



Victoria Government Gazette

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Public Administration Act 2004

CHANGE OF NAME OF A DEPARTMENT

Order in Council

By Order in Council made on 30 March 2005, a number of Departments were established under section 10 of the **Public Administration Act 2004** effective on 5 April 2005.

The Governor in Council, under section 10 of the **Public Administration Act 2004** now changes the name of the Department listed in column 1 of the Table to the name listed in column 2 of the Table:—

TABLE

Column 1

Department of Education and Training

Column 2

Department of Education

Dated 5 December 2006

Responsible Minister

S. P. BRACKS MP

Premier

RUTH LEACH

Clerk of the Executive Council

Public Administration Act 2004

ESTABLISHMENT OF AND CHANGE OF NAME OF ADMINISTRATIVE OFFICE

Order in Council

The Governor in Council under section 11 of the **Public Administration Act 2004**:

- (a) establishes the name of the Administrative Office listed in Column 1 in relation to the Department listed in Column 2.

Column 1

Public Records Office Victoria

Column 2

Department of Premier and Cabinet

- (b) changes the name of the Department in relation to the Administrative Office listed in Column 1 from the Department listed in Column 2 to be an Administrative Office in relation to the Department listed in Column 3.

Column 1

Office of the Shared Services Centre

Column 2

Department of Infrastructure

Column 3

Department of Treasury and Finance

Dated 5 December 2006

Responsible Minister

S. P. BRACKS MP

Premier

RUTH LEACH

Clerk of the Executive Council

SPECIAL

Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (No. 192) 2006

The Governor in Council makes the following Order:

Dated 5 December 2006

Responsible Minister
S. P. BRACKS MP
Premier

RUTH LEACH
Clerk of the Executive Council

1. **Title**
This Order is called the Administrative Arrangements Order (No. 192) 2006.
2. **Authorising provision**
This Order is made under sections 3 and 5 of the **Administrative Arrangements Act 1983**.
3. **Operation and effect of Order**
 - (1) Subject to sub-clause (2), this Order takes effect on 5 December 2006.
 - (2) This Order, as it applies to, or in respect of, a Minister takes effect on 1 December 2006.
4. **Definitions**
In this Order –
“**Body**” means Minister, Department or officer;
“**instrument**” includes contract and agreement;
“**Old Body**” means a Body specified in Column 1 of an item in the Schedule;
“**New Body**” means a Body specified in Column 3 of an item in the Schedule;
“**Schedule**” means Schedule to this Order;
“**transaction**” includes –
 - (a) agreement, bond, contract, deed or other consensual arrangement; and
 - (b) action, appeal, arbitration, prosecution or other legal proceeding; and
 - (c) assignment, charge, lease, mortgage, transfer or other dealing with property; and
 - (d) loan, guarantee, indemnity or other dealing with money; and
 - (e) approval, consent, delegation, direction, licence, order, permit, requirement or other authority; and
 - (f) notice; and
 - (g) any other act, entitlement or liability at law.
5. **Construction of references**
In respect of each item in the Schedule, a reference to an Old Body –
 - (a) in a provision of an Act specified in Column 2 of the Schedule; or
 - (b) in a statutory instrument or other instrument made under an Act specified in Column 2 of the Schedule; or
 - (c) in respect of any other matter or thing done under a provision of an Act specified in Column 2 of the Schedule –is deemed to be a reference to the New Body.

6. Saving of existing transactions

If a transaction happened in relation to an Old Body before this Order takes effect –

- (a) this Order does not affect the validity or continuity of the transaction; and
- (b) the transaction shall continue in the same way it would have continued if this Order had not been made;
- (c) the transaction may be given effect to, or enforced or completed, by the New Body in the same way as it would have been given effect to, or enforced or completed, by the Old Body as if this Order had not been made.

7. Keeping financial accounts and reports

- (1) The Secretary to the Department of Premier and Cabinet must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 December 2006 in respect of a function under an Act specified in item 20 in the Schedule that is transferred from the Old Body specified in that item to the New Body specified in that item as if the function had not been transferred.
- (2) The Secretary to the Department of Education must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 December 2006 in respect of a function under an Act specified in items 5, 7 and 39 in the Schedule that is transferred from the Old Body specified in that item to the New Body specified in that item as if the function had not been transferred.
- (3) The Secretary to the Department of Infrastructure must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 December 2006 in respect of a function under an Act specified in item 14 in the Schedule that is transferred from the Old Body specified in that item to the New Body specified in that item as if the function had not been transferred.
- (4) The Secretary to the Department for Victorian Communities must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 December 2006 in respect of a function under an Act specified in item 24 and 27 in the Schedule that is transferred from the Old Body specified in that item to the New Body specified in that item as if the function had not been transferred.

8. Providing financial accounts and reports

A Secretary of a Department to which a function is transferred must, if requested by a Secretary to a Department referred to in clause 7, provide the Secretary referred to in clause 7 with any financial accounts and records or other information required to enable the Secretary referred to in clause 7 to comply with clause 7.

SCHEDULE

| Item No. | Column 1 (Old Body) | Column 2 (Legislation) | Column 3 (New Body) |
|----------|-------------------------------------|--|--|
| 1. | Minister for Education and Training | <p>All Acts – Except:</p> <ul style="list-style-type: none"> ● Adult, Community and Further Education Act 1991 ● those Acts specified below in Item 2, Column 2 | Minister for Education |
| 2. | Minister for Education and Training | <p>Australian Catholic University (Victoria) Act 1991 Baxter Technical School Land Act 1982 Deakin University (Victoria College) Act 1991 Deakin University (Warrnambool) Act 1990 Deakin University Act 1974 La Trobe University (Bendigo and Wodonga) Act 1990 La Trobe University Act 1964 Marcus Oldham College Act 1995 Melbourne College of Advanced Education (Amalgamation) Act 1988 Melbourne College of Divinity Act 1910 Melbourne University (Hawthorn) Act 1991 Melbourne University (VCAH) Act 1992 Melbourne University (VCAH) Act 1997 Melbourne University Act 1958 Melbourne University (Victorian College of the Arts) Act 2006 Monash University Act 1958 Monash University (Chisholm and Gippsland) Act 1990 Monash University (Pharmacy College) Act 1992 Royal Melbourne Institute of Technology Act 1992 Swinburne University of Technology Act 1992 Tertiary Education Act 1993 University of Ballarat Act 1993 Victoria University of Technology Act 1990 Victorian College of Agriculture and Horticulture Act 1982 Victorian College of the Arts Act 1981 Victorian Institute of Teaching Act 2001 –</p> <ul style="list-style-type: none"> ● Part 2 <p>Vocational Education and Training (Amendment) Act 1994 Vocational Education and Training Act 1990</p> | Minister for Skills, Education Services and Employment |

| Item No. | Column 1 (Old Body) | Column 2 (Legislation) | Column 3 (New Body) |
|----------|---|---|--|
| 3. | Minister for Education Services | All Acts | Minister for Skills, Education Services and Employment |
| 4. | Department of Education and Training | All Acts or provisions of Acts specified in Item 2, Column 2 and Item 3, Column 2 | Department of Innovation, Industry and Regional Development |
| 5. | Secretary, Department of Education and Training | All Acts or provisions of Acts specified in Item 2, Column 2 and Item 3, Column 2 | Secretary, Department of Innovation, Industry and Regional Development |
| 6. | Department of Education and Training | All Acts – Except: <ul style="list-style-type: none"> ● Adult, Community and Further Education Act 1991 ● those Acts specified below in Item 2, Column 2 | Department of Education |
| 7. | Secretary, Department of Education and Training | All Acts – Except: <ul style="list-style-type: none"> ● Adult, Community and Further Education Act 1991 ● those Acts specified below in Item 2, Column 2 | Secretary, Department of Education |
| 8. | Minister for Health | Alcoholics and Drug-dependent Persons Act 1968 – Except: <ul style="list-style-type: none"> ● Sections 11, 14 and 15 Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 – <ul style="list-style-type: none"> ● Sections 48–55, 57A, 58, 60–63(1), Division 3 of Part 7 and Part 7A Mental Health Act 1986 | Minister for Mental Health |
| 9. | Minister for Transport | Transport Act 1983 <ul style="list-style-type: none"> ● Part I ● Part II, Division 1, Subdivision 1 ● Part II, Division 5 (other than section 35) ● Part III ● Part V ● Part VI, Divisions 1, 5 and 9 ● Part VII Divisions 1, 2, 2A, 3, 3A, 4AB, 5, 6 and 7 ● Part VIII | Minister for Public Transport and Minister for Roads and Ports |

| Item No. | Column 1 (Old Body) | Column 2 (Legislation) | Column 3 (New Body) |
|----------|------------------------|---|------------------------------|
| 10. | Minister for Transport | <p>Chattel Securities Act 1987 –</p> <ul style="list-style-type: none"> ● Part 3 <p>Crown Land (Reserves) Act 1978 –</p> <ul style="list-style-type: none"> ● Only in so far as it relates to the land shown as Crown Allotment 18, section 12, City of Port Melbourne, Parish of Melbourne South as shown on Original Plan No. 119746–A lodged in the Central Plan Office – (LA/32/0012) known as Station Pier <p>East Link Project Act 2004</p> <p>Land Act 1958 –</p> <ul style="list-style-type: none"> ● In so far as it relates to the exercise of power relating to the leases and licences under Subdivisions 1 and 2 of Division 9 of Part I in respect of the land described as Allotment 18 of section 12, City of Port Melbourne, Parish of Melbourne South being the land in Certified Plan No. 119746 lodged in the Central Plan Office of the Department of Sustainability and Environment <p>Local Government Act 1989 –</p> <ul style="list-style-type: none"> ● Clauses 4 and 9(3) of Schedule 11 and section 123, in so far as it relates to the revocation of local laws made pursuant to the powers conferred by those clauses by reason of section 207 of the Act <p>Marine Act 1988</p> <p>Melbourne City Link Act 1995</p> <p>Pollution of Waters by Oil and Noxious Substances Act 1986 – Except:</p> <ul style="list-style-type: none"> ● Sections 30 and 47 ● Sections 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 23B, 23D, 23E, 23G, 23J, 23K, 23L, 24E <p>Port Services Act 1995 –</p> <p>All sections and schedules except:</p> <ul style="list-style-type: none"> ● Sections 160, 171 and 173 ● Sections 63AA–63J (inclusive) <p>Port Services (Port of Melbourne Reform) Act 2003</p> <p>Road Management Act 2004</p> <p>Road Safety Act 1986</p> <p>Southern and Eastern Integrated Transport Authority Act 2003</p> | Minister for Roads and Ports |

| Item No. | Column 1 (Old Body) | Column 2 (Legislation) | Column 3 (New Body) |
|----------|---|---|---|
| | | Transport Act 1983 – <ul style="list-style-type: none"> ● Part II, Division 3 ● Part II, Division 4 (section 32 is only in so far as it relates to the Roads Corporation) ● Section 35 ● Part IV ● Part VI, Division 8 | |
| 11. | Minister for Transport | Border Railways Act 1922 National Rail Corporation (Victoria) Act 1991 Public Transport Competition Act 1995 Rail Corporations Act 1996 Rail Safety Act 2006 Transport Act 1983 – <ul style="list-style-type: none"> ● Part II, Division 1, Subdivisions 2, 3 and 4 ● Section 32 is only in so far as it does not relate to the Roads Corporation ● Part VI, Division 10 ● Part VII, Divisions 4, 4AA, 4A and 4B Very Fast Train (Route Investigation) Act 1989 | Minister for Public Transport |
| 12. | Minister for Energy Industries | All Acts | Minister for Energy and Resources |
| 13. | Department of Infrastructure | Electricity Industry Act 2000 Electricity Safety Act 1998 Energy Safe Victoria Act 2005 Fuel Emergency Act 1977 Gas Industry Act 2001 Gas Pipelines Access (Victoria) Act 1998 Gas Safety Act 1997 National Electricity (Victoria) Act 2005 Nuclear Activities (Prohibitions) Act 1983 State Electricity Commission Act 1958 – <ul style="list-style-type: none"> ● Section 107 Victorian Renewable Energy Act 2006 | Department of Primary Industries |
| 14. | Secretary, Department of Infrastructure | Those Acts or provision of Acts specified above in Item 13, Column 2 | Secretary, Department of Primary Industries |

| Item No. | Column 1 (Old Body) | Column 2 (Legislation) | Column 3 (New Body) |
|-----------------|--|--|---|
| 15. | Minister for State and Regional Development | Aerodrome Landing Fees Act 2003 Agent-General's Act 1994 Albury–Wodonga Agreement (Repeal) Act 2003 Australian Airlines (Intrastate Services) Act 1990 Bread Industry Act 1959 City of Greater Geelong Act 1993 – • Part 5 Civil Aviation (Carriers' Liability) Act 1961 | Minister for Industry and State Development |
| 16. | Minister for Manufacturing and Export | Victorian Industry Participation Policy Act 2003 | Minister for Industry and State Development |
| 17. | Minister for the Arts | Film Act 2001 – • Part 2 | Minister for Industry and State Development |
| 18. | Minister for the Arts | Film Act 2001 – • Parts 1, 4, 5 and 6 | Minister for Industry and State Development and the Minister for the Arts |
| 19. | Department of Premier and Cabinet | Film Act 2001 – • Part 2 | Department of Innovation, Industry and Regional Development |
| 20. | Secretary, Department of Premier and Cabinet | Film Act 2001 – • Part 2 | Secretary, Department of Innovation, Industry and Regional Development |
| 21. | Minister for State and Regional Development | Latrobe Regional Commission (Repeal) Act 1995 Regional Development Victoria Act 2002 Regional Infrastructure Development Fund Act 1999 | Minister for Regional and Rural Development |
| 22. | Minister for Victorian Communities | Births, Deaths and Marriages Registration Act 1996 | Attorney-General |
| 23. | Department for Victorian Communities | Births, Deaths and Marriages Registration Act 1996 | Department of Justice |

| Item No. | Column 1 (Old Body) | Column 2 (Legislation) | Column 3 (New Body) |
|-----------------|--|--|--|
| 24. | Secretary, Department for Victorian Communities | Births, Deaths and Marriages Registration Act 1996 | Secretary, Department of Justice |
| 25. | Minister for Victorian Communities | Public Records Act 1973 | Minister for the Arts |
| 26. | Department for Victorian Communities | Public Records Act 1973 | Department of Premier and Cabinet |
| 27. | Secretary, Department for Victorian Communities | Public Records Act 1973 | Secretary, Department of Premier and Cabinet |
| 28. | Minister for Resources | All Acts | Minister for Energy and Resources |
| 29. | Minister for Water | All Acts | Minister for Water, Environment and Climate Change |
| 30. | Minister for Environment | All Acts | Minister for Water, Environment and Climate Change |
| 31. | Minister for Finance | All Acts | Minister for Finance, WorkCover and the Transport Accident Commission |
| 32. | Minister for WorkCover | All Acts | Minister for Finance, WorkCover and the Transport Accident Commission |
| 33. | Minister for Employment and Youth Affairs | Girl Guides Association Act 1952 Scout Association Act 1932 | Minister for Sport, Recreation and Youth Affairs |

| Item No. | Column 1 (Old Body) | Column 2 (Legislation) | Column 3 (New Body) |
|-----------------|---|--|--|
| 34. | Minister for Sport and Recreation | All Acts | Minister for Sport, Recreation and Youth Affairs |
| 35. | Minister for Commonwealth Games | All Acts | Minister for Sport, Recreation and Youth Affairs |
| 36. | Premier | ANZAC Day Act 1958 – <ul style="list-style-type: none"> ● Sections 3 and 4A Returned Servicemen’s Badges Act 1956 Shrine of Remembrance Act 1978 Veterans Act 2005 – Except: <ul style="list-style-type: none"> ● Part 4 | Minister for Veterans’ Affairs |
| 37. | Minister for Education and Training | Adult, Community and Further Education Act 1991 | Minister for Skills, Education Services and Employment |
| 38. | Department of Education and Training | Adult, Community and Further Education Act 1991 | Department for Victorian Communities |
| 39. | Secretary, Department of Education and Training | Adult, Community and Further Education Act 1991 | Secretary, Department for Victorian Communities |
| 40. | Minister for Aged Care | All Acts | Minister for Community Services |
| 41. | Minister for Community Services | Children’s Services Act 1996 | Minister for Children |

Note: The Administration of Acts – General Order may be located by following the “General Information” then “General Order and Supplements” links at www.dpc.vic.gov.au.

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