



Financial Management and Accountability Act 1997 Determination 2012/24 – Section 32 (Transfer of Functions from DCCEE to CER)

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 establish the Clean Energy Regulator and to transfer the functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from the Department of Climate Change and Energy Efficiency to the Clean Energy Regulator.

Dated 27 June 2012

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 2012/24 – Section 32 (Transfer of Functions from DCCEE to CER)*.

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) “DCCEE” – refers to the Department of Climate Change and Energy Efficiency
- (b) “CER” – refers to the Clean Energy Regulator

Note 3: Functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems were transferred from DCCEE to CER.

2 Commencement

This Determination commences the day which it was made.

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

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

- (a) reduce the departmental item for DCCEE by \$12,805,947.00; and
- (b) increase the departmental item for CER by \$12,805,947.00.

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

Schedule 2 amends *Appropriation Act (No. 4) 2011-2012* to reduce an amount of \$18,977,930.49 of “Equity Injections” (an *other departmental item* defined in Section 3 of that Act) from DCCEE.

5 Amendment of *Appropriation Act (No. 2) 2009-2010*

Schedule 3 amends *Appropriation Act (No. 2) 2009-2010* to reduce an amount of \$1,114,859.51 of “Equity Injections” (an *other departmental item* defined in Section 3 of that Act) from DCCEE.

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

Schedule 4 amends *Appropriation Act (No. 2) 2011-2012* to increase an amount of \$20,092,790.00 of “Equity Injections” (an *other departmental item* defined in Section 3 of that Act) to CER.

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

(Clause 3)

- [1] **Schedule 1, Climate Change and Energy Efficiency portfolio, Department of Climate Change and Energy Efficiency table alongside “Total: Department of Climate Change and Energy Efficiency” under the heading “Departmental”**

omit

134,289

insert

121,483.053

- [2] **Schedule 1, Climate Change and Energy Efficiency portfolio, after the Department of Climate Change and Energy Efficiency table**

Omit the notes, insert

Note 1: The table has been amended by determinations 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 2012/13 — Section 32 (Transfer of Functions from DCCEE to CER) amended the amount alongside “Total, Department of Climate Change and Energy Efficiency” under the heading “Departmental”, to transfer an amount to the newly established Clean Energy Regulator due to a government decision to transfer functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from DCCEE to CER.

Note 3: Financial Management and Accountability Act 1997 Determination 2012/24 — Section 32 (Transfer of Functions from DCCEE to CER) amended the amount alongside “Total, Department of Climate Change and Energy Efficiency” under the heading “Departmental”, to transfer an amount to the newly established Clean Energy Regulator due to a government decision to transfer functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from DCCEE to CER.

- [3] **Schedule 1, Climate Change and Energy Efficiency portfolio, Clean Energy Regulator table, alongside “Total: Clean Energy Regulator” under the heading “Departmental”**

omit

22,262.03784

insert

35,067.98484

[4] Schedule 1, Climate Change and Energy Efficiency portfolio, after the Clean Energy Regulator table

Omit the notes, insert

Note 1: The table has been amended by determinations 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 2012/12 – Section 32 (Transfer of Functions from ORER to CER) inserted this table for the newly established Clean Energy Regulator (CER), as functions for administering and regulating the national renewable energy target scheme to encourage increased renewable electricity generation were transferred from the Office of the Renewable Energy Regulator to CER due to a government decision.

Note 3: Financial Management and Accountability Act 1997 Determination 2012/13 – Section 32 (Transfer of Functions from DCCEE to CER) amended the amount alongside “Total, Clean Energy Regulator” under the heading “Departmental”, due to a government decision to transfer functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from DCCEE to CER.

Note 4: Financial Management and Accountability Act 1997 Determination 2012/21 – Section 32 (Transfer of Functions from ORER to CER) amended the amount alongside “Total, Clean Energy Regulator” under the heading “Departmental” and amended the amount alongside Outcome 1 under the heading “Administered” for the newly established Clean Energy Regulator (CER), as functions for administering and regulating the national renewable energy target scheme to encourage increased renewable electricity generation were transferred from the Office of the Renewable Energy Regulator to CER due to a government decision.

Note 5: Financial Management and Accountability Act 1997 Determination 2012/24 – Section 32 (Transfer of Functions from DCCEE to CER) amended the amount alongside “Total, Department of Climate Change and Energy Efficiency” under the heading “Departmental”, to transfer an amount to the newly established Clean Energy Regulator due to a government decision to transfer functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from DCCEE to CER.

Schedule 2 **Amendment of *Appropriation Act (No. 4) 2011-2012***

(Clause 4)

- [1] **Schedule 2, Climate Change and Energy Efficiency portfolio, Department of Climate Change and Energy Efficiency table, alongside “Equity Injections” under the heading “Total”**

omit

29,961

insert

10,983.06951

- [2] **Schedule 2, Climate Change and Energy Efficiency portfolio, after the Department of Climate Change and Energy Efficiency table**

insert

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

- (a) for other departmental items, the actual appropriation item is the amount in relation to an agency opposite the heading “Equity Injections”, or, opposite the heading “Loans”, or, opposite the heading “Previous Years’ Outputs”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an agency under the heading “New Administered Outcomes”.

No other amounts in the table have been amended.

Note 2: Financial Management and Accountability Act 1997 Determination 2012/24 — Section 32 (Transfer of Functions from DCCEE to CER) amended the amount alongside Equity Injections under the heading “Total”, to transfer an amount from the Department of Climate Change and Energy Efficiency to the Clean Energy Regulator due to a government decision to transfer functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from DCCEE to CER.

Schedule 3 **Amendment of Appropriation Act (No. 2) 2009-2010**

(Clause 5)

- [1] **Schedule 2, Climate Change and Energy Efficiency portfolio,
Department of Climate Change and Energy Efficiency table,
alongside “Equity Injections” under the heading “Total”**

omit

54,525

insert

53,410.14049

- [2] **Schedule 1, Climate Change and Energy Efficiency portfolio, after
the Department of Climate Change and Energy Efficiency table**

Omit the notes, insert

Note 1: The table has been amended by a Determination under section 32 of the FMA Act. That determination has amended only the actual appropriation items:

- (a) for other departmental items, the actual appropriation item is the amount in relation to an entity opposite the heading “Equity Injections”, or, opposite the heading “Loans”, or, opposite the heading “Previous Years’ Outputs”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading “New Administered Expenses”; and
- (c) for State, ACT, NT and local government items the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading “Payments to States, ACT, NT and local government”; and
- (d) for an administered assets and liabilities item the actual appropriation item is the amount set out in relation to an entity opposite the heading “Administered Assets and Liabilities”.

No other amounts in the table have been amended.

Note 2: FMA Act Section 32 Determination 2010/07 amended the amount alongside Equity Injections, under the heading Total, to transfer an amount from the Department of the Environment, Water, Heritage and the Arts.

Note 3: *Financial Management and Accountability Act 1997 Determination 2012/24 — Section 32 (Transfer of Functions from DCCEE to CER)* amended the amount alongside Equity Injections under the heading “Total”, to transfer an amount from the Department of Climate Change and Energy Efficiency to the Clean Energy Regulator due to a government decision to transfer functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from DCCEE to CER.

Schedule 4 **Amendment of Appropriation Act (No. 2) 2011-2012**

(Clause 6)

- [1] Schedule 2, Climate Change and Energy Efficiency portfolio,
Clean Energy Regulator table, alongside “Equity Injections” under
the heading “Total”**

omit

3,619.800

insert

23,712.590

- [2] Schedule 1, Climate Change and Energy Efficiency portfolio, after
the Clean Energy Regulator table**

Omit the notes, insert

Note 1: The table has been amended by a Determination under section 32 of the FMA Act. That determination has amended only the actual appropriation items:

- (a) for other departmental items, the actual appropriation item is the amount in relation to an entity opposite the heading “Equity Injections”, or, opposite the heading “Loans”, or, opposite the heading “Previous Years’ Outputs”; and
- (b) for administered items, the actual appropriation item is the amount set out opposite an Outcome of an entity under the heading “New Administered Expenses”; and

No other amounts in the table have been amended.

Note 2: *Financial Management and Accountability Act 1997 Determination 2012/12 – Section 32 (Transfer of Functions from ORER to CER)* inserted this table for the newly established Clean Energy Regulator (CER), as functions for administering and regulating the national renewable energy target scheme to encourage increased renewable electricity generation were transferred from the Office of the Renewable Energy Regulator to CER due to a government decision.

Note 3: *Financial Management and Accountability Act 1997 Determination 2012/13 – Section 32 (Transfer of Functions from DCCEE to CER)* amended the amount alongside Equity Injections under the heading “Total”, due to a government decision to transfer functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from DCCEE to CER.

Note 4: *Financial Management and Accountability Act 1997 Determination 2012/21 – Section 32 (Transfer of Functions from ORER to CER)* amended the amount alongside Equity Injections under the heading “Total”, due to a government decision to transfer functions regarding the administering and regulating of the national renewable energy target scheme to encourage increased renewable electricity generation were transferred from the Office of the Renewable Energy Regulator to CER.

Note 5: *Financial Management and Accountability Act 1997 Determination 2012/24 – Section 32 (Transfer of Functions from DCCEE to CER)* amended the amount alongside Equity Injections under the heading “Total”, due to a government decision to transfer functions regarding the administration of the carbon pricing mechanism, Renewable Energy Target, Carbon Farming Initiative and the National Greenhouse and Energy Reporting Systems from DCCEE to CER.