



Victoria Government Gazette

No. S 594 Tuesday 25 October 2022
By Authority of Victorian Government Printer

Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 250) 2022

The Governor in Council makes the following Order:

Dated: 25 October 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. 250) 2022**.

2. Authorising provision

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

3. Commencement

This Order is taken to have taken effect on 20 October 2022.

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
- (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;
- (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 a Table 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 2022 and ending on 19 October 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.	Premier	Constitution Act 1975 – ● Part IIIA	Attorney-General
2.	Attorney-General	Terrorism (Community Protection) Act 2003 – ● Part 4A, except Division 5 of Part 4A	Attorney-General and Minister for Police, jointly and severally
3.	Minister for Local Government	Local Government Act 2020 – ● Section 85 in so far as it relates to the revocation of local laws made in respect of the powers set out in Clauses 4 and 9 of Schedule 11 to the Local Government Act 1989	Minister for Roads and Road Safety
4.	Attorney-General, Minister for Local Government, jointly and severally	Local Government Act 1989 – ● Section 243 in so far as it relates to municipal electoral tribunals and inspectors of municipal administration	Minister for Local Government
5.	Minister for Roads and Road Safety, Minister for Ports and Freight, Minister for Public Transport, Minister for Transport Infrastructure, jointly and severally	Transport Integration Act 2010 – ● Part 13	Minister for Ports and Freight
6.	Minister for Education, Minister for Higher Education, Minister for Training and Skills, Minister for Trade, jointly and severally	Education and Training Reform Act 2006 – ● Part 5.10	Minister for Early Childhood and Pre-Prep, Minister for Education, Minister for Higher Education, Minister for Training and Skills, Minister for Trade, jointly and severally
7.	Minister for Planning	Residential Tenancies Act 1997 – ● Part 14	Minister for Environment and Climate Action, Minister for Planning, jointly and severally
8.	Department of Premier and Cabinet	Constitution Act 1975 – ● Part IIIA	Department of Justice and Community Safety

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, instrument or transaction)	Column 3 (New Body)
9.	Secretary, Department of Premier and Cabinet	Constitution Act 1975 – ● Part IIIA	Secretary, Department of Justice and Community Safety
10.	Department of Jobs, Precincts and Regions	Local Government Act 2020 – ● Section 85 in so far as it relates to the revocation of local laws made in respect of the powers set out in Clauses 4 and 9 of Schedule 11 to the Local Government Act 1989	Department of Transport
11.	Secretary, Department of Jobs, Precincts and Regions	Local Government Act 2020 – ● Section 85 in so far as it relates to the revocation of local laws made in respect of the powers set out in Clauses 4 and 9 of Schedule 11 to the Local Government Act 1989	Secretary, Department of Transport
12.	Department of Justice and Community Safety, Department of Jobs, Precincts and Regions, jointly and severally	Local Government Act 1989 – ● Section 243 in so far as it relates to municipal electoral tribunals and inspectors of municipal administration	Department of Jobs, Precincts and Regions
13.	Secretary, Department of Justice and Community Safety, Secretary, Department of Jobs, Precincts and Regions, jointly and severally	Local Government Act 1989 – ● Section 243 in so far as it relates to municipal electoral tribunals and inspectors of municipal administration	Secretary, Department of Jobs, Precincts and Regions

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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