



# Victoria Government Gazette

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## Public Administration Act 2004

### CHANGE OF NAME OF THE MAJOR TRANSPORT INFRASTRUCTURE AUTHORITY ADMINISTRATIVE OFFICE

#### Order in Council

The Governor in Council under section 11 of the **Public Administration Act 2004**, makes an Order to change the name of the Major Transport Infrastructure Authority, an Administrative Office established in relation to the Department of Transport and Planning, to the Victorian Infrastructure Delivery Authority.

This Order comes into effect at 9.00 am on 2 April 2024.

Dated: 26 March 2024

Responsible Minister:

HON JACINTA ALLAN MP

Premier

ANGELA SMITH  
Clerk of the Executive Council

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**SPECIAL**

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**Administrative Arrangements Act 1983**

## ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 256) 2024

The Governor in Council makes the following Order:

Dated: 26 March 2024

Responsible Minister:

HON JACINTA ALLAN MP

Premier

ANGELA SMITH

Clerk of the Executive Council

**1. Title**

This Order is called the **Administrative Arrangements Order (No. 256) 2024**.

**2. Authorising provision**

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

**3. Commencement**

- (1) Subject to subclauses (2) and (3), this Order takes effect at 10.00 am on 2 April 2024.
- (2) This Order, as it applies to or in respect of an item in Table 1 of the Schedule, is taken to have taken effect on 1 January 2024.
- (3) This Order, as it applies to or in respect of an item in Table 2 of the Schedule, is taken to have taken effect on 1 February 2024.

**4. Definitions**

In this Order –

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

‘**Director-General, Major Transport Infrastructure Authority**’ means the Administrative Office Head (within the meaning of the **Public Administration Act 2004**) of the Major Transport Infrastructure Authority;

‘**Director-General, Victorian Infrastructure Delivery Authority**’ means the Administrative Office Head (within the meaning of the **Public Administration Act 2004**) of the Victorian Infrastructure Delivery Authority;

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

‘**Major Transport Infrastructure Authority**’ means the body called the ‘Major Transport Infrastructure Authority’, established as an Administrative Office in relation to the Department of Transport and Planning under an Order made under section 11 of the **Public Administration Act 2004** on 21 December 2018 and published in the Government Gazette on that day;

‘**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;

‘**Victorian Infrastructure Delivery Authority**’ means the body called the ‘Victorian Infrastructure Delivery Authority’, established as an Administrative Office in relation to the Department of Transport and Planning under an Order made under section 11 of the **Public Administration Act 2004** (as the successor to the Major Transport Infrastructure Authority) on 26 March 2024 and published in the Government Gazette on that day<sup>1</sup>.

## 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) an instrument (other than a statutory instrument) made under an Act or a provision of an Act specified in an item in a Table of the Schedule;
  - (c) any other instrument or any transaction specified in an item in a Table of the Schedule.
- (2) For the purposes of subclause (1)(a), a reference to an Act or a provision of an Act includes a reference to a statutory instrument made under that Act or provision.
- (3) 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 a statutory instrument or 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.
- (4) 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.
- (5) 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.

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<sup>1</sup> The Order made under section 11 of the **Public Administration Act 2004** changed the name of the Major Transport Infrastructure Authority, an Administrative Office established in relation to the Department of Transport and Planning, to the Victorian Infrastructure Delivery Authority.

**7. Keeping financial accounts and reports**

- (1) Despite this Order taking effect in respect of the items in Table 2 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 2023 and ending on 31 January 2024 (inclusive), 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.
- (2) Despite this Order taking effect in respect of the items in Table 3 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 2023 and ending on 30 June 2024 (inclusive), 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**

<b>Item No.</b>	<b>Column 1 (Old Body)</b>	<b>Column 2 (Act, provision of Act, instrument or transaction)</b>	<b>Column 3 (New Body)</b>
1.	Commissioner for Better Regulation	All Acts and transactions	Commissioner for Economic Growth and Better Regulation

**Table 2**

<b>Item No.</b>	<b>Column 1 (Old Body)</b>	<b>Column 2 (Act, provision of Act, instrument or transaction)</b>	<b>Column 3 (New Body)</b>
1.	Minister for Government Services, Premier, jointly and severally	<b>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</b> – <ul style="list-style-type: none"> <li>Part 4 and section 36</li> </ul>	Assistant Treasurer, Premier, jointly and severally
2.	Secretary, Department of Premier and Cabinet	<b>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</b> – <ul style="list-style-type: none"> <li>Part 4 and section 36</li> </ul>	Secretary, Department of Premier and Cabinet, Secretary, Department of Treasury and Finance, jointly and severally
3.	Department of Premier and Cabinet	<b>Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019</b> – <ul style="list-style-type: none"> <li>Part 4 and section 36</li> </ul>	Department of Premier and Cabinet, Department of Treasury and Finance, jointly and severally

Table 3

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, statutory instrument, instrument or transaction)	Column 3 (New Body)
1	Minister for Education, Minister for Skills and TAFE, jointly and severally	<b>Education and Training Reform Act 2006</b> – <ul style="list-style-type: none"> <li>● Chapter 1 (except section 1.1.3(1))</li> <li>● Part 5.2 (except sections 5.2.1(2)(d)(ii), 5.2.1(2)(d)(iv) and 5.2.1(2)(f))</li> </ul>	Minister for Children, Minister for Education, Minister for Skills and TAFE, jointly and severally
2	Major Transport Infrastructure Authority	All Acts and transactions	Victorian Infrastructure Delivery Authority
3	Director-General, Major Transport Infrastructure Authority	All Acts and transactions	Director-General, Victorian Infrastructure Delivery Authority
4.	Secretary, Department of Health	<b>Health Services Act 1988</b> – Except: <ul style="list-style-type: none"> <li>● Sections 42, 58(1)(a) to (e), 59, 66, 66A, 141(3)(h), 143, 144, 145, 146 and 157 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</li> <li>● Sections 11A, Division 8A of Part 3, sections 65XB(1)(h), 69E, 134X and 134Y 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</li> </ul>	Secretary, Department of Health, Director-General, Victorian Infrastructure Delivery Authority, jointly and severally

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, statutory instrument, instrument or transaction)	Column 3 (New Body)
		<p><b>Land Act 1958 –</b></p> <ul style="list-style-type: none"> <li>● In so far as it relates to the exercise of powers relating to leases and licences under Subdivisions 1 and 2 of Division 9 of Part I in respect of: <ul style="list-style-type: none"> <li>○ the land described as Crown Allotment 60 A1 in the Parish of Traralgon and contained in Crown Lease Volume 1212 Folio 519</li> <li>○ the land described as Crown Allotment 2064 in the Parish of Mildura, being the land on which the Mildura Hospital is located</li> <li>○ the land described as Crown Allotment 2633 in the Parish of Jika Jika shown on the plan numbered OP123398 lodged in the Central Plan Office, being the site of the new Royal Children’s Hospital</li> </ul> </li> </ul> <p><b>Royal Melbourne Hospital (Redevelopment) Act 1992 – Except:</b></p> <ul style="list-style-type: none"> <li>● Section 7</li> </ul>	
5.	Department of Health	<p><b>Health Services Act 1988 – Except:</b></p> <ul style="list-style-type: none"> <li>● Sections 42, 58(1)(a) to (e), 59, 66, 66A, 141(3)(h), 143, 144, 145, 146 and 157 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</li> <li>● Sections 11A, Division 8A of Part 3, sections 65XB(1)(h), 69E, 134X and 134Y 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</li> </ul>	Department of Health, Victorian Infrastructure Delivery Authority, jointly and severally

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, statutory instrument, instrument or transaction)	Column 3 (New Body)
		<p><b>Land Act 1958 –</b></p> <ul style="list-style-type: none"> <li>● In so far as it relates to the exercise of powers relating to leases and licences under Subdivisions 1 and 2 of Division 9 of Part I in respect of: <ul style="list-style-type: none"> <li>○ the land described as Crown Allotment 60 A1 in the Parish of Traralgon and contained in Crown Lease Volume 1212 Folio 519</li> <li>○ the land described as Crown Allotment 2064 in the Parish of Mildura, being the land on which the Mildura Hospital is located</li> <li>○ the land described as Crown Allotment 2633 in the Parish of Jika Jika shown on the plan numbered OP123398 lodged in the Central Plan Office, being the site of the new Royal Children’s Hospital</li> </ul> </li> </ul> <p><b>Royal Melbourne Hospital (Redevelopment) Act 1992 – Except:</b></p> <ul style="list-style-type: none"> <li>● Section 7</li> </ul>	

**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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