



PGPA Act Determination (IRSD Special Account 2020)

I, MATHIAS HUBERT PAUL CORMANN, Minister for Finance, make the following determination.

Dated 11 / 02 / 2020

MATHIAS HUBERT PAUL CORMANN
Minister for Finance

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Part 1—Establishment

1 Name

This instrument is the *PGPA Act Determination (IRSD Special Account 2020)*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Column 1 | Column 2 | Column 3 |
|------------------------------|---|--------------|
| Provisions | Commencement | Date/Details |
| The whole of this instrument | The day mentioned in paragraph 79(5)(a) of the Act. | |

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any version of this instrument published on the Federal Register of Legislation.

3 Authority

This instrument is made under subsections 78(1) and 78(3) of the Act.

4 Definitions

In this instrument:

accountable authority has the same meaning as in the Act.

Act means the *Public Governance, Performance and Accountability Act 2013*.

Commonwealth company has the same meaning as in the Act.

Commonwealth entity has the same meaning as in the Act.

IRSD means Indigenous Remote Service Delivery.

IRSD account means the *Indigenous Remote Service Delivery Special Account* established by the IRSD instrument.

IRSD instrument means the *Financial Management and Accountability Determination 2010/06 – Indigenous Remote Service Delivery Special Account Establishment 2010*.

NIAA means the National Indigenous Australians Agency.

the special account means the *IRSD Special Account 2020* established by this instrument.

5 Establishment of the special account

For paragraph 78(1)(a) of the Act, the *IRSD Special Account 2020* is established as a special account (*the special account*).

6 Accountable authority responsible for the special account

For paragraph 78(1)(d) of the Act, the accountable authority responsible for the special account is the accountable authority of the NIAA.

Part 2—Special account credits and debits

7 Amounts that may be credited to the special account

For paragraph 78(1)(b) of the Act, the following amounts may be credited to the special account:

- (a) an amount received in the course of the performance of functions that relate to a purpose of the special account;
- (b) an amount received from any person for a purpose of the special account.

8 Purposes of the special account

For paragraph 78(1)(c) of the Act, the purposes of the special account, in relation to which amounts may be debited from the special account, are:

- (a) to support high priority projects in remote Indigenous communities;
- (b) to develop, promote, assist or improve the design, delivery and coordination of governance, community development, infrastructure and services in remote Indigenous communities;
- (c) to support projects that address community priorities agreed between remote Indigenous communities and the Commonwealth;
- (d) to repay amounts credited to the special account to the original payer of such amounts, including the residual after any necessary payments are made for the purposes mentioned in paragraphs (a), (b) or (c) above;
- (e) to disburse an amount in connection with services performed by the NIAA for or on behalf of a Commonwealth entity, Commonwealth company, government, or other body, in relation to remote Indigenous communities;
- (f) to disburse an amount in connection with an agreement between the Commonwealth and another government, or a joint activity performed for, on behalf of, or together with another government, in relation to remote Indigenous communities;
- (g) to repay an amount where a court order, Act or other law requires or permits the repayment of an amount received;
- (h) to disburse an amount for an activity that is incidental to a purpose of the special account, including but not limited to:
 - (i) the administration of the special account;
 - (ii) direct and indirect costs;
- (i) to reduce the balance of the special account (and, therefore, the available appropriation for the special account) without making a real or notional payment.

Part 3—Transitional, revocation and repeal provisions

9 Opening balance of the special account

- (1) For paragraph 78(1)(b) of the Act, the amount in subsection 9(2) of this instrument (*opening balance*) is required to be credited to the special account immediately after its establishment.
- (2) The opening balance is equal to the amount standing to the credit of the IRSD account immediately prior to the commencement date in section 2 of this instrument.

10 Revocation of IRSD instrument

For subsection 78(3) of the Act, the IRSD instrument is revoked.

11 Additional repeal provisions

- (1) For subsection 78(3) of the Act, Part 3 of this instrument is repealed at the end of the seventh day after the revocation of the IRSD instrument under section 10 of this instrument (*date of repeal*).
- (2) For subsection 78(3) of the Act, the following definitions in section 4 of this instrument are repealed on the date of repeal:
 - (a) definition of *IRSD account*;
 - (b) definition of *IRSD instrument*;
- (3) Despite subsection 11(1) of this instrument, the effects of Part 4 of this instrument remain in force after the date of repeal.