



Victoria Government Gazette

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ADMINISTRATIVE ARRANGEMENTS ACT 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 244) 2021

The Governor in Council makes the following Order:

Dated: 14 September 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. 244) 2021**.

2. Authorising provision

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

3. Commencement

- (1) Subject to subclauses (2), (3), (4), (5) and (6), this Order takes effect on 14 September 2021.
- (2) This Order, as it applies to or in respect of items 4, 5 and 6 in Table 1 of the Schedule, is taken to have taken effect on 10 August 2020 at 11.59 pm.
- (3) This Order, as it applies to or in respect of item 7 in Table 1 of the Schedule, is taken to have taken effect on 27 November 2020 at 12.00 am.
- (4) This Order, as it applies to or in respect of items 8, 9 and 10 in Table 1 of the Schedule, is taken to have taken effect on 26 November 2020 at 11.59 pm.
- (5) This Order, as it applies to or in respect of items 11, 12 and 13 in Table 1 of the Schedule, is taken to have taken effect on 27 November 2020 at 12.01 am.
- (6) This Order, as it applies to or in respect of items 17 and 18 in Table 1 of the Schedule is taken to have taken effect on 23 August 2021.

4. Definitions

In this Order –

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

‘**instrument**’ includes contract or 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

SPECIAL

- (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.
- (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;
- (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 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 14 September 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.	Attorney-General, Minister for Health, jointly and severally	Public Health and Wellbeing Act 2008 – • Part 13	Minister for Health
2.	Secretary, Department of Health, Secretary, Department of Justice and Community Safety, jointly and severally	Public Health and Wellbeing Act 2008 – • Part 13	Secretary, Department of Health
3.	Department of Health, Department of Justice and Community Safety, jointly and severally	Public Health and Wellbeing Act 2008 – • Part 13	Department of Health
4.	Attorney-General	Public Health and Wellbeing Act 2008 – • Sections 3, 5–10, 17–19, 20(2), 20(3), 20(6), 21–23, 30, Division 4 of Part 5, Parts 9 and 10 (except section 198), section 208, Divisions 2 to 5 of Part 11 and sections 232, 234, 238 in so far as those provisions relate to the exercise of functions and powers relating to the detention of people arriving in Victoria from overseas in quarantine in a hotel or similar accommodation for the purpose of eliminating or reducing the serious risk to public health posed by the COVID-19 pandemic.	Minister for Health
5.	Secretary, Department of Health and Human Services, Secretary, Department of Justice and Community Safety, jointly and severally	The Act or provisions of the Act listed in Column 2 of Item 4, to the extent specified in that item	Secretary, Department of Health and Human Services
6.	Department of Health and Human Services, Department of Justice and Community Safety, jointly and severally	The Act or provisions of the Act listed in Column 2 of Item 4, to the extent specified in that item	Department of Health and Human Services

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, instrument or transaction)	Column 3 (New Body)
7.	Minister for Police and Emergency Services	<p>Public Health and Wellbeing Act 2008 –</p> <ul style="list-style-type: none"> Sections 3 to 11, 15, 17 to 19, 20(2), 20(3), 20(6), 21 to 23, 28, 30, 31, Division 4 of Part 5, Divisions 1 and 2 of Part 8, Parts 9 and 10 (except section 198), section 208 and Divisions 2 to 6 of Part 11 (except sections 233, 235, 236 and 237) in so far as those provisions relate to people in Victoria who, for the purpose of eliminating or reducing the serious risk to public health posed by the COVID-19 pandemic, are detained in or directed to remain in, or are staying in, quarantine, isolation or emergency accommodation at a place (being a hotel or other facility or class of facility), designated by the Minister for Police and Emergency Services and published in the Government Gazette 	Attorney-General
8.	Attorney-General	<p>Public Health and Wellbeing Act 2008 –</p> <ul style="list-style-type: none"> Sections 3 to 11, 15, 17 to 19, 20(2), 20(3), 20(6), 21 to 23, 28, 30, 31, Division 4 of Part 5, Divisions 1 and 2 of Part 8, Parts 9 and 10 (except section 198), section 208 and Divisions 2 to 6 of Part 11 (except sections 233, 235, 236 and 237) in so far as those provisions relate to people in Victoria who, for the purpose of eliminating or reducing the serious risk to public health posed by the COVID-19 pandemic, are detained in or directed to remain in, or are staying in, quarantine, isolation or emergency accommodation at a place (being a hotel or other facility or class of facility), designated by the Attorney-General and published in the Government Gazette 	Minister for Health
9.	Secretary, Department of Health and Human Services, Secretary, Department of Justice and Community Safety, jointly and severally	The Act or provisions of the Act listed in Column 2 of Item 8, to the extent specified in that item	Secretary, Department of Health and Human Services
10.	Department of Health and Human Services, Department of Justice and Community Safety, jointly and severally	The Act or provisions of the Act listed in Column 2 of Item 8, to the extent specified in that item	Department of Health and Human Services

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, instrument or transaction)	Column 3 (New Body)
11.	Minister for Health	<p>Public Health and Wellbeing Act 2008 –</p> <ul style="list-style-type: none"> Sections 3 to 11, 15, 17 to 19, 20(2), 20(3), 20(6), 21 to 23, 28, 30, 31, Division 4 of Part 5, Divisions 1 and 2 of Part 8, Parts 9 and 10 (except section 198), section 208 and Divisions 2 to 6 of Part 11 (except sections 233, 235, 236 and 237) in so far as those provisions relate to people in Victoria who, for the purpose of eliminating or reducing the serious risk to public health posed by the COVID-19 pandemic, are detained in or directed to remain in, or are staying in, quarantine, isolation or emergency accommodation at a place (being a hotel or other facility or class of facility), designated by the Minister for Police and Emergency Services and published in the Government Gazette 	Minister for Police and Emergency Services
12	Secretary, Department of Health and Human Services	The Act or provisions of the Act listed in Column 2 of Item 11, to the extent specified in that item	Secretary, Department of Health and Human Services, Secretary, Department of Justice and Community Safety, jointly and severally
13.	Department of Health and Human Services	The Act or provisions of the Act listed in Column 2 of Item 11, to the extent specified in that item	Department of Health and Human Services, Department of Justice and Community Safety, jointly and severally
14.	Treasurer	Zero and Low Emission Vehicle Distance-based Charge Act 2021	Minister for Roads and Road Safety
15.	Secretary, Department of Treasury and Finance	Zero and Low Emission Vehicle Distance-based Charge Act 2021	Secretary, Department of Transport
16.	Department of Treasury and Finance	Zero and Low Emission Vehicle Distance-based Charge Act 2021	Department of Transport

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, instrument or transaction)	Column 3 (New Body)
17.	Minister for Police and Emergency Services	All Acts, instruments and transactions except – Country Fire Authority Act 1958 Emergency Management Act 1986 Emergency Management Act 2013 Emergency Services Telecommunications Authority Act 2004 Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 Fire Rescue Victoria Act 1958 Victoria State Emergency Service Act 2005	Minister for Police
18.	Minister for Police and Emergency Services	Country Fire Authority Act 1958 Emergency Management Act 1986 Emergency Management Act 2013 Emergency Services Telecommunications Authority Act 2004 Firefighters’ Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Act 2019 Fire Rescue Victoria Act 1958 Victoria State Emergency Service Act 2005	Minister for Emergency Services

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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