



# Victoria Government Gazette

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## Administrative Arrangements Act 1983

### ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 234) 2020

The Governor-in-Council makes the following Order:

Dated 23 March 2020

Responsible Minister:

THE HON DANIEL ANDREWS MP  
Premier

CLAIRE CHISHOLM  
Clerk of the Executive Council

#### 1. Title

This Order is called the Administrative Arrangements Order (No. 234) 2020.

#### 2. Authorising provision

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

#### 3. Commencement

- (1) This Order, as it applies to or in respect of items 1–8 in the Table of the Schedule, takes effect on 23 March 2020.
- (2) This Order, as it applies to or in respect of items 9–16 in the Table of the Schedule, takes effect on 1 May 2020.

#### 4. Definitions

In this Order –

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

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

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

‘**Old Body**’ means a Body specified in Column 1 of an item in a 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

- (1) A reference to an Old Body in any one or more of the following is taken to be a reference to the New Body –
  - (a) an Act or a provision of an Act specified in an item in a Table of the Schedule;
  - (b) a statutory instrument or other instrument made under an Act specified in an item in a Table of the Schedule;
  - (c) any other instrument specified in an item in a Table of the Schedule.

**SPECIAL**

- (2) A reference to an Old Body in respect of any matter or thing done under an Act or a provision of an Act (other than the making of an instrument referred to in subclause (1)(b) or (c)) that is specified in an item in a Table of the Schedule is taken to be a reference to the New Body.
- (3) For the purposes of this clause, a reference to an Old Body acting jointly and severally in Column 1 of an item in a Table of the Schedule is to be read as a reference to that Old Body acting in one of the following ways (however described in a previous Order made under section 3 of the **Administrative Arrangements Act 1983**), as the case requires –
  - (a) on its own;
  - (b) with another Old Body specified in that item;
  - (c) with 2 or more other Old Bodies specified in that item.
- (4) For the purposes of this clause, a reference to an Old Body acting jointly in Column 1 of an item in a Table of the Schedule is to be read as a reference to that Old Body acting in one of the following ways (however described in a previous Order made under section 3 of the **Administrative Arrangements Act 1983**), as the case requires –
  - (a) with another Old Body specified in that item;
  - (b) with 2 or more other Old Bodies specified in that item.

#### 6. **Saving of existing transactions**

If a transaction happened in relation to an Old Body before this Order takes effect in respect of the item specifying the Old Body –

- (a) the transaction continues as if this Order were not 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.

#### 7. **Keeping financial accounts and reports**

Despite this Order taking effect in respect of the items specified in the Table in the Schedule, the Secretary to a Department that is an Old Body specified in those items must ensure, for the purposes of the **Financial Management Act 1994**, that, during the period starting on 1 July 2019 and ending on 30 April 2020, financial accounts are kept and reports are provided in relation to a function under an Act specified in those items that is transferred to a Secretary to a Department that is the New Body.

#### 8. **Providing financial accounts and reports**

For the purpose of enabling a Secretary to a Department that is an Old Body specified in an item of a Table in the Schedule to comply with clause 7, the Secretary to a Department that is the New Body to which a function referred to in that clause is transferred, must, if requested by the Old Body, provide that Old Body with any financial accounts and records or other information.

## SCHEDULE

## Table

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
1.	Special Minister of State	<p><b>Constitution Act 1975</b> –</p> <ul style="list-style-type: none"> <li>● Section 72</li> </ul> <p><b>Electoral Act 2002</b> – Except:</p> <ul style="list-style-type: none"> <li>● Part 8</li> </ul> <p><b>Electoral Boundaries Commission Act 1982</b></p> <p><b>Land Act 1958</b> –</p> <ul style="list-style-type: none"> <li>● Subdivisions 1 and 2 of Division 9 of Part 1, in so far as they relate to the exercise of powers in respect of the land described as Crown Allotment 13A of Section 92 at North Melbourne in the Parish of Jika Jika, being the site of the Public Record Office of Victoria</li> </ul> <p><b>Members of Parliament (Register of Interests) Act 1978</b></p> <p><b>Parliamentary Administration Act 2005</b> – Except:</p> <ul style="list-style-type: none"> <li>● Part 5</li> </ul> <p><b>Parliamentary Precincts Act 2001</b></p> <p><b>Parliamentary Salaries, Allowances and Superannuation Act 1968</b> – Except:</p> <ul style="list-style-type: none"> <li>● Sections 6(6), 9K(3), 9K(5) and 9L</li> <li>● Part 3</li> </ul> <p><b>Public Administration Act 2004</b> – Except:</p> <ul style="list-style-type: none"> <li>● Parts 1, 2, 6 and 8</li> </ul> <p><b>Public Records Act 1973</b></p> <p><b>Service Victoria Act 2018</b></p> <p><b>Subordinate Legislation Act 1994</b></p> <p><b>Victorian Data Sharing Act 2017</b></p> <p><b>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</b></p>	Premier

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
2.	Special Minister of State	<p><b>Freedom of Information Act 1982</b>  <b>Independent Broad-based Anti-corruption Commission Act 2011</b></p> <p><b>Local Government Act 1989</b> –</p> <ul style="list-style-type: none"> <li>● Sections 223A, 223B and 223C</li> <li>● Sections 223BA-223BM</li> <li>● Section 243 (in so far as it relates to the inspectors of municipal administration)</li> </ul> <p><b>Ombudsman Act 1973</b> – Except:</p> <ul style="list-style-type: none"> <li>● Sections 3–6</li> </ul> <p><b>Privacy and Data Protection Act 2014</b>  <b>Protected Interest Disclosure Act 2012</b>  <b>Public Interest Monitor Act 2011</b>  <b>Victorian Inspectorate Act 2011</b></p>	Attorney-General
3.	Special Minister of State	<p><b>Infrastructure Victoria Act 2015</b>  <b>Parliamentary Budget Officer Act 2017</b></p>	Treasurer
4.	Special Minister of State	<p><b>Audit Act 1994</b> – Except:</p> <ul style="list-style-type: none"> <li>● Sections 15, 78 and 84</li> </ul>	Treasurer
5.	Special Minister of State, Premier, jointly and severally	<p><b>Parliamentary Administration Act 2005</b> –</p> <ul style="list-style-type: none"> <li>● Part 5</li> </ul> <p><b>Public Administration Act 2004</b> –</p> <ul style="list-style-type: none"> <li>● Parts 1, 2, 6 and 8</li> </ul>	Premier
6.	Special Minister of State, Premier, jointly and severally	<p><b>Parliamentary Committees Act 2003</b> –</p> <ul style="list-style-type: none"> <li>● Sections 7, 7A and 52 (in so far as these sections relate to public interest disclosures about conduct by or in the Victorian Inspectorate)</li> </ul>	Attorney-General, Premier, jointly and severally
7.	Special Minister of State, Assistant Treasurer, jointly and severally	<p><b>Audit Act 1994</b> –</p> <ul style="list-style-type: none"> <li>● Sections 15, 78 and 84</li> </ul>	Assistant Treasurer, Treasurer, jointly and severally
8.	Minister for Tourism, Sport and Major Events	<p><b>ANZAC Day Act 1958</b> –</p> <ul style="list-style-type: none"> <li>● Section 4</li> </ul> <p><b>Sport and Recreation Act 1972</b>  <b>State Sport Centres Act 1994</b></p>	Minister for Community Sport, Minister for Tourism, Sport and Major Events, jointly and severally
9.	Department of Premier and Cabinet	The Acts or provisions of Acts listed in Column 2 of Item 2, to the extent specified in that item.	Department of Justice and Community Safety

<b>Item No.</b>	<b>Column 1 (Old Body)</b>	<b>Column 2 (Legislation or Instrument)</b>	<b>Column 3 (New Body)</b>
10.	Secretary, Department of Premier and Cabinet	The Acts or provisions of Acts listed in Column 2 of Item 2, to the extent specified in that item.	Secretary, Department of Justice and Community Safety
11.	Department of Premier and Cabinet	The Acts or provisions of Acts listed in Column 2 of Items 3 and 4, to the extent specified in those items.	Department of Treasury and Finance
12.	Secretary, Department of Premier and Cabinet	The Acts or provisions of Acts listed in Column 2 of Items 3 and 4, to the extent specified in those items.	Secretary, Department of Treasury and Finance
13.	Department of Premier and Cabinet	The Acts or provisions of Acts listed in Column 2 of Item 6, to the extent specified in that item.	Department of Justice and Community Safety, Department of Premier and Cabinet, jointly and severally
14.	Secretary, Department of Premier and Cabinet	The Acts or provisions of Acts listed in Column 2 of Item 6, to the extent specified in that item.	Secretary, Department of Justice and Community Safety, Secretary, Department of Premier and Cabinet, jointly and severally
15.	Department of Premier and Cabinet, Department of Treasury and Finance, jointly and severally	The Acts or provisions of Acts listed in Column 2 of Item 7, to the extent specified in that item.	Department of Treasury and Finance
16.	Secretary, Department of Premier and Cabinet, Secretary, Department of Treasury and Finance, jointly and severally	The Acts or provisions of Acts listed in Column 2 of Item 7, to the extent specified in that item.	Secretary, Department of Treasury and Finance

Note: The Administration of Acts – General Order may be located at the Department of Premier and Cabinet’s website: <https://www.vic.gov.au/general-orders>.

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