



FMA Act Determination 2014/08 — Section 32 (Transfer of Functions from DRET to Industry)

Financial Management and Accountability Act 1997

I, ALAN GREENSLADE, First Assistant Secretary, Financial Analysis, Reporting and Management, Department of Finance, make this Determination under section 32 of the *Financial Management and Accountability Act 1997* (FMA Act), as delegate of the Secretary of the Department of Finance, who, in turn, is a delegate of the Finance Minister.

This Determination is made in response to the Administrative Arrangements Order made on 18 September 2013. The Department of Resources, Energy and Tourism was abolished on 18 September 2013 by the Governor-General in Council acting under section 64 of the Constitution and its functions in relation to resources, energy and tourism were transferred to the Department of Industry (previously the Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education). The amended Administrative Arrangements Order of 3 October 2013 has moved the responsibility of the tourism function to the Department of Foreign Affairs and Trade.

Dated 1 May 2014

ALAN GREENSLADE
First Assistant Secretary
Financial Analysis, Reporting and Management
Department of Finance

1 Name of Determination

This Determination is the *FMA Act Determination 2014/08 — Section 32 (Transfer of Functions from DRET to Industry)*.

2 Commencement

This Determination commences on 2 May 2014.

3 Purpose

The purpose of this Determination is to adjust amounts appropriated to support functions moved from the former Department of Resources, Energy and Tourism to the Department of Industry, consistent with the Administrative Arrangements Order made on 18 September 2013.

Note 1: This Determination has been made by a delegate of the Secretary of the Department of Finance. The Secretary is, in turn, a delegate of the Finance Minister (in accordance with section 62 of the FMA Act) and the Secretary has 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 Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education as the Department of Industry.

Note 3: This Determination relates to the third transfer of appropriations. An initial transfer of appropriations relating to the Administrative Arrangements Order occurred on 20 September 2013, under *FMA Act Determination 2013/08 — Section 32 (Transfer of Functions from DRET to Industry)*. A second transfer of appropriations occurred on 29 October 2013, under *FMA Act Determination 2013/10 — Section 32 (Transfer of Functions from DRET to Industry)*.

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:

- **Department of Industry** includes a reference to the former Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education.
- **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 36 for FMA Act Determination 2014/06 — Section 32 (Transfer of Functions from Health to Social Services)

Insert:

23 FMA Act Determination 2014/08 — Section 32 (Transfer of Functions from DRET to Industry)

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

Amendment of appropriations in Table 37:

Amendments to appropriations are as specified in Table 37. 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 37: Amendment of appropriations

	Column 1	Column 2	Column 3
Item	Appropriation item	Agency	Amount (\$'000)
1	Administered item, Outcome 5	Department of Industry	+135,017
2	Administered item, Outcome 1	Department of Resources, Energy and Tourism	-135,017

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 2014/08 — Section 32 (Transfer of Functions from DRET to Industry)* 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, and the amendment to the Administrative Arrangements Order on 3 October 2013, functions relating to resources and energy were transferred from the former Department of Resources, Energy and Tourism to the Department of Industry.

This Determination is the third transfer of appropriations in relation to the abolition of the Department of Resources, Energy and Tourism. The first occurred on 20 September 2013 under *FMA Act Determination 2013/08 — Section 32 (Transfer of Functions from DRET to Industry)*. The second occurred on 29 October 2013 under *FMA Act Determination 2013/10 — Section 32 (Transfer of Functions from DRET to Industry)*.

2 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 6, insert:

Note 7: *FMA Act Determination 2014/08 — Section 32 (Transfer of Functions from DRET to Industry)* further increased the administered item for Outcome 5 for Industry by the amount specified in Table 37 at the end of Schedule 1 to this Act.

3 Schedule 1, Resources, Energy and Tourism portfolio, after the Department of Resources, Energy and Tourism table

After Note 2, Insert:

Note 3: *FMA Act Determination 2014/08 — Section 32 (Transfer of Functions from DRET to Industry)* further decreased the administered item for Outcome 1 for the Department of Resources, Energy and Tourism by the amount specified in Table 37 at the end of Schedule 1 to this Act.