



Public Governance, Performance and Accountability (Section 75 Transfers) Amendment Determination 2020-2021 (No. 9)

I, Tracey Carroll, as subdelegate of the Minister for Finance, make the following determination.

Dated 12 September 2022

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 2020-2021 (No. 9)*.

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.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	Immediately after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (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 published version of this instrument.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 2020-2021

1 Paragraph 4A(1)(a)

Repeal the paragraph, substitute:

- (a) references in the Acts to the Agriculture, Water and the Environment portfolio were references to the Agriculture, Fisheries and Forestry portfolio; and
- (b) references in the Acts to the Department of Agriculture, Water and the Environment were references to the Department of Agriculture, Fisheries and Forestry; and
- (c) references in the Acts to the Education, Skills and Employment portfolio were references to the Education portfolio; and
- (d) references in the Acts to the Department of Education, Skills and Employment were references to the Department of Education; and
- (e) references in the Acts to the Health portfolio were references to the Health and Aged Care portfolio; and
- (f) references in the Acts to the Department of Health were references to the Department of Health and Aged Care; and
- (g) references in the Acts to the Industry, Science, Energy and Resources portfolio were references to the Industry, Science and Resources portfolio; and
- (h) references in the Acts to the Department of Industry, Science, Energy and Resources were references to the Department of Industry, Science and Resources; and
- (i) references in the Acts to the Infrastructure, Transport, Regional Development and Communications portfolio were references to the Infrastructure, Transport, Regional Development, Communications and the Arts portfolio; and
- (j) references in the Acts to the Department of Infrastructure, Transport, Regional Development and Communications were references to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts; and
- (k) references in the Acts to the National Drought and North Queensland Flood Response and Recovery Agency were references to the National Recovery and Resilience Agency.

(2) The Appropriation Acts have effect as if:

- (a) items and outcomes for the following entities, included for the Agriculture, Fisheries and Forestry portfolio, were instead included for the Climate Change, Energy, the Environment and Water portfolio:
 - (i) Bureau of Meteorology;
 - (ii) Director of National Parks;
 - (iii) Great Barrier Reef Marine Park Authority;
 - (iv) Murray-Darling Basin Authority;

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- (v) Sydney Harbour Federation Trust; and
 - (b) items and outcomes for the following entities, included for the Attorney-General's portfolio, were instead included for the Employment and Workplace Relations portfolio:
 - (i) Asbestos Safety and Eradication Agency;
 - (ii) Australian Building and Construction Commission;
 - (iii) Fair Work Commission;
 - (iv) Fair Work Ombudsman and Registered Organisations Commission Entity;
 - (v) Safe Work Australia;
 - (vi) Comcare; and
 - (c) items and outcomes for the National Archives of Australia, included for the Attorney-General's portfolio, were instead included for the Infrastructure, Transport, Regional Development, Communications and the Arts portfolio; and
 - (d) items and outcomes for the Australian Skills Quality Authority, included for the Education portfolio, were instead included for the Employment and Workplace Relations portfolio; and
 - (e) items and outcomes for the following entities, included for the Home Affairs portfolio, were instead included for the Attorney-General's portfolio:
 - (i) Australian Criminal Intelligence Commission;
 - (ii) Australian Federal Police;
 - (iii) Australian Institute of Criminology;
 - (iv) Australian Transaction Reports and Analysis Centre;
 - (v) Office of the Special Investigator; and
 - (f) items and outcomes for the following entities, included for the Industry, Science and Resources portfolio, were instead included for the Climate Change, Energy, the Environment and Water portfolio:
 - (i) Clean Energy Regulator;
 - (ii) Climate Change Authority;
 - (iii) Australian Institute of Marine Science;
 - (iv) Australian Renewable Energy Agency;
 - (v) Clean Energy Finance Corporation; and
 - (g) items and outcomes for the North Queensland Water Infrastructure Authority, included for the Infrastructure, Transport, Regional Development and Communications portfolio, were instead included for the Climate Change, Energy, the Environment and Water portfolio; and
 - (h) items and outcomes for the Digital Transformation Agency, included for the Prime Minister and Cabinet portfolio, were instead included for the Finance portfolio; and
 - (i) items and outcomes for the National Recovery and Resilience Agency, included for the Prime Minister and Cabinet portfolio, were instead included for the Home Affairs portfolio; and
 - (j) items and outcomes for Old Parliament House, included for the Prime Minister and Cabinet portfolio, were instead included for the Infrastructure, Transport, Regional Development, Communications and the Arts portfolio.
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2 Subsection 5(2)

Repeal the subsection, substitute:

- (2) The Act has effect as if Schedule 1 to the Act included:
- (a) a departmental item for Sport Integrity Australia; and
 - (b) the following outcomes for that entity:

Outcome 1

Protection of the integrity of Australian sport and the health and welfare of those who participate in sport through the coordination of a national approach to all sports integrity matters

- (2A) The Act has effect as if Schedule 1 to the Act included:

- (a) a departmental item for the Department of Climate Change, Energy, the Environment and Water; and
- (b) the following outcomes for that Department:

Outcome 1

Provide international and national leadership and coordination to: support the transition of Australia's economy to net-zero emissions by 2050; transition energy to net zero while maintaining security, reliability and affordability; support actions to promote adaptation and strengthen resilience of Australia's economy, society and environment; and re-establish Australia as a global leader in responding to climate change

Outcome 2

Conserve, protect and sustainably manage Australia's biodiversity, ecosystems, environment and heritage through research, information management, supporting natural resource management, establishing and managing Commonwealth protected areas, and reducing and regulating the use of pollutants and hazardous substances

Outcome 3

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

Outcome 4

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

- (2B) The Act has effect as if Schedule 1 to the Act included:

- (a) a departmental item for the Department of Employment and Workplace Relations; and
- (b) the following outcomes for that Department:

Outcome 1

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

Outcome 2

Promote growth in economic productivity and social wellbeing through access to quality skills and training

Outcome 3

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

(2C) The Act has effect as if Schedule 1 to the Act included:

- (a) a departmental item for the National Emergency Management Agency; and
- (b) the following outcome for that Agency:

Outcome 1

To develop, lead and coordinate the Commonwealth's approach to emergency management, including the support of activities relating to preparedness, response, relief, recovery, reconstruction, risk reduction and resilience for all-hazard emergencies and disasters

3 Subsection 5(3) (at the end of the table)

Add:

8	Department of Industry, Science and Resources	Administered item, Outcome 2	-1,138,000.00
9	Department of Climate Change, Energy, the Environment and Water	Administered item, Outcome 1	+1,138,000.00
10	Attorney-General's Department	Administered item, Outcome 2	-5,037,593.58
11	Department of Employment and Workplace Relations	Administered item, Outcome 3	+5,037,593.58
12	Department of Agriculture, Fisheries and Forestry	Administered item, Outcome 1	-378,482.41
13	Department of Climate Change, Energy, the Environment and Water	Administered item, Outcome 2	+378,482.41
14	Department of Agriculture, Fisheries and Forestry	Administered item, Outcome 5	-48,687,600.95
15	Department of Climate Change, Energy, the Environment and Water	Administered item, Outcome 4	+48,687,600.95

4 Subsection 5(3) (table items 1 and 4)

Omit "Department of Health", substitute "Department of Health and Aged Care".

5 Subsection 5(3) (table item 6)

Omit "Department of Industry, Science, Energy and Resources", substitute "Department of Industry, Science and Resources".

6 After subsection 6(1)

Insert:

(1A) The Act has effect as if:

- (a) references in the Act to the Minister for Infrastructure, Transport and Regional Development were references to the Minister for Infrastructure, Transport, Regional Development and Local Government; and
- (b) references in the Act to the Minister for Agriculture, Drought and Emergency Management were references to the Minister for Infrastructure, Transport, Regional Development and Local Government.

7 Subsection 6(2) (table item 1)

- (a) Omit “Department of Industry, Science, Energy and Resources”, substitute “Department of Industry, Science and Resources”.

8 Subsection 7(2) (at the end of the table)

Add:

16	Department of Industry, Science and Resources	Administered item, Outcome 2	-4,463,124.17
17	Department of Industry, Science and Resources	Administered item, Outcome 3	-14,917,279.38
18	Department of Climate Change, Energy, the Environment and Water	Administered item, Outcome 1	+19,380,403.55
19	Attorney-General’s Department	Departmental item	-26,698,353.37
20	Department of Employment and Workplace Relations	Departmental item	+26,698,353.37
21	Attorney-General’s Department	Administered item, Outcome 2	-13,818,953.43
22	Department of Employment and Workplace Relations	Administered item, Outcome 3	+13,818,953.43
23	Department of Agriculture, Fisheries and Forestry	Administered item, Outcome 1	-76,826,604.00
24	Department of Climate Change, Energy, the Environment and Water	Administered item, Outcome 2	+76,826,604.00
25	Department of Agriculture, Fisheries and Forestry	Administered item, Outcome 5	-52,796,000.00
26	Department of Climate Change, Energy, the Environment and Water	Administered item, Outcome 4	+52,796,000.00

9 Subsection 7(2) (table items 1 and 10)

- Omit “Department of Industry, Science, Energy and Resources”, substitute “Department of Industry, Science and Resources”.

10 Subsection 7(2) (table item 13)

- Omit “Department of Agriculture, Water and the Environment”, substitute “Department of Agriculture, Fisheries and Forestry”.

11 After subsection 8(1)

Insert:

(1A) The Act has effect as if:

- (a) references in the Act to the Minister for Infrastructure, Transport and Regional Development were references to the Minister for Infrastructure, Transport, Regional Development and Local Government; and
- (b) references in the Act to the Minister for Agriculture, Drought and Emergency Management were omitted.

(1B) The Act has effect as if Schedule 2 to the Act included, for the Department of Employment and Workplace Relations, an other departmental item.

(1C) The Act has effect as if Schedule 2 to the Act included, for the Department of Climate Change, Energy, the Environment and Water an administered assets and liabilities item.

12 Subsection 8(2) (at the end of the table)

Add:

3	Department of Education	Other departmental item (Equity Injections)	-27,968,008.82
4	Department of Employment and Workplace Relations	Other departmental item (Equity Injections)	+27,968,008.82
5	Department of Agriculture, Fisheries and Forestry	Administered assets and liabilities item	-32,906,000.00
6	Department of Climate Change, Energy, the Environment and Water	Administered assets and liabilities item	+32,906,000.00

13 Subsection 8(2) (table item 1)

- (a) Omit “Department of Industry, Science, Energy and Resources”, substitute “Department of Industry, Science and Resources”.

14 Subsection 9(2) (at the end of the table)

Add:

3	Department of Industry, Science and Resources	Administered item, Outcome 3	-39,946,000.00
4	Department of Climate Change, Energy, the Environment and Water	Administered item, Outcome 1	+39,946,000.00

15 Subsection 9(2) (table item 1)

- (a) Omit “Department of Industry, Science, Energy and Resources”, substitute “Department of Industry, Science and Resources”.

16 Subsection 9(2) (table item 2)

- (a) Omit “Department of Infrastructure, Transport, Regional Development and Communications”, substitute “Department of Infrastructure, Transport, Regional Development, Communications and the Arts”.

17 Subsection 10(3) (at the end of the table)

Add:

3	Department of Education	Other departmental item (Equity Injections)	-158,000.00
4	Department of Employment and Workplace Relations	Other departmental item (Equity Injections)	+158,000.00
