



## **FMA Act Determination 2014/01 — Section 32 (Transfer of Functions from Industry to Environment and Foreign Affairs)**

*Financial Management and Accountability Act 1997*

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I, MARC MOWBRAY-D'ARBELA, Acting First Assistant Secretary, Financial Reporting and Cash Management Division, Department of Finance, make this Determination under section 32 of the *Financial Management and Accountability Act 1997* (FMA Act), as a delegate of the Finance Minister.

This Determination is made in response to the Administrative Arrangements Order, made on 18 September 2013, where functions were transferred from the former Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education (now the Department of Industry):

- in relation to domestic climate change, to the Department of the Environment (previously the Department of Sustainability, Environment, Water, Population and Communities); and
- in relation to international climate change, to the Department of Foreign Affairs and Trade.

Dated 30 January 2014

MARC MOWBRAY-D'ARBELA  
Acting First Assistant Secretary  
Financial Reporting and Cash Management Division  
Department of Finance

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## 1 Name of Determination

This Determination is the *FMA Act Determination 2014/01 — Section 32 (Transfer of Functions from Industry to Environment and Foreign Affairs)*.

## 2 Commencement

This Determination commences the business day after it is signed.

## 3 Purpose

The purpose of this Determination is to adjust amounts appropriated to support functions from the former Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education transferred to the Department of the Environment and the Department of Foreign Affairs and Trade, consistent with the Administrative Arrangements Order made on 18 September 2013. The further transfer of appropriations will occur in due course.

*Note 1:* This Determination has been made under section 32 of the FMA Act by a delegate of the Secretary of the Department of Finance. The Secretary is a delegate of the Finance Minister (in accordance with section 62 of the FMA Act) and the Secretary has, in turn, sub-delegated that power to the signatory of this Determination (in accordance with section 53 of the FMA Act).

*Note 2:* On 18 September 2013, the Governor-General in Council acting under section 64 of the Constitution, renamed the former Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education as the Department of Industry, and renamed the former Department of Sustainability, Environment, Water, Population and Communities as the Department of the Environment.

## 4 Amendment of Appropriation Act

Schedule 1 to the *Appropriation Act (No. 1) 2013-2014* is amended as set out in Schedule 1 to this Determination.

## 5 Definitions

In this Determination, unless the contrary intention appears, **FMA Act** means the *Financial Management and Accountability Act 1997*.

# Schedule 1 Amendment of Appropriation Act (No. 1) 2013-2014

## 1 At the end of Schedule 1, after the note to Table 28 for FMA Act Determination 2013/21 — Section 32 (Transfer of Functions from Social Services to AACQA)

Insert:

### 17 FMA Act Determination 2014/01 — Section 32 (Transfer of Functions from Industry to Environment and Foreign Affairs)

Schedule 1 to this Act is amended in accordance with section 32 of the *Financial Management and Accountability Act 1997* (FMA Act).

#### New Outcome in Table 29:

A new Outcome 7 is created for the Department of the Environment (Environment), which is set out at Table 29. The text of Outcome 7 for Environment corresponds to a significant extent to the text of Outcome 4 for the former Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education (Industry).

Where a new outcome inserted by a Table corresponds either in whole or in part to the text of an existing outcome for an Agency, the new outcome is to be read as including activities indicated in the relevant Portfolio Budget Statements in respect of the existing outcome to the extent that the text of the new outcome corresponds to that of the existing outcome. Accordingly, for the purposes of Outcome 7, Environment can perform the climate change activities indicated in the Portfolio Budget Statements 2013-2014 for Outcome 4 of Industry except those activities relating to bilateral, regional and multilateral engagement internationally.

#### Amendment of appropriations in Table 30:

Amendments to appropriations are as specified in Table 30.

The appropriation item (listed in Column 1) for the Agency (listed in Column 2) is amended by the relevant amount (listed in Column 3). A positive amount in Column 3 is an increase in the appropriation and a negative amount is a decrease in the appropriation.

**Table 29: New Outcome for the Department of the Environment**

	Departmental	Administered	Total
	\$'000	\$'000	\$'000
<b>DEPARTMENT OF THE ENVIRONMENT</b>			
<b>Outcome 7 -</b>	0	0	0
Reduction of Australia's greenhouse gas emissions, adaptation to the impacts of climate change, and contribution towards the negotiation of an effective global solution to climate change, through the development and implementation of a national response to climate change			
<b>Total: Department of the Environment</b>			

**Table 30: Amendment of appropriations**

	Column 1	Column 2	Column 3
Item	Appropriation item	Agency	Amount (\$'000)
1	Administered item, Outcome 7	Department of the Environment	+14,775
2	Administered item, Outcome 1	Department of Foreign Affairs and Trade	+2,588
3	Administered item, Outcome 4	Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education	-17,363
4	Departmental item	Department of the Environment	+30,676
5	Departmental item	Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education	-30,676

Note: Section 32 of the FMA Act enables the Finance Minister to determine that Schedules to Appropriation Acts are amended in relation to a transfer of functions between Agencies. A determination under section 32 of the FMA Act cannot result in a change to the total amount appropriated. *FMA Act Determination 2014/01 — Section 32 (Transfer of Functions from Industry to Environment and Foreign Affairs)* affects this Act in a specified way to result in no change to the total amount appropriated.

Due to a change to the Administrative Arrangements Order on 18 September 2013, functions were transferred from the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education (now the Department of Industry): in relation to domestic climate change, to the Department of the Environment (previously the Department of Sustainability, Environment, Water, Population and Communities); and, in relation to international climate change, to the Department of Foreign Affairs and Trade.

## 2 Schedule 1, Foreign Affairs and Trade portfolio, after the Department of Foreign Affairs and Trade table

After Note 1, insert:

Note 2: *FMA Act Determination 2014/01 — Section 32 (Transfer of Functions from Industry to Environment and Foreign Affairs)* increased the administered item for Outcome 1 for the Department of Foreign Affairs and Trade by the amount specified in Table 30 at the end of Schedule 1 to this Act.

## 3 Schedule 1, Industry, Innovation, Climate Change, Science, Research and Tertiary Education portfolio, after the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education table

After Note 4, insert:

Note 5: *FMA Act Determination 2014/01 — Section 32 (Transfer of Functions from Industry to Environment and Foreign Affairs)* decreased the administered item for Outcome 4 and also the departmental item for the Department of Industry (previously the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education) by the amounts specified respectively in Table 30 at the end of Schedule 1 to this Act.

## 4 Schedule 1, Sustainability, Environment, Water, Population and Communities portfolio, after the Department of Sustainability, Environment, Water, Population and Communities table

Insert:

Note 1: *FMA Act Determination 2014/01 — Section 32 (Transfer of Functions from Industry to Environment and Foreign Affairs)* created a new Outcome 7 for the Department of the Environment which is set out in Table 29 at the end of Schedule 1 to this Act.

Additionally, the Determination increased the administered item for Outcome 7 and also the departmental item for the Department of the Environment by the amounts specified respectively in Table 30 at the end of Schedule 1 to this Act.