



FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)

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 a delegate of the Secretary of the Department of Finance. The Secretary has been delegated powers under section 32 by the Finance Minister.

This Determination is made in response to the Administrative Arrangements Order made on 18 September 2013. Functions relating to migrant settlement and multicultural affairs were transferred from the Department of Immigration and Border Protection (previously the Department of Immigration and Citizenship) to the Department of Social Services (previously the Department of Families, Housing, Community Services and Indigenous Affairs).

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 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)*.

2 Commencement

This Determination commences on 2 May 2014.

3 Purpose

The purpose of this Determination is to further adjust amounts appropriated to support functions moved from the Department of Immigration and Border Protection to the Department of Social Services, consistent with the Administrative Arrangements Order made on 18 September 2013.

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 Finance Minister has delegated power under s 32 to the Secretary (in accordance with section 62 of the FMA Act), who 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 Immigration and Citizenship as the Department of Immigration and Border Protection, and the Department of Families, Housing, Community Services and Indigenous Affairs as the Department of Social Services.

Note 3: This Determination is the third transfer of appropriations in relation to the transfer of migrant settlement and multicultural affairs functions. An initial transfer of appropriations occurred on 31 October 2013, under *FMA Act Determination 2013/11 — Section 32 (Transfer of Functions from Immigration to Social Services and Industry)*. A second transfer occurred on 4 March 2014, under *FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)*.

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.

Schedule 1 to the *Appropriation Act (No. 1) 2012-2013* is amended as set out in Schedule 2 to this Determination.

5 Definitions

In this Determination, unless the contrary intention appears:

- **Department of Immigration and Border Protection** includes a reference to the Department of Immigration and Citizenship.
- **Department of Social Services** includes a reference to the Department of Families, Housing, Community Services and Indigenous Affairs.
- **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 37 for FMA Act Determination 2014/08 — Section 32 (Transfer of Functions from DRET to Industry)

Insert:

24 FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)

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

Amendment of appropriations in Table 38:

Amendments to appropriations are as specified in Table 38.

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 38: Amendment of appropriations

	Column 1	Column 2	Column 3
Item	Appropriation item	Agency	Amount \$'000
1	Departmental item	Department of Social Services	+4,756
2	Departmental item	Department of Immigration and Citizenship	-4,756

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 2014/10 — Section 32 (Transfer of Functions from Immigration to Social Services)* 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 in relation to migrant settlement and multicultural affairs were transferred from the Department of Immigration and Border Protection (previously the Department of Immigration and Citizenship) to the Department of Social Services.

This Determination is the third transfer of appropriations in relation to the transfer of migrant settlement and multicultural affairs functions. An initial transfer of appropriations occurred on 31 October 2013, under *FMA Act Determination 2013/11 — Section 32 (Transfer of Functions from Immigration to Social Services and Industry)*. A second transfer occurred on 4 March 2014, under *FMA Act Determination 2014/04 — Section 32 (Transfer of Functions from Immigration to Social Services)*.

2 Schedule 1, Families, Housing, Community Services and Indigenous Affairs portfolio, after the Department of Families, Housing, Community Services and Indigenous Affairs table

After Note 9, insert:

Note 10: *FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)* increased the departmental item for the Department of Social Services (previously the Department of Families, Housing, Community Services and Indigenous Affairs) by the amount specified in Table 38 at the end of Schedule 1 to this Act.

3 Schedule 1, Immigration and Citizenship portfolio, after the Department of Immigration and Citizenship table

After Note 2, insert:

Note 3: *FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)* decreased the departmental item for the Department of Immigration and Border Protection (previously the Department of Immigration and Citizenship) by the amount specified respectively in Table 38 at the end of Schedule 1 to this Act.

Schedule 2 Amendment of Appropriation Act (No. 1) 2012-2013

1 At the end of Schedule 1, after the note to Table 6 for FMA Act Determination 2014/07 — Section 32 (Transfer of Functions from Health to Social Services)

Insert:

6 FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)

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

Amendment of appropriations in Table 7:

Amendments to appropriations are as specified in Table 7.

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 7: Amendment of appropriations

	Column 1	Column 2	Column 3
Item	Appropriation item	Agency	Amount \$'000
1	Departmental item	Department of Social Services	+7,386
2	Departmental item	Department of Immigration and Citizenship	-7,386

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 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)* 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 in relation to migrant settlement and multicultural affairs were transferred from the Department of Immigration and Border Protection (previously the Department of Immigration and Citizenship) to the Department of Social Services.

This Determination is the third transfer of appropriations in relation to the transfer of migrant settlement and multicultural affairs functions. An initial transfer of appropriations occurred on 31 October 2013, under *FMA Act Determination 2013/11 — Section 32 (Transfer of Functions from Immigration to Social Services and Industry)*. A second transfer occurred on 4 March 2014, under *FMA Act Determination 2014/04 — Section 32 (Transfer of Functions from Immigration to Social Services)*.

2 Schedule 1, Families, Housing, Community Services and Indigenous Affairs portfolio, after the Department of Families, Housing, Community Services and Indigenous Affairs table

After Note 1, insert:

Note 2: *FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)* increased the departmental item for the Department of Social Services (previously the Department of Families, Housing, Community Services and Indigenous Affairs) by the amount specified in Table 7 at the end of Schedule 1 to this Act.

3 Schedule 1, Immigration and Citizenship portfolio, after the Department of Immigration and Citizenship table

After Note 3, insert:

Note 4: *FMA Act Determination 2014/09 — Section 32 (Transfer of Functions from Immigration to Social Services)* decreased the departmental item for the Department of Immigration and Border Protection (previously the Department of Immigration and Citizenship) by the amount specified in Table 7 at the end of Schedule 1 to this Act.