



Victoria Government Gazette

No. S 189 Tuesday 14 August 2007
By Authority, Victorian Government Printer

Public Administration Act 2004

ESTABLISHMENT, ABOLITION OR CHANGE OF NAME OF DEPARTMENTS

Order in Council

The Governor in Council, under Section 10 of the **Public Administration Act 2004**, 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

Department for Victorian Communities

Column 2

Department of Education and Early Childhood
Development

Department of Planning and Community
Development

Dated 14 August 2007

Responsible Minister

JOHN BRUMBY

Premier

MELISSA van ROSSUM

Acting Clerk of the Executive Council

SPECIAL

Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 196) 2007

The Governor in Council makes the following Order:

Dated 14 August 2007

Responsible Minister:

J. M. BRUMBY

Premier

MELISSA van ROSSUM
Acting Clerk of the Executive Council

1. Title

This Order is called the **Administrative Arrangements Order (No. 196) 2007**.

2. Authorising provisions

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 14 August 2007.
- 2) This Order, as it applies to, or in respect of, a Minister, takes effect on 8 August 2007.

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 the day on which this Order has effect in relation to an item –

- (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; and

- (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 Sustainability and Environment must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 August 2007 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.
- (2) The Secretary to the Department of Education and Early Childhood Development must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 August 2007 in respect of a function under an Act specified in item 5, 7, and 9 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 Human Services must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 August 2007 in respect of a function under an Act specified in items 17 and 22 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 to 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 Tourism	All Acts	Minister for Tourism and Major Events
2.	Minister for Industry and State Development	All Acts	Minister for Industry and Trade
3.	Minister for Skills, Education Services and Employment	All Acts except Education and Training Reform Act 2006 Division 1 of Part 2.1; Division 2 of Part 2.1; Division 5 of Part 2.2	Minister for Skills and Workforce Participation
4.	Minister for Skills, Education Services and Employment	Education and Training Reform Act 2006 Division 1 of Part 2.1; Division 2 of Part 2.1; Division 5 of Part 2.2	Minister for Children and Early Childhood Development
5.	Department of Education	Education and Training Reform Act 2006 Section 2.5.3 insofar as it relates to international education, vocational education and training, and senior secondary certificate delivery by registered education and training organisations and adult community and further education providers; Chapter 3; Division 3 of Part 4.3 insofar as it relates to courses delivered and qualifications issued to students other than students in schools; Division 4 of Part 4.3; Division 5 of Part 4.3; Division 6 of Part 4.3; sections 4.4.1 and 4.4.2 insofar as they relate to courses delivered and qualifications issued to students other than students in schools; section 4.4.3; section 4.4.4; section 4.4.5 insofar as it relates to courses delivered and qualifications issued to students other than students in schools; Part 4.5; section 4.6.3; section 4.6.4; section 4.7.5; section 4.7.6; section 5.2.1(2)(d)(ii); section 5.2.1(2)(d)(iii); section 5.2.1(2)(d)(iv); Divisions 2 and 3 of Part 5.4; Part 5.5; section 5.8.1 and Schedules 3 and 4	Department of Innovation, Industry and Regional Development
6.	Secretary, Department of Education	Those provisions specified above in Item 5, Column 2	Secretary, Department of Innovation, Industry and Regional Development

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
7.	Department of Education	Education and Training Reform Act 2006 Section 4.2.4, section 4.2.5 and section 4.2.8	Department of Education and Early Childhood Development and Department of Innovation, Industry and Regional Development
8.	Secretary, Department of Education	Those provisions specified above in Item 7 Column 2	Secretary, Department of Education and Early Childhood Development and Secretary, Department of Innovation, Industry and Regional Development
9.	Department of Education	Education and Training Reform Act 2006 Chapter 1; Part 4.1; section 4.2.1, section 4.2.2, section 4.2.3, section 4.2.6, section 4.2.7; section 4.6.1; section 4.6.2; Part 4.7 (except section 4.7.1, section 4.7.5 and section 4.7.6); Part 4.8; Part 4.9; Part 5.1; Part 5.2 (except subparagraphs (i) to (iv) of section 5.2.1(2) (d) and section 5.2.1(6)); section 5.3.1; section 5.3.2; section 5.3.3; section 5.7.2; Part 5.8 (except section 5.8.1 and section 5.8.5); Part 5.9; Part 5.10 and Schedules 2, 5 and 6.	Department of Education and Early Childhood Development or Department of Innovation, Industry and Regional Development
10.	Secretary, Department of Education	Those provisions specified above in Item 9, Column 2	Secretary, Department of Education and Early Childhood Development or Secretary, Department of Innovation, Industry and Regional Development
11.	Minister for Victorian Communities	All Acts	Minister for Community Development
12.	Department for Victorian Communities	All Acts	Department of Planning and Community Development

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
13.	Secretary, Department for Victorian Communities	All Acts	Secretary, Department of Planning and Community Development
14.	Department of Sustainability and Environment	<p>Architects Act 1991 Building Act 1993 Except Parts 5B and 5C</p> <p>Building and Construction Industry Security of Payment Act 2002 Casino Control Act 1991 Section 128H to section 128L (except for section 128K(2))</p> <p>Chinatown Historic Precinct Act 1984 Commonwealth Games Arrangements Act 2001 Section 48B</p> <p>Dandenong Development Board Act 2003 Environment Effects Act 1978 Geographic Place Names Act 1998 Heritage Act 1995 Nudity (Prescribed Areas) Act 1983 Planning and Environment Act 1987 Planning and Environment (Planning Schemes) Act 1996 Planning Authorities Repeal Act 1994 Project Development and Construction Management Act 1994 Parts 4 and 7; Part 5 (to the extent that it relates to the performance or exercise of powers and functions under Part 9A of the Planning and Environment Act 1987); section 46</p> <p>Residential Tenancies Act 1997 Part 14</p>	Department of Planning and Community Development
15.	Secretary, Department of Sustainability and Environment	Those Acts or provisions of Acts specified above in Item 14, Column 2	Secretary, Department of Planning and Community Development
16.	Minister for Children	All Acts	Minister for Children and Early Childhood Development
17.	Department of Human Services	<p>Children's Services Act 1996</p> <p>Child Wellbeing and Safety Act 2005 Except for Part 6</p>	Department of Education and Early Childhood Development

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
18.	Secretary, Department of Human Services	Children's Services Act 1996 Child Wellbeing and Safety Act 2005 Except for section 14(c) and Part 6	Secretary, Department of Education and Early Childhood Development
19.	Department of Education	All Acts except those Acts or provisions of Acts specified above in Item 5, Column 2, Item 7, Column 2, and Item 9, Column 2	Department of Education and Early Childhood Development
20.	Secretary, Department of Education	All Acts except those Acts or provisions of Acts specified above in Item 5, Column 2, Item 7, Column 2, and Item 9, Column 2	Secretary, Department of Education and Early Childhood Development
21.	Minister for Community Services	Pre-school Teachers and Assistants (Leave) Act 1984	Minister for Children and Early Childhood Development
22.	Department of Human Services	Pre-school Teachers and Assistants (Leave) Act 1984	Department of Education and Early Childhood Development
23.	Secretary, Department of Human Services	Pre-school Teachers and Assistants (Leave) Act 1984	Secretary, Department of Education and Early Childhood Development
24.	Minister for Water, Environment and Climate Change	Groundwater (Border Agreement) Act 1985 Melbourne and Metropolitan Board of Works Act 1958 Melbourne Water Corporation Act 1992 Murray-Darling Basin Act 1993 State Owned Enterprises Act 1992 Division 2 of Part 2 in so far as it relates to the Water Training Centre Water Act 1989 Water Efficiency Labelling and Standards Act 2005 Water Industry Act 1994 Except for Parts 4, 4A, 7 and 8.	Minister for Water

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
25.	Minister for Water, Environment and Climate Change	<p>Alpine Resorts Act 1983 Alpine Resorts (Management) Act 1997 Catchment and Land Protection Act 1994 Coastal Management Act 1995 Commissioner for Environmental Sustainability Act 2003 Conservation, Forests and Lands Act 1987 Except in so far as it relates to the exercise of powers for the purposes of the Fisheries Act 1995</p> <p>Environment Protection Act 1970 Flora and Fauna Guarantee Act 1988 Forestry Rights Act 1996 Forests Act 1958 Forests (Wood Pulp Agreement) Act 1996 Heritage Rivers Act 1992 Land Conservation (Vehicle Control) Act 1972 National Environment Protection Council (Victoria) Act 1995 National Parks Act 1975 Parks Victoria Act 1998 Pollution of Waters by Oil and Noxious Substances Act 1986 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> <p>Reference Areas Act 1978 Royal Botanic Gardens Act 1991 Safety on Public Land Act 2004 State Owned Enterprises Act 1992 Division 2 of Part 2 in so far as it relates to the Victorian Plantations Corporation</p> <p>Sustainability Victoria Act 2005 Sustainable Forests (Timber) Act 2004 Victorian Conservation Trust Act 1972 Victorian Environmental Assessment Council Act 2001 Victorian Plantations Corporation Act 1993 Water Industry Act 1994 Parts 4, 4A, 7 and 8</p> <p>Wildlife Act 1975 Zoological Parks and Gardens Act 1995</p>	Minister for Environment and Climate Change
26.	Minister for Planning	All Acts or provisions of Acts except those specified above in Item 14, Column 2	Minister for Environment and Climate Change

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
27.	Minister for Water, Environment and Climate Change	Geographic Place Names Act 1998	Minister for Planning
28.	Minister for Major Projects	Victorian Urban Development Authority Act 2003	Minister for Planning
29.	Department of Infrastructure	Victorian Urban Development Authority Act 2003	Department of Planning and Community Development
30.	Secretary, Department of Infrastructure	Victorian Urban Development Authority Act 2003	Secretary, Department of Planning and Community Development

This page was left blank intentionally

This page was left blank intentionally

craftsmanpress

The *Victoria Government Gazette* is published by The Craftsman Press Pty Ltd with the authority of the Government Printer for the State of Victoria

© State of Victoria 2007

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria
Level 2 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order

	Mail Order	Victoria Government Gazette Level 1 520 Bourke Street Melbourne 3000 PO Box 1957 Melbourne 3001 DX 106 Melbourne
	Telephone	(03) 9642 5808
	Fax	(03) 9600 0478
	email	gazette@craftpress.com.au
	Retail & Mail Sales	Victoria Government Gazette Level 1 520 Bourke Street Melbourne 3000 PO Box 1957 Melbourne 3001
	Telephone	(03) 9642 5808
	Fax	(03) 9600 0478
	Retail Sales	Information Victoria 505 Little Collins Street Melbourne 3000
	Telephone	1300 366 356
	Fax	(03) 9603 9920

Price Code A