



Victoria Government Gazette

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Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 221) 2016

The Governor in Council makes the following Order:

Dated 8 March 2016

Responsible Minister:

THE HON DANIEL ANDREWS MP

Premier

ANDREW ROBINSON
Clerk of the Executive Council

1. Title

This Order is called the Administrative Arrangements Order (No. 221) 2016.

2. Authorising provision

This Order is made under section 3 of the **Administrative Arrangements Act 1983**.

3. Commencement

This Order takes effect on 1 March 2016.

4. Definitions

In this Order –

‘**Body**’ means Minister, Department or officer;

‘**instrument**’ includes contract and agreement;

‘**New Body**’ means a Body specified in Column 3 of an item in the Table of the Schedule;

‘**Old Body**’ means a Body specified in Column 1 of an item in the Table of the Schedule;

‘**Schedule**’ means the 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 Table of the Schedule, a reference to an Old Body –

- (a) in a provision of an Act specified in Column 2 of an item in the Table of the Schedule;
or
- (b) in a statutory instrument or other instrument made under an Act specified in Column 2 of an item in the Table 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 an item in the Table of the Schedule; or
- (d) in an instrument specified in Column 2 of an item in the Table of the Schedule –
is taken to be a reference to the New Body.

SPECIAL

6. Saving of existing transactions

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

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

7. Keeping financial accounts and reports

- (1) The Secretary, 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** for the period commencing 1 July 2015 and ending on 29 February 2016 in respect of a function under an Act specified in item 5, 6, 8 or 9 in the Table of the Schedule that is transferred to the Secretary, Department of Treasury and Finance as if the function had not been transferred.
- (2) The Secretary, Department of Economic Development, Jobs, Transport and Resources must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** for the period commencing 1 July 2015 and ending on 29 February 2016 in respect of a function under an Act specified in item 14 or 15 in the Table of the Schedule that is transferred to the Secretary, Department of Health and Human Services as if the function had not been transferred.
- (3) The Secretary, Department of Treasury and Finance must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** for the period commencing 1 July 2015 and ending on 29 February 2016 in respect of a function under an Act specified in item 17 or 18 in the Table of the Schedule that is transferred to the Secretary, Department of Health and Human Services as if the function had not been transferred.
- (4) The Secretary, Department of Environment, Land, Water and Planning must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** for the period commencing 1 July 2015 and ending on 29 February 2016 in respect of a function under an Act specified in item 24 or 25 in the Table of the Schedule that is transferred to the Secretary, Department of Economic Development, Jobs, Transport and Resources 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 who is an Old Body, provide that Old Body with any financial accounts and records or other information required to enable the Old Body to comply with clause 7.

SCHEDULE TO THE ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 221) 2016**Table**

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
1.	Minister for Consumer Affairs, Gaming and Liquor Regulation	Gambling Regulation Act 2003 – • Section 2.2.6	Minister for Racing
2.	Minister for Consumer Affairs, Gaming and Liquor Regulation	Gambling Regulation Act 2003 – • Division 1A of Part 2 of Chapter 4	Minister for Racing and Minister for Consumer Affairs, Gaming and Liquor Regulation
3.	Minister for Families and Children	State Trustees (State Owned Company) Act 1994 – • Part 4	Minister for Families and Children or Minister for Housing, Disability and Ageing or both
4.	Special Minister of State	Audit Act 1994 – • Sections 8–10, 16A, 16B, 16D, 16E and 16G	Minister for Finance
5.	Department of Premier and Cabinet	Audit Act 1994 – • Sections 8–10, 16A, 16B, 16D, 16E and 16G	Department of Treasury and Finance
6.	Secretary, Department of Premier and Cabinet	Audit Act 1994 – • Sections 8–10, 16A, 16B, 16D, 16E and 16G	Secretary, Department of Treasury and Finance
7.	Special Minister of State	Audit Act 1994 – • Sections 13, 16C and 21	Minister for Finance or Special Minister of State or both
8.	Department of Premier and Cabinet	Audit Act 1994 – • Sections 13, 16C and 21	Department of Treasury and Finance or Department of Premier and Cabinet or both
9.	Secretary, Department of Premier and Cabinet	Audit Act 1994 – • Sections 13, 16C and 21	Secretary, Department of Treasury and Finance or Secretary, Department of Premier and Cabinet or both
10.	Minister for Public Transport	Transport (Compliance and Miscellaneous) Act 1983 – • Division 10 of Part VI	Minister for Roads and Road Safety and Minister for Public Transport

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
11.	Minister for Public Transport and Minister for Roads and Road Safety	Transport (Compliance and Miscellaneous) Act 1983 – <ul style="list-style-type: none"> Division 4, 5, 5A, 5AB, 5B, 5C, 6 and 6A of Part VI 	Minister for Public Transport
12.	Minister for Public Transport and Minister for Roads and Road Safety	Transport Integration Act 2010 – <ul style="list-style-type: none"> Part 7 	Minister for Public Transport and Minister for Ports
13.	Minister for Tourism and Major Events	Crown Land (Reserves) Act 1978 – <ul style="list-style-type: none"> In so far as it relates to the land described as Crown Allotment 16F, section 37B, City of South Melbourne in the Parish of Melbourne South, County of Bourke and known as the former Distance Education Centre in Albert Park 	Minister for Sport
14.	Department of Economic Development, Jobs, Transport and Resources	Crown Land (Reserves) Act 1978 – <ul style="list-style-type: none"> In so far as it relates to the land described as Crown Allotment 16F, section 37B, City of South Melbourne in the Parish of Melbourne South, County of Bourke and known as the former Distance Education Centre in Albert Park 	Department of Health and Human Services
15.	Secretary, Department of Economic Development, Jobs, Transport and Resources	Crown Land (Reserves) Act 1978 – <ul style="list-style-type: none"> In so far as it relates to the land described as Crown Allotment 16F, section 37B, City of South Melbourne in the Parish of Melbourne South, County of Bourke and known as the former Distance Education Centre in Albert Park 	Secretary, Department of Health and Human Services
16.	Minister for Finance	Housing Act 1983 – <ul style="list-style-type: none"> Division 6 of Part VIII 	Minister for Housing, Disability and Ageing
17.	Department of Treasury and Finance	Housing Act 1983 – <ul style="list-style-type: none"> Division 6 of Part VIII 	Department of Health and Human Services
18.	Secretary, Department of Treasury and Finance	Housing Act 1983 – <ul style="list-style-type: none"> Division 6 of Part VIII 	Secretary, Department of Health and Human Services
19.	Minister for Education	Education and Training Reform Act 2006 – <ul style="list-style-type: none"> Section 5.2.1(6) and section 5.2.9 	Minister for Education or Minister for Training and Skills or both

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
20.	Minister for Health	Food Act 1984 – <ul style="list-style-type: none"> Section 63 in so far as it relates to the making of regulations for or with respect to primary production and processing standards 	Minister for Health or Minister for Agriculture or both
21.	Department of Health and Human Services	Food Act 1984 – <ul style="list-style-type: none"> Section 63 in so far as it relates to the making of regulations for or with respect to primary production and processing standards 	Department of Economic Development, Jobs, Transport and Resources or Department of Health and Human Services or both
22.	Secretary, Department of Health and Human Services	Food Act 1984 – <ul style="list-style-type: none"> Section 63 in so far as it relates to the making of regulations for or with respect to primary production and processing standards 	Secretary, Department of Economic Development, Jobs, Transport and Resources or Secretary, Department of Health and Human Services or both
23.	Premier	Public Administration Act 2004 – <ul style="list-style-type: none"> Sections 43–47 	Special Minister of State
24.	Department of Environment, Land, Water and Planning	Surveillance Devices Act 1999 – <ul style="list-style-type: none"> Section 3(1) and section 25 	Department of Environment, Land, Water and Planning or Department of Economic Development, Jobs, Transport and Resources
25.	Secretary, Department of Environment, Land, Water and Planning	The provisions of the Act listed in Column 2 of Item 24 to the extent specified in that item	Secretary, Department of Environment, Land, Water and Planning or Secretary, Department of Economic Development, Jobs, Transport and Resources

Note: The Administration of Acts – General Order may be located at the Department of Premier and Cabinet’s website: www.dpc.vic.gov.au

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