK BUILDING INDUSTRY INSPECTORATE			
Outcome 1 –			
Enforce workplace relations laws in the building and construction industry and ensure compliance with those laws by all participants in the building and construction industry through the provision of education, assistance and advice	44,093.298	-	44,093.298
	-	-	-
Total: Office of the Fair Work Building Industry Inspectorate	44,093.298	-	44,093.298
	-	-	-

Note: Financial Management and Accountability Act 1997 Determination 2012/18 – Section 32 (Transfer of Functions from ABCC to FWBII) added this table and the amount alongside “Total: Office of the Fair Work Building Industry Inspectorate”, under the heading “Departmental” to transfer amounts from ABCC.

Due to a Government decision, ABCC is to be abolished as at 31 May 2012 and all functions will be transferred to FWBII.