

Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2018‑2019 (No. 10)

I, Tracey Carroll, First Assistant Secretary, Financial Analysis, Reporting and Management, Department of Finance, make the following determination.

Dated 25 February 2020

Tracey Carroll

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

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1 Name

 This instrument is the *Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2018-2019 (No. 10)*.

2 Commencement

 This instrument commences on the day after registration.

3 Authority

 This instrument is made under section 75 of the *Public Governance, Performance and Accountability Act 2013*.

4 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Public Governance, Performance and Accountability (Section 75 Transfers) Determination 2018‑2019

1. Paragraph 5(1)(c)

Repeal the paragraph, substitute:

* 1. references in the Schedules to the Acts to the Education and Training Portfolio were references to the Education, Skills and Employment Portfolio; and
1. Paragraph 5(1)(d)

Repeal the paragraph, substitute:

* 1. references in the Schedules to the Acts to the Department of Education and Training were references to the Department of Education, Skills and Employment; and
1. Paragraph 5(1)(h)

Repeal the paragraph, substitute:

* 1. references in the Schedules to the Acts to the Infrastructure, Regional Development and Cities Portfolio were references to the Infrastructure, Transport, Regional Development and Communications Portfolio; and
1. Paragraph 5(1)(i)

Repeal the paragraph, substitute:

* 1. references in the Schedules to the Acts to the Department of Infrastructure, Regional Development and Cities were references to the Department of Infrastructure, Transport, Regional Development and Communications; and
1. At the end of subsection 5(1)

Add:

* 1. references in the Schedules to Acts to the Environment and Energy Portfolio were references to the Agriculture, Water and the Environment Portfolio; and
	2. references in the Schedules to the Acts to the Department of the Environment and Energy were references to the Department of Agriculture, Water and the Environment; and
	3. references in the Schedules to the Acts to the Department of Industry, Innovation and Science were references to the Department of Industry, Science, Energy and Resources.
1. Paragraph 5(2)(a)

Repeal the paragraph.

1. Paragraph 5(2)(d)

Repeal the paragraph, substitute:

* 1. items and outcomes for the following entities, included for the Employment, Skills, Small and Family Business Portfolio, were instead included for an Industry, Science, Energy and Resources Portfolio:
1. Sub-paragraph 5(2)(d)(i)

Repeal the sub-paragraph, substitute:

* + 1. Department of Industry, Science, Energy and Resources;
1. At the end of subsection 5(2)

Add:

 ; and (h) items and outcomes for the following entities, included for the Agriculture

 Portfolio, were instead included for the Agriculture, Water and the

 Environment Portfolio:

Australian Fisheries Management Authority;

Australian Pesticides and Veterinary Medicines Authority;

Murray-Darling Basin Authority;

Regional Investment Corporation.

1. At the end of subsection 6(3)

Add:

* 1. as if a departmental item for the following non-corporate entity were included for the Prime Minister and Cabinet Portfolio in Schedule 1 to the Act:

**NATIONAL INDIGENOUS AUSTRALIANS AGENCY**

* 1. as if an administered item were included for the National Indigenous Australians Agency:
		1. in the part of Schedule 1 to the Act dealing with the Prime Minister and Cabinet Portfolio; and
		2. opposite the following outcome:

**Outcome 1**

Improve results for Indigenous Australians including in relation to school attendance, employment and community safety, through delivering services and programmes, and through measures that recognise the special place that Indigenous people hold in this Nation

* 1. as if Outcome 2, Outcome 3 and Outcome 4 for the Department of Agriculture, Water and the Environment in Schedule 1 to the Act were replaced with the following outcomes:

**Outcome 2**

Advance Australia's strategic, scientific, environmental and economic interests in the Antarctic region by protecting, administering and researching the region

**Outcome 3**

More sustainable, productive, internationally competitive and profitable Australian agricultural, food and fibre industries through policies and initiatives that promote better resource management practices, innovation, self-reliance and improved access to international markets

**Outcome 4**

Safeguard Australia's animal and plant health status to maintain overseas markets and protect the economy and environment from the impact of exotic pests and diseases, through risk assessment, inspection and certification, and the implementation of emergency response arrangements for Australian agricultural, food and fibre industries

* 1. as if an administered item were included for the Department of Agriculture, Water and the Environment in Schedule 1 to the Act opposite the following outcome:

**Outcome 5**

Improve the health of rivers and freshwater ecosystems and water use efficiency through implementing water reforms, and ensuring enhanced sustainability, efficiency and productivity in the management and use of water resources

* 1. as if a departmental item for the following non-corporate entity were included for the Social Services Portfolio in Schedule 1 to the Act:

**SERVICES AUSTRALIA**

* 1. as if an administered item were included for Services Australia:
		1. in the part of Schedule 1 to the Act dealing with the Social Services Portfolio; and
		2. opposite the following outcome:

**Outcome 1**

Support individuals, families and communities to achieve greater self-sufficiency; through the delivery of advice and high quality accessible social, health and child support services and other payments; and support providers and businesses through convenient and efficient service delivery

* 1. as if an administered item were included for the Attorney-General’s Department in Schedule 1 to the Act opposite the following outcome:

**Outcome 2**

Facilitate jobs growth through policies and programs that promote fair, productive and safe workplaces

* 1. as if an administered item were included for the Department of Infrastructure, Transport, Regional Development and Communications in Schedule 1 to the Act opposite the following outcome:

**Outcome 5**

Promote an innovative and competitive communications sector, through policy development, advice and program delivery, so all Australians can realise the full potential of digital technologies and communications services

* 1. as if an administered item were included for the Department of Infrastructure, Transport, Regional Development and Communications in Schedule 1 to the Act opposite the following outcome:

**Outcome 6**

Participation in, and access to, Australia's arts and culture through developing and supporting cultural expression

* 1. as if an administered item were included for the Department of Industry, Science, Energy and Resources in Schedule 1 to the Act opposite the following outcome:

**Outcome 3**

Support the affordable, reliable, secure and competitive operation of energy markets for the long term benefit of the Australian community through improving Australia's energy supply, efficiency, quality, performance and productivity

1. **Subsection 6(4) (table items 2 and 3, 7 and 8, 10 and 11 and 13)**

Repeal the items, substitute:

|  |  |  |  |
| --- | --- | --- | --- |
| 2 | Department of the Prime Minister and Cabinet | Departmental item | -46,477.3102 |
| 3 | Department of Home Affairs | Departmental item | +7,727.17683 |
| 7 | Department of Social Services | Departmental item | +35,580.90077 |
| 8 | Department of Social Services | Administered item, Outcome 2 | -13,279.10787 |
| 10 | Department of Education, Skills and Employment | Departmental item | -14,219.2918 |
| 11 | Department of Employment, Skills, Small and Family Business | Departmental item | +13,507.7932 |
| 13 | Department of Home Affairs | Administered item, Outcome 2 | +45,873.35611 |

1. **Subsection 6(4) (at the end of the table)**

Add:

|  |  |  |  |
| --- | --- | --- | --- |
| 14 | Department of the Prime Minister and Cabinet | Administered item, Outcome 2 | -34,546.17425 |
| 15 | National Indigenous Australians Agency | Administered item, Outcome 1 | +34,546.17425 |
| 16 | National Indigenous Australians Agency | Departmental item | +45,240.3102 |
| 17 | Department of Agriculture | Administered item, Outcome 1 | -2,298.10159 |
| 18 | Department of Agriculture, Water and the Environment | Administered item, Outcome 3 | +2,298.10159 |
| 19 | Department of Agriculture | Administered item, Outcome 2 | -1,736.71229 |
| 20 | Department of Agriculture, Water and the Environment | Administered item, Outcome 4 | +1,736.71229 |
| 21 | Department of Agriculture | Administered item, Outcome 3 | -209,307.77093 |
| 22 | Department of Agriculture, Water and the Environment | Administered item, Outcome 5 | +209,307.77093 |
| 23 | Department of Agriculture | Corporate entity item, Murray-Darling Basin Authority | -7 |
| 24 | Department of Agriculture, Water and the Environment | Corporate entity item, Murray-Darling Basin Authority | +7 |
| 25 | Services Australia (Department of State) | Departmental item | -46,301 |
| 26 | Services Australia (Executive Agency) | Departmental item | +46,301 |
| 27 | Services Australia (Department of State) | Administered item, Outcome 1 | -1,557.69004 |
| 28 | Services Australia (Executive Agency) | Administered item, Outcome 1 | +1,557.69004 |
| 29 | Department of Employment, Skills, Small and Family Business | Administered item, Outcome 2 | -11,655.87097 |
| 30 | Attorney-General’s Department | Administered item, Outcome 2 | +11,655.87097 |
| 31 | Department of Communications and the Arts | Administered item, Outcome 1 | -26,830.64972 |
| 32 | Department of Infrastructure, Transport, Regional Development and Communications | Administered item, Outcome 5 | +26,830.64972 |
| 33 | Department of Communications and the Arts | Administered item, Outcome 2 | -614.25289 |
| 34 | Department of Infrastructure, Transport, Regional Development and Communications | Administered item, Outcome 6 | +614.25289 |
| 35 | Department of Communications and the Arts | Departmental item | -138.57792 |
| 36 | Department of Infrastructure, Transport, Regional Development and Communications | Departmental item | +138.57792 |
| 37 | Department of Agriculture, Water and the Environment | Administered item, Outcome 2 (Of the former Department of the Environment and Energy) | -12.55173 |
| 38 | Department of Industry, Science, Energy and Resources | Administered item, Outcome 3 | +12.55173 |

1. **At the end of the instrument**

Add:

7 Modification of *Appropriation Act (No. 2) 2018‑2019*

1. This section applies to the *Appropriation Act (No. 2) 2018‑2019*.
2. For the purposes of this section, assume that the substitutions described in section 5 have happened.
3. The Act has effect as follows:
4. as if an other departmental item (Equity Injections) for the following non‑corporate entity were included for the Prime Minister and Cabinet Portfolio in Schedule 2 to the Act:

**NATIONAL INDIGENOUS AUSTRALIANS AGENCY**

1. as if an administered assets and liabilities item for the following non‑corporate entity were included for the Agriculture, Water and the Environment Portfolio in Schedule 2 to the Act:

**DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT**

1. as if an other departmental item (Equity Injections) for the following non‑corporate entity were included for Social Services Portfolio in Schedule 2 to the Act:

**SERVICES AUSTRALIA**

1. The Act has effect:
	1. as if appropriation items in Schedule 2 to the Act were increased or decreased in accordance with the following table; and
	2. if the table specifies an increase for an appropriation item which is an appropriation item that has effect because of this determination – as if the increase were from a nil amount.

| Increases and decreases in appropriation items |
| --- |
| Item | Entity | Appropriation item | Increase (+)/decrease (‑)($’000) |
| 1 | Department of the Prime Minister and Cabinet | Other departmental item (Equity Injections) | -6,924 |
| 2 | National Indigenous Australians Agency | Other departmental item (Equity Injections) | +6,924 |
| 3 | Department of Agriculture | Other departmental item (Equity Injections) | -436.875 |
| 4 | Department of Agriculture, Water and the Environment | Other departmental item (Equity Injections) | +436.875 |
| 5 | Department of Agriculture | Administered assets and liabilities item | -657,192.11588 |
| 6 | Department of Agriculture, Water and the Environment | Administered assets and liabilities item | +657,192.11588 |
| 7 | Services Australia (Department of State) | Other departmental item (Equity Injections) | -9,600 |
| 8 | Services Australia (Executive Agency) | Other departmental item (Equity Injections) | +9,600 |

8 Modification of *Appropriation Act (No. 3) 2018‑2019*

1. This section applies to the *Appropriation Act (No. 3) 2018‑2019*.
2. For the purposes of this section, assume that the substitutions described in section 5 have happened.
3. The Act has effect as follows:
4. as if Outcome 2 for the Department of Home Affairs in Schedule 1 to the Act were replaced with the following outcome:

**Outcome 2**

Support a prosperous and inclusive society, and advance Australia’s economic interests through the effective management of the visa, multicultural and citizenship programs and the provision of refugee and humanitarian assistance and settlement and migrant services

1. as if Outcome 2, Outcome 3 and Outcome 4 for the Department of Agriculture, Water and the Environment in Schedule 1 to the Act were replaced with the following outcomes:

**Outcome 2**

Advance Australia's strategic, scientific, environmental and economic interests in the Antarctic region by protecting, administering and researching the region

**Outcome 3**

More sustainable, productive, internationally competitive and profitable Australian agricultural, food and fibre industries through policies and initiatives that promote better resource management practices, innovation, self-reliance and improved access to international markets

**Outcome 4**

Safeguard Australia's animal and plant health status to maintain overseas markets and protect the economy and environment from the impact of exotic pests and diseases, through risk assessment, inspection and certification, and the implementation of emergency response arrangements for Australian agricultural, food and fibre industries

1. as if an administered item were included for the Department of Agriculture, Water and the Environment in Schedule 1 to the Act opposite the following outcome:

**Outcome 5**

Improve the health of rivers and freshwater ecosystems and water use efficiency through implementing water reforms, and ensuring enhanced sustainability, efficiency and productivity in the management and use of water resources

1. as if a departmental item for the following non-corporate entity were included for the Social Services Portfolio in Schedule 1 to the Act:

**SERVICES AUSTRALIA**

1. as if an administered item were included for the Attorney-General’s Department in Schedule 1 to the Act opposite the following outcome:

**Outcome 2**

Facilitate jobs growth through policies and programs that promote fair, productive and safe workplaces

1. as if an administered item were included for the Department of Infrastructure, Transport, Regional Development and Communications in Schedule 1 to the Act opposite the following outcome:

**Outcome 5**

Promote an innovative and competitive communications sector, through policy development, advice and program delivery, so all Australians can realise the full potential of digital technologies and communications services

1. as if an administered item were included for the Department of Education, Skills and Employment in Schedule 1 to the Act opposite the following outcome:

**Outcome 4**

Foster a productive and competitive labour market through policies and programs that assist job seekers into work and meet employer needs

1. as if an administered item were included for the Department of Industry, Science, Energy and Resources in Schedule 1 to the Act opposite the following outcome:

**Outcome 2**

Reduce Australia’s greenhouse gas emissions, contribute to effective global action on climate change, and support technological innovation in clean and renewable energy, through developing and implementing a national response to climate change

1. as if an administered item were included for the Department of Industry, Science, Energy and Resources in Schedule 1 to the Act opposite the following outcome:

**Outcome 3**

Support the affordable, reliable, secure and competitive operation of energy markets for the long term benefit of the Australian community through improving Australia's energy supply, efficiency, quality, performance and productivity

1. as if an administered item were included for the Department of Industry, Science, Energy and Resources in Schedule 1 to the Act opposite the following outcome:

**Outcome 4**

Facilitating the growth of small and family business

1. The Act has effect:
	1. as if appropriation items in Schedule 1 to the Act were increased or decreased in accordance with the following table; and
	2. if the table specifies an increase for an appropriation item which is an appropriation item that has effect because of this determination – as if the increase were from a nil amount.

| Increases and decreases in appropriation items |
| --- |
| Item | Entity | Appropriation item | Increase (+)/decrease (‑)($’000) |
| 1 | Department of Social Services | Administered item, Outcome 2 | -10,327.19017 |
| 2 | Department of Home Affairs | Administered item, Outcome 2 | +10,327.19017 |
| 3 | Department of Agriculture | Administered item, Outcome 1 | -513.14681 |
| 4 | Department of Agriculture, Water and the Environment | Administered item, Outcome 3 | +513.14681 |
| 5 | Department of Agriculture | Administered item, Outcome 2 | -2,762.27972 |
| 6 | Department of Agriculture, Water and the Environment | Administered item, Outcome 4 | +2,762.27972 |
| 7 | Department of Agriculture | Administered item, Outcome 3 | -52,492 |
| 8 | Department of Agriculture, Water and the Environment | Administered item, Outcome 5 | +52,492 |
| 9 | Services Australia (Department of State) | Departmental item | -98,035 |
| 10 | Services Australia (Executive Agency) | Departmental item | +98,035 |
| 11 | Department of Employment, Skills, Small and Family Business | Administered item, Outcome 2 | -9,315.55876 |
| 12 | Attorney-General's Department | Administered item, Outcome 2 | +53.17978 |
| 13 | Department of Employment, Skills, Small and Family Business | Departmental item | -14,619.15915 |
| 14 | Department of the Prime Minister and Cabinet | Departmental item | +171.67921 |
| 15 | Department of Communications and the Arts | Administered item, Outcome 1 | -13,115 |
| 16 | Department of Infrastructure, Transport, Regional Development and Communications | Administered item, Outcome 5 | +13,115 |
| 17 | Department of Communications and the Arts | Departmental item | -1,551 |
| 18 | Department of Infrastructure, Transport, Regional Development and Communications | Departmental item | +1,551 |
| 19 | Department of Employment, Skills, Small and Family Business | Administered item, Outcome 1 | -22,114.59988 |
| 20 | Department of Education, Skills and Employment | Administered item, Outcome 4 | +22,114.59988 |
| 21 | Department of Education, Skills and Employment | Departmental item | +12,095.58364 |
| 22 | Department of Industry, Science, Energy and Resources | Administered item, Outcome 4 | +9,262.37898 |
| 23 | Department of Industry, Science, Energy and Resources | Departmental item | +2,351.8963 |
| 24 | Department of Agriculture, Water and the Environment | Administered item, Outcome 2 (Of the former Department of the Environment and Energy) | -326.06044 |
| 25 | Department of Industry, Science, Energy and Resources | Administered item, Outcome 2 | +326.06044 |
| 26 | Department of Agriculture, Water and the Environment | Administered item, Outcome 4 (Of the former Department of the Environment and Energy) | -11,811.99961 |
| 27 | Department of Industry, Science, Energy and Resources | Administered item, Outcome 3 | +11,811.99961 |

9 Modification of *Appropriation Act (No. 4) 2018‑2019*

1. This section applies to the *Appropriation Act (No. 4) 2018‑2019*.
2. For the purposes of this section, assume that the substitutions described in section 5 have happened.
3. The Act has effect as follows:
4. as if an administered assets and liabilities item for the following non‑corporate entity were included for the Agriculture, Water and the Environment Portfolio in Schedule 2 to the Act:

**DEPARTMENT OF AGRICULTURE, WATER AND THE ENVIRONMENT**

1. The Act has effect:
2. as if appropriation items in Schedule 2 to the Act were increased or decreased in accordance with the following table; and
3. if the table specifies an increase for an appropriation item which is an appropriation item that has effect because of this determination – as if the increase were from a nil amount.

| Increases and decreases in appropriation items |
| --- |
| Item | Entity | Appropriation item | Increase (+)/decrease (‑)($’000) |
| 1 | Department of Agriculture | Administered assets and liabilities item | -20,000 |
| 2 | Department of Agriculture, Water and the Environment | Administered assets and liabilities item | +20,000 |