



Victoria Government Gazette

No. S 77 Tuesday 3 April 2007
By Authority. Victorian Government Printer

Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 194) 2007

The Governor in Council makes the following Order:

Dated 3 April 2007

Responsible Minister:
S. P. BRACKS
Premier

RUTH LEACH
Clerk of the Executive Council

1. Title

This Order is called the Administrative Arrangements Order (No. 194) 2007.

2. Authorising provisions

This Order is made under sections 3 and 5 of the **Administrative Arrangements Act 1983**.

3. Operation and effect of Order

- (1) Subject to sub-clause (2), this Order takes effect on 5 December 2006.
- (2) In relation to items 5 to 7 in the Schedule, this Order takes effect on 26 March 2007.
- (3) This Order has effect despite anything to the contrary in Administrative Arrangements Order (No. 192) 2006 or Administrative Arrangements Order (No. 193) 2007.

4. Definitions

In this Order—

“**Body**” means Minister, Department or officer;

“**instrument**” includes contract and agreement;

“**Old Body**” means a Body specified in Column 1 of an item in the Schedule;

“**New Body**” means a Body 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

SPECIAL

- (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 the day on which this Order has effect in relation to an item—

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

7. Keeping financial accounts and reports

The Secretary to the Department of Education must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 December 2006 in respect of a function under an Act specified in items 1, 2, 3 and 4 in the Schedule that is transferred from the Old Body specified in that item to the New Body specified in that item as if the function had not been transferred.

8. Providing financial accounts and reports

A Secretary to a Department to which a function is transferred must, if requested by a Secretary to a Department referred to in clause 7, provide the Secretary referred to in clause 7 with any financial accounts and records or other information required to enable the Secretary referred to in clause 7 to comply with clause 7.

Schedule

| Item No. | Column 1 (Old Body) | Column 2 (Legislation) | Column 3 (New Body) |
|-----------------|--|--|--|
| 1. | Department of Education and Training | Victorian Institute of Teaching Act 2001 | Department of Education |
| 2. | Secretary, Department of Education and Training | Victorian Institute of Teaching Act 2001 | Secretary, Department of Education |
| 3. | Department of Education and Training | Vocational Education and Training Act 1990 – ● section 20 (1) | Department of Education or Department of Innovation, Industry and Regional Development |
| 4. | Secretary, Department of Education and Training | Vocational Education and Training Act 1990 – ● section 20 (1) | Secretary, Department of Education or Secretary, Department of Innovation, Industry and Regional Development |
| 5. | Minister for Education | Vocational Education and Training Act 1990 | Minister for Skills, Education Services and Employment |
| 6. | Minister for Education | Education Act 1958 – ● section 25A ● Part V ● sections 82(p), 82(q), 82(r) and 83 to the extent that they relate to the making of regulations relating to Part V ● section 84 to the extent that it relates to section 25A Victorian Qualifications Authority Act 2000 ● except sections 8, 14, 19, 21, 24, 24A and 34 to the extent that they relate to courses delivered in schools or qualifications issued to students in schools | Minister for Skills, Education Services and Employment |
| 7. | Minister for Skills, Education Services and Employment | Education Act 1958 – Except – ● the provisions of that Act specified in Item 6, Column 2 ● section 8(1) ● sections 82(i), 82(ia) ● sections 82(p), 82(q), 82(r) and 83 to the extent that they relate to the making of regulations relating to the matters referred to in sections 82(i) and 82(ia). Teaching Service Act 1981 | Minister for Education |

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.

craftsmanpress

The *Victoria Government Gazette* is published by The Craftsman Press Pty Ltd with the authority of the Government Printer for the State of Victoria

© State of Victoria 2007

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria
Level 2 1 Macarthur Street
Melbourne 3002
Victoria Australia

How To Order

| | | |
|---|--------------------------------|---|
|  | Mail Order | Victoria Government Gazette Level 1 520 Bourke Street Melbourne 3000 DX – 106 Melbourne |
|  | Telephone | (03) 9642 5808 |
|  | Fax | (03) 9600 0478 |
| | email | gazette@craftpress.com.au |
|  | Retail & Mail Sales | Victoria Government Gazette Level 1 520 Bourke Street Melbourne 3000 |
|  | Telephone | (03) 9642 5808 |
|  | Fax | (03) 9600 0478 |
|  | Retail Sales | Information Victoria 356 Collins Street Melbourne 3000 |
|  | Telephone | 1300 366 356 |
|  | Fax | (03) 9603 9920 |

Price Code A