

# Victoria Government Gazette

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**SPECIAL** 

#### MINISTERS OF THE CROWN

His Excellency the Governor of the State of Victoria in the Commonwealth of Australia has on 5 December 2002, on the recommendation of the Honourable the Premier, accepted the resignations of the Bracks Ministry and His Excellency has been pleased to appoint:

The Honourable Stephen Phillip Bracks, MP, Premier, Minister for Multicultural Affairs (without salary);

The Honourable Johnstone William Thwaites, MP, Minister for Environment, Minister for Water (without salary), Minister for Victorian Communities (without salary);

The Honourable Jacinta Marie Allan, MP, Minister for Education Services, Minister for Employment and Youth Affairs (without salary);

The Honourable Peter Batchelor, MP, Minister for Transport, Minister for Major Projects (without salary);

The Honourable Candy Celeste Broad, MLC, Minister for Local Government, Minister for Housing (without salary);

The Honourable John Mansfield Brumby, MP, Treasurer, Minister for Innovation (without salary), Minister for State and Regional Development (without salary);

The Honourable Robert Graham Cameron, MP, Minister for Agriculture;

The Honourable Mary Elizabeth Delahunty, MP, Minister for Planning, Minister for the Arts (without salary), Minister for Women's Affairs (without salary);

The Honourable Sherryl Maree Garbutt, MP, Minister for Community Services;

The Honourable André Haermeyer, MP, Minister for Police and Emergency Services, Minister for Corrections (without salary);

The Honourable Timothy James Holding, MP, Minister for Manufacturing and Export, Minister for Financial Services Industry (without salary);

The Honourable Rob Justin Hulls, MP, Attorney General, Minister for Industrial Relations (without salary), Minister for WorkCover (without salary);

The Honourable Gavin Wayne Jennings, MLC, Minister for Aged Care, Minister for Aboriginal Affairs (without salary);

The Honourable Lynne Janice Kosky, MP, Minister for Education and Training;

The Honourable John Lenders, Minister for Finance, Minister for Consumer Affairs (without salary);

The Honourable Justin Mark Madden, MLC, Minister for Sport and Recreation, Minister for Commonwealth Games (without salary);

The Honourable John Pandazopoulos, MP, Minister for Gaming, Minister for Racing (without salary), Minister for Tourism (without salary), Minister Assisting the Premier on Multicultural Affairs (without salary);

The Honourable Bronwyn Jane Pike, MP, Minister for Health;

The Honourable Theo Charles Theophanous, MLC, Minister for Energy Industries, Minister for Resources (without salary);

The Honourable Marsha Rose Thomson, MLC, Minister for Small Business, Minister for Information and Communication Technology (without salary).

By His Excellency's Command

HELEN DOYE Clerk of the Executive Council

Department of Sustainability and Environment

Department for Victorian Communities

# 2

# Public Sector Management and Employment Act 1998 **DEPARTMENTS**

Whereas, by Order in Council made on 23 June 1998, a number of Departments and Administrative Offices were established, and as the names of certain of those Departments were changed and a new Department established by Orders in Council of 29 October 1999 and 5 March 2002, the Governor in Council:

- pursuant to section 10 of the Public Sector Management and Employment Act 1998,
  - changes the name of the Department listed in column 1 of Table A to the name listed in column 2 of that Table:-

TABLE A

Column 1 Column 2

Department of Natural Resources

and Environment

Department of Tourism, Sport and

the Commonwealth Games

establishes the following Department: (b)

Department of Primary Industries;

and

and

2. pursuant to section 11 of the Public Sector Management and Employment Act 1998 establishes the Administrative Offices listed in column 1 of Table B in relation to the Departments listed in column 2 of that Table

TABLE B

Column 1 Column 2

Office of Government Services Department of Infrastructure

Dated 5 December 2002 Responsible Minister SP BRACKS

Premier

HELEN DOYE Clerk of the Executive Council

# **Administrative Arrangements Act 1983**

### ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 182) 2002

The Governor, on the advice of the Executive Council, makes the following Order:

Dated 5 December 2002

Responsible Minister:

SP BRACKS MP

Premier

HELEN DOYE

Clerk of the Executive Council

#### 1. Title

This Order is called the Administrative Arrangements Order (182) 2002.

## 2. Authorising provision

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

## 3. Commencement

This Order takes effect on 5th December 2002.

#### 4. Definitions

In this Order—

"instrument" includes contract and agreement;

"Old Body" means a Minister specified in Column 1 of an item in the Schedule;

"New Body" means a Minister specified in Column 3 of an item in the Schedule;

"Schedule" means 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

In respect of each item in the Schedule, a reference to an Old Body-

- (a) in a provision of an Act specified in Column 2 of the Schedule; or
- (b) in a statutory instrument or other instrument made under an Act specified in Column 2 of the Schedule; or
- (c) in respect of any other matter or thing done under a provision of an Act specified in Column 2 of the Schedule-

is deemed to be a reference to the New Body.

## 6. Saving of existing transactions

If a transaction happened in relation to an Old Body before this Order takes effect—

- (a) this Order does not affect the validity or continuity of the transaction; and
- (b) the transaction shall continue and may be completed in relation to the New Body in the same way as it would have been continued and may have been completed in relation to the Old Body if this Order had not been made.

# **SCHEDULE**

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
1.	Minister for Education Services	Victorian Institute of Teaching Act 2000	Minister for Education and Training
2.	Minister for Environment and Conservation	Catchment and Land Protection Act 1994 Conservation, Forests and Lands Act 1987 —  • Except in so far as it relates to the exercise of powers for the purposes of the Fisheries Act 1995  Environment Conservation Council Act 1997 Environment Protection Act 1970 Flora and Fauna Guarantee Act 1988 Geographic Place Names Act 1998 Land Conservation (Vehicle Control) Act 1972 Litter Act 1987 National Environment Protection Council (Victoria) Act 1995 National Parks Act 1975 Parks Victoria Act 1998 Reference Areas Act 1978 Royal Botanic Gardens Act 1991 Victorian Conservation Trust Act 1972 Victorian Environmental Assessment Council Act 2001 Wildlife Act 1975 Zoological Parks and Gardens Act 1995	Minister for Environment
2A	Minister for Environment and Conservation	Groundwater (Border Agreement) Act 1985 Heritage Rivers Act 1992 Melbourne and Metropolitan Board of Works Act 1958 Melbourne Water Corporation Act 1992 Pollution of Waters by Oil and Noxious Substances Act 1986—  • Sections 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 23B, 23D, 23E, 23G, 23J, 23K, 23L, 24E, 30 and 47  State Owned Enterprises Act 1992 —  • Division 2 of Part 2 in so far as it  • relates to the Water Training Centre. Water Act 1989 Water Industry Act 1994	Minister for Water
3.	Minister for Environment and Conservation	All Acts except Utility Meters (Meteorological Controls) Act 2002, Forestry Rights Act 1996, Forests Act 1958, Forests (Wood Pulp Agreement) Act 1996, Victorian Plantations Corporation Act 1993 and those Acts specified in Column 2 of Item 2 and 2A	Minister for Planning

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
4.	Minister for Energy and Resources	Extractive Industries Development Act 1995, Underseas Minerals Resources Act 1963, Petroleum Act 1998, Petroleum (Submerged Lands) Act 1982, Coal Mines (Pensions) Act 1958 - Except:  Part III Mineral Resources Development Act 1990 Mines Act 1958:  Division 2 of Part III	Minister for Resources
5.	Minister for Energy and Resources	Fisheries Act 1995, Conservation, Forests and Lands Act 1987:  • Insofar as it relates to the exercise of powers for the purposes of the Fisheries Act 1995	Minister for Agriculture
6.	Minister for Energy and Resources	All Acts except those Acts specified in Column 2 of Items 4 and 5	Minister for Energy Industries
7.	Minister for Environment and Conservation	Forestry Rights Act 1996, Forests Act 1958, Forests (Wood Pulp Agreement) Act 1996 and the Victorian Plantations Corporation Act 1993, State Owned Enterprises Act 1992:—  • Division 2 of Part 2 insofar as it relates to the Victorian Plantations Corporation	Minister for Agriculture
8.	Department of Natural Resources and Environment	All Acts except those specified in Column 2 of Items 4, 5, 6 and 7, Electricity Safety Act 1998, Electricity Safety Act 2000, Fuel Emergency Act 1977, Gas Industry Act 2001, Gas Pipelines Access (Victoria) Act 1998, Gas Safety Act 1997, National Electricity (Victoria) Act 1997, Nuclear Activities (Prohibitions) Act 1983, Pipelines Act 1967, State Electricity Commission Act 1958:  Section 107 Sustainability Energy Authority Act 1990, Aboriginal Lands Act 1970, Archaeological and Aboriginal Relics Preservation Act 1972	Department of Sustainability and Environment
9.	Secretary to the Department of Natural Resources and Environment	All those Acts specified Column 2 of Item 8	Secretary to the Department of Sustainability and Environment

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
10.	Department of Natural Resources and Environment	Electricity Safety Act 1998, Electricity Safety Act 2000, Fuel Emergency Act 1977, Gas Industry Act 2001, Gas Pipelines Access (Victoria) Act 1998, Gas Safety Act 1997, National Electricity (Victoria) Act 1997, Nuclear Activities (Prohibitions) Act 1983, Pipelines Act 1967, State Electricity Commission Act 1958:—  • Section 107 Sustainability Energy Authority Act 1990	Department of Infrastructure
11.	Secretary to the Department of Natural Resources and Environment	All those Acts specified in Column 2 of Item 10	Secretary to the Department of Infrastructure
12.	Department of Natural Resources and Environment	Aboriginal Lands Act 1970, Archaeological and Aboriginal Relics Preservation Act 1972	Department for Victorian Communities
13.	Secretary to the Department of Natural Resources and Environment	All those Acts specified in Column 2 of Item 12	Secretary to the Department for Victorian Communities
14.	Department of Natural Resources and Environment	All those Acts specified in Column 2 of Items 4, 5 and 7	Department of Primary Industries
15.	Secretary to the Department of Natural Resources and Environment	All those Acts specified in Column 2 of Item 14	Secretary to Department of Primary Industries
16.	Minister for Health	Howard Florey Institute of Experimental Physiology and Medicine Act 1971 and Prince Henry's Institute of Medical Research Act 1988	Minister for Innovation
17.	Department of Human Services	All those Acts specified in Column 2 of Item 16	Department of Innovation, Industry and Regional Development

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
18.	Secretary to the Department of Human Services	All those Acts specified in Column 2 of Item 16	Secretary to the Department of Innovation, Industry and Regional Development
19.	Minister for Community Services	Girl Guides Association Act 1952 and the Scout Association Act 1932	Minister for Employment and Youth Affairs
20.	Department of Human Services	All those Acts specified in Column 2 of Item 19	Department of Victorian Communities
21.	Secretary to the Department of Human Services	All those Acts specified in Column 2 of Item 19	Secretary to the Department of Victorian Communities
22.	Minister for Senior Victorians	Retirement Villages Act 1986	Minister for Consumer Affairs
23.	Department of Human Services	All those Acts specified in Column 2 of Item 22	Department of Justice
24.	Secretary to the Department of Human Services	All those Acts specified in Column 2 of Item 22	Secretary to the Department of Justice
25.	Attorney-General	Land Titles Validation Act 1994	Minister for Planning
26.	Department of Justice	Land Titles Validation Act 1994	Department of Sustainability and Environment
27.	Secretary to the Department of Justice	Land Titles Validation Act 1994	Secretary to the Department of Sustainability and Environment
28.	Attorney-General	Births, Deaths and Marriages Registration Act 1996	Minister for Victorian Communities
29.	Department of Justice	Births, Deaths and Marriages Registration Act 1996	Department for Victorian Communities

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
30.	Secretary to the Department of Justice	Births, Deaths and Marriages Registration Act 1996	Secretary to the Department for Victorian Communities
31.	Minister for Ports	Marine Act 1988:—  • Parts 4, 7, 9 and 10A;  Divisions 1 and 3 of Part 8	Minister for Police and Emergency Services
32.	Department of Infrastructure	All Acts specified in Column 2 of Item 31	Department of Justice
33.	Secretary to the Department of Infrastructure	All Acts specified in Column 2 of Item 31	Secretary to the Department of Justice
34.	Minister for Ports	All Acts except those specified in Column 2 of Item 31	Minister for Transport
35.	Minister for Planning	Urban and Regional Land Corporation Act 1997	Minister for Major Projects
36.	Department of Infrastructure	City of Melbourne Act 2001 Libraries Act 1988 Part 4 Section 53 so far as it relates to Part 4. Local Government (Consequential Provisions) Act 1989 Local Government (Darebin City Council) Act 1998 Local Government (Nillumbik Shire Council) Act 1998 Local Government (Restoration of Local Democracy to Melton) Act 2000 Local Government Act 1989 — Except: Sections 44–46, 48–49 Section 243 in so far as it relates to municipal electoral tribunals Schedule 4 excluding Clause 1(b) Clauses 4 and 9(3) of Schedule 11 and section 123 in so far as it relates to the revocation of local laws made pursuant to the powers conferred by those clauses by reason of section 207 Municipal Association Act 1907 Municipalities Assistance Act 1973 Victoria Grants Commission Act 1976	Department for Victorian Communities

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
37.	Secretary to the Department of Infrastructure	All Acts specified in Column 2 of Item 36	Secretary to the Department for Victorian Communities
38.	Department of Infrastructure	Architects Act 1991, Bayside Project Act 1988 Building Act 1993 — Except:  Parts 5B and 5C Building and Construction Industry Security of Payment Act 2002 Casino Control Act 1991  Section 128H to 128L, except for section 128K(2). Chinatown Historic Precinct Act 1984, Como Project Act 1994, Cultural and Recreational Lands Act 1963, Environment Effects Act 1978, Geelong Market Site Act 1983, Government Employee Housing Authority (Repeal) Act 1995 Health Act 1958  Section 228 and Part XX where it relates to the operation of section 228 Heritage Act 1995, Land (Goonawarra Golf Course) Act 1988, Nudity (Prescribed Areas) Act 1983, Planning and Environment Act 1987, Planning Authorities Repeal Act 1994 Project Development and Construction Management Act 1994  Part 4 and 7; Part 5 (to the extent that it relates to the exercise of powers and functions under Part 9A of the Planning and Environment Act 1987); Section 46. Residential Tenancies Act 1997  Part 14 – Regulation of Caravan Parks and Movable Dwellings being sections 512-527. South Yarra Project (Subdivision and Management) Act 1985, Southgate Project Act 1994 Subdivision Act 1988 - Except: in so far as it relates to the management of the Office of the Registrar-General and the Land Titles Office	Department of Sustainability and Environment

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
39.	Secretary to the Department of Infrastructure	All Acts specified in Column 2 of Item 38	Secretary to the Department of Sustainability and Environment
40.	Minister for Arts	All Acts except Public Records Act 1973	Minister for the Arts
41.	Premier	Gaming Machine Control Act 1991  • Section 138	Minister for Victorian Communities
42.	Department of Premier and Cabinet	Public Records Act 1973 Gaming Machine Control Act 1991  • Section 138	Department for Victorian Communities
43.	Secretary to the Department of Premier and Cabinet	All Acts specified in Column 2 of Item 42	Secretary to the Department for Victorian Communities
44.	Premier	Subordinate Legislation 1994	Attorney- General
45.	Department of Premier and Cabinet	All Acts specified in Column 2 of Item 44	Department of Justice
46.	Secretary to the Department of Premier and Cabinet	All Acts specified in Column 2 of Item 44	Secretary to the Department of Justice
47.	Premier	Victorian Relief Committee Act 1958	Minister for Community Services
48.	Department of Premier and Cabinet	All Acts specified in Column 2 of Item 47	Department of Human Services
49.	Secretary to the Department of Premier and Cabinet	All Acts specified in Column 2 of Item 47	Secretary to the Department of Human Services
50.	Department of Premier and Cabinet	Racial and Religious Tolerance Act 2001 State Owned Enterprises Act 1992—  Part 3 and Division 2 of Part 2 in so far as they relate to the Victorian Interpreting and Translation Service Victorian Multicultural Commission Act 1993	Department for Victorian Communities

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
51.	Secretary to the Department of Premier and Cabinet	All Acts specified in Column 2 of Item 50	Secretary to the Department for Victorian Communities
52.	Department of Premier and Cabinet	Queen Victoria Women's Centre Act 1994	Department for Victorian Communities
53.	Secretary to the Department of Premier and Cabinet	All Acts specified in Column 2 of Item 52	Secretary to the Department for Victorian Communities
54.	Department of Treasury and Finance	Casino Control Act 1991 — Except:  Sections 128H to 128L  Section 128K(2)  Casino (Management Agreement) Act 1993  Club Keno Act 1993  Gambling Legislation (Responsible Gambling) Act 2000  Gaming and Betting Act 1994 —  Part 5, Division 2 of Part 6 and Part 15  Gaming Machine Control Act 1991— Except:  Section 138  Gaming No. 2 Act 1997 — Except:  Sections 5(1)(i), 6, 112(d) and 123  Interactive Gaming (Player Protection) Act 1999  Lotteries, Gaming and Betting Act 1966  Public Lotteries Act 2000  TT-Line Gaming Act 1993 —  Section 11	Department of Justice
55.	Secretary to the Department of Treasury and Finance	All Acts specified in Column 2 of Item 54	Secretary to the Department of Justice
56.	Minister for Gaming	Sports Events Ticketing (Fair Access) Act 2002	Minister for Sport and Recreation
57.	Department of Treasury and Finance	All Acts specified in Column 2 of Item 56	Department for Victorian Communities
58.	Secretary to the Department of Treasury and Finance	All Acts specified in Column 2 of Item 56	Secretary to the Department for Victorian Communities

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
59.	Department of Treasury and Finance	Financial Management Act 1994  • Section 54A – 54M	Department of Infrastructure
60.	Secretary to the Department of Treasury and Finance	All Acts specified in Column 2 of Item 59	Secretary to the Department of Infrastructure
61.	Department of Tourism, Sport and the Commonwealth Games	Gaming and Betting Act 1994  Part 5, Division 2 of Part 6 and Part 15  Gaming No. 2 Act 1997  Sections 5(1)(i), 6, 112(d) and 123  Lotteries Gaming and Betting Act 1966  Racing Act 1958	Department of Justice
62.	Secretary to the Department of Tourism, Sport and the Commonwealth Games	All Acts specified in Column 2 of Item 61	Secretary to the Department of Justice
63.	Department of Tourism, Sport and the Commonwealth Games	Anzac Day Act 1958  Sections 4 and 4A  Melbourne and Olympic Parks  Act 1985 — Except:  Sections 24-28  Melbourne Cricket Ground Acts  Melbourne Cricket Ground Trust Act 1989  Professional Boxing and  Combat Sports Act 1985  Sport and Recreation Act 1972  Sports Drug Testing Act 1995  State Sport Centres Act 1994  Commonwealth Games Arrangements  Act 2001	Department for Victorian Communities
64.	Secretary to the Department of Tourism, Sport and the Commonwealth Games	All Acts specified in Column 2 of Item 63	Secretary to the Department for Victorian Communities
65.	Department of Tourism, Sport and the Commonwealth Games	Australian Grands Prix Act 1994 Tourism Victoria Act 1992 Emerald Tourist Railway Act 1977 Melbourne Convention and Exhibition Trust Act 1996 Port Bellarine Tourist Resort 1981 Chinatown Historic Precinct Act 1984	Department of Innovation, Industry and Regional Development

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
66.	Secretary to the Department of Tourism, Sport and the Commonwealth Games	All Acts specified in Column 2 of Item 65	Secretary to the Department of Innovation, Industry and Regional Development
67.	Minister for Employment	All Acts	Minister for Employment and Youth Affairs
68.	Minister for Small Business	Liquor Control Reform Act 1998 Trade Measurement Act 1995 Trade Measurement (Administration) Act 1995	Minister for Consumer Affairs
69.	Department of Innovation, Industry and Regional Development	All Acts specified in Column 2 of Item 68	Department of Justice
70.	Secretary to the Department of Innovation, Industry and Regional Development	All Acts specified in Column 2 of Item 68	Secretary to the Department of Justice

Note: The Administration of Acts – General Order may be located by following the "General Information" then "General Order and Supplements" links at www.dpc.vic.gov.au.

14

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