



Victoria Government Gazette

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Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 243) 2021

The Governor in Council makes the following Order:

Dated: 27 July 2021

Responsible Minister:

THE HON DANIEL ANDREWS MP
Premier

ALEXANDRA DEBELJAKOVIC
Clerk of the Executive Council

1. Title

This Order is called the **Administrative Arrangements Order (No. 243) 2021**.

2. Authorising provision

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

3. Commencement

- (1) Subject to subclause (2), this Order takes effect on 9 August 2021.
- (2) This Order, as it applies to or in respect of items 1 and 2 in Table 1 of the Schedule, is taken to have taken effect on 1 July 2021.

4. Definitions

In this Order –

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

‘**Chief Executive Officer, Mental Health Reform Victoria**’ means the Administrative Office Head (within the meaning of the **Public Administration Act 2004**) of Mental Health Reform Victoria;

‘**Chief Executive Officer, Victorian Skills Authority**’ means the Administrative Office Head (within the meaning of the **Public Administration Act 2004**) of the Victorian Skills Authority;

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

‘**Mental Health Reform Victoria**’ means the body called ‘Mental Health Reform Victoria’, established as an Administrative Office in relation to the Department of Health under an Order made under section 11 of the **Public Administration Act 2004** effective on 3 February 2020 and published in the Government Gazette on 30 January 2020;

‘**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

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- (f) notice; and
- (g) any other act, entitlement or liability at law.

‘**Victorian Skills Authority**’ means the body called the ‘Victorian Skills Authority’, established as an Administrative Office in relation to the Department of Education and Training under an Order made under section 11 of the **Public Administration Act 2004** effective on 1 July 2021 and published in the Government Gazette on 29 June 2021;

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.
- (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

- (1) 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;
 - (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.
- (2) In respect of items 3 and 4 in Table 1 of the Schedule, if a transaction refers to the Office of the Victorian Skills Commissioner or the Victorian Skills Commissioner, those references are to be read respectively as the Victorian Skills Authority and Chief Executive Officer, Victorian Skills Authority.

7. Keeping financial accounts and reports

Despite this Order taking effect in respect of items 3 and 4 in Table 1 of 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 2021 and ending on 8 August 2021, financial accounts are kept and reports are provided in relation to a function under an Act specified in those items that is transferred to the Secretary to a Department that is the New Body.

8. Providing financial accounts and reports

For the purpose of enabling the Secretary to a Department that is an Old Body specified in an item in a Table of 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 1

| Item No. | Column 1 (Old Body) | Column 2 (Act, provision of Act, instrument or transaction) | Column 3 (New Body) |
|----------|--|--|---|
| 1. | Mental Health Reform Victoria | All Acts and transactions | Department of Health |
| 2. | Chief Executive Officer, Mental Health Reform Victoria | All Acts and transactions | Secretary, Department of Health |
| 3. | Secretary, Department of Education and Training | <p>All Acts and transactions in so far as they relate to the exercise of powers by employees in the:</p> <ul style="list-style-type: none"> ● Regional Advisory Unit (part of the Engagement, Participation and Inclusion Division); ● Office of the Victorian Skills Commissioner (part of the Engagement, Participation and Inclusion Division); ● Client Information and Engagement Unit (part of the Engagement, Participation and Inclusion Division); ● Registered Training Organisation Performance Indicators Unit (part of the Tertiary Education Policy and Performance Division); ● Industry Skills Analysis Unit (part of the Tertiary Education Policy and Performance Division); and ● Major and Ministerial Events Unit (part of the Engagement, Participation and Inclusion Division), <p>in relation to:</p> <ul style="list-style-type: none"> ● the identification and facilitation of solutions to regional or industry-specific training issues and challenges; ● the leading of student engagement via digital channels to increase participation in funded training courses; ● the delivery of improvements to engagement channels via the Victorian Skills Gateway and TAFE and Training Line service channels to provide comprehensive and authoritative information and tools about training and related occupations; ● the leading of service design and market research to develop insights into the information needs of students and their underlying behavioural triggers; ● the development of the labour market evidence base and the undertaking of research and analytics to articulate future skills needs; ● the coordination of major training events including the Victorian Training Awards and Learn Local Awards; and ● the operational support of skills and job centres | Chief Executive Officer, Victorian Skills Authority |

| Item No. | Column 1 (Old Body) | Column 2 (Act, provision of Act, instrument or transaction) | Column 3 (New Body) |
|----------|--------------------------------------|--|----------------------------|
| 4. | Department of Education and Training | <p>All Acts and transactions in so far as they relate to the exercise of powers by employees in the:</p> <ul style="list-style-type: none"> ● Regional Advisory Unit (part of the Engagement, Participation and Inclusion Division); ● Office of the Victorian Skills Commissioner (part of the Engagement, Participation and Inclusion Division); ● Client Information and Engagement Unit (part of the Engagement, Participation and Inclusion Division); ● Registered Training Organisation Performance Indicators Unit (part of the Tertiary Education Policy and Performance Division); ● Industry Skills Analysis Unit (part of the Tertiary Education Policy and Performance Division); and ● Major and Ministerial Events Unit (part of the Engagement, Participation and Inclusion Division), <p>in relation to:</p> <ul style="list-style-type: none"> ● the identification and facilitation of solutions to regional or industry-specific training issues and challenges; ● the leading of student engagement via digital channels to increase participation in funded training courses; ● the delivery of improvements to engagement channels via the Victorian Skills Gateway and TAFE and Training Line service channels to provide comprehensive and authoritative information and tools about training and related occupations; ● the leading of service design and market research to develop insights into the information needs of students and their underlying behavioural triggers; ● the development of the labour market evidence base and the undertaking of research and analytics to articulate future skills needs; ● the coordination of major training events including the Victorian Training Awards and Learn Local Awards; and ● the operational support of skills and job centres | Victorian Skills Authority |

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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