



Victoria Government Gazette

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Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 246) 2022

The Lieutenant-Governor, as the Governor's deputy, with the advice of the Executive Council makes the following Order:

Dated: 1 February 2022

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. 246) 2022**.

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 is taken to have taken effect on 25 January 2022 at 12.00 am.
- (2) This Order, as it applies to or in respect of items 1 to 3 in Table 1 of the Schedule, is taken to have taken effect on 24 January at 11.59 pm.

4. Definitions

In this Order –

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

‘**Commissioner, COVID-19 Quarantine Victoria**’ means the Administrative Office Head (within the meaning of the **Public Administration Act 2004**) of COVID-19 Quarantine Victoria;

‘**COVID-19 Quarantine Victoria**’ means the body called the ‘COVID-19 Quarantine Victoria’, established as an Administrative Office in relation to the Department of Justice and Community Safety under an Order made under section 11 of the **Public Administration Act 2004** on 1 December 2020 and published in the Government Gazette on that date;

‘**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

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- (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 25 January 2022, 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.	Minister for Police	<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 published in the Government Gazette 	Minister for Health
2.	Secretary, Department of Health, Commissioner, COVID-19 Quarantine Victoria, jointly and severally	The Act or provisions of the Act listed in Column 2 of Item 1, to the extent specified in that item	Secretary, Department of Health
3.	Department of Health, COVID-19 Quarantine Victoria, jointly and severally	The Act or provisions of the Act listed in Column 2 of Item 1, to the extent specified in that item	Department of Health
4.	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), 20A, 21 to 23, 28, 30, 31, Division 4 of Part 5, Divisions 1 and 2 of Part 8, Divisions 1 and 5 of Part 8A, Division 6 of Part 8A (except sections 165BI, 165BJ and 165BM), Division 6A of Part 8A, sections 165BR, 165BS, 165CN, 165CO, 165CU, Parts 9 and 10 (except section 198 and sections 200A, 200B and 200C), section 208, Divisions 2, 3, 4, 4A, 5 and 6 of Part 11 (except sections 233, 235, 236 and 237) and Part 14 in so far as those provisions relate to: 	Minister for Police

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, instrument or transaction)	Column 3 (New Body)
		<ul style="list-style-type: none"> ● 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 published in the Government Gazette (quarantine place); or ● the exercise of powers in relation to the detention of people at a place (being a hotel or other facility or class of facility), designated by the Minister for Police and published in the Government Gazette, for the purpose of eliminating or reducing the serious risk to public health posed by the COVID-19 pandemic, who are: <ul style="list-style-type: none"> ○ people who are arriving, or have arrived, in Victoria from overseas (excluding maritime passengers in accordance with the arrangements for cruise ships and maritime vessels as determined by the Commonwealth Government) at: <ul style="list-style-type: none"> – Melbourne International Airport; – Avalon Airport; – Essendon Fields Airport; – any other international airport in Victoria; – an international port in Victoria or the coastal waters of Victoria; or – another place that is designated by the Minister for Police and published in the Government Gazette; or ○ people who are in Victoria and who are unable to self-isolate or self-quarantine at their ordinary place of residence or other suitable premises; or ● the transportation by or on behalf of COVID-19 Quarantine Victoria of people in Victoria who are to be detained in or have been detained in a quarantine place; or 	

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, instrument or transaction)	Column 3 (New Body)
		<ul style="list-style-type: none"> ● the exercise of powers in relation to people who are arriving, or have arrived, in Victoria from overseas (excluding maritime passengers in accordance with the arrangements for cruise ships and maritime vessels as determined by the Commonwealth Government) at: <ul style="list-style-type: none"> ○ Melbourne International Airport; ○ Avalon Airport; ○ Essendon Fields Airport; ○ any other international airport in Victoria; ○ an international port in Victoria or the coastal waters of Victoria; or ○ another place that is designated by the Minister for Police and published in the Government Gazette <p>for the purpose of eliminating or reducing the serious risk to public health posed by the COVID-19 pandemic, if those people are or may be detained or directed or ordered to quarantine or isolate at their ordinary place of residence or other suitable premises or if those people are or may be directed or ordered to comply with other post-arrival conditions or restrictions.</p>	
5.	Secretary, Department of Health	The Act or provisions of the Act listed in Column 2 of Item 4, to the extent specified in that item	Commissioner, COVID-19 Quarantine Victoria, Secretary, Department of Health, jointly and severally
6.	Department of Health	The Act or provisions of the Act listed in Column 2 of Item 4, to the extent specified in that item	COVID-19 Quarantine Victoria, Department of Health, jointly and severally

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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