



Victoria Government Gazette

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Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 197) 2007

The Governor in Council makes the following Order:

Dated 28 August 2007

Responsible Minister

J. M. BRUMBY

Premier

RUTH LEACH

Clerk of the Executive Council

1. Title

This Order is called the Administrative Arrangements Order (No. 197) 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 14 August 2007.

2) This Order, as it applies to, or in respect of, a Minister, takes effect on 8 August 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
- (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.

SPECIAL

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

- 1) The Secretary to the Department of Sustainability and Environment must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 August 2007 in respect of a function under an Act specified in item 17 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.
- 2) The Secretary to the Department of Human Services must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 August 2007 in respect of a function under an Act specified in item 24 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.
- 3) The Secretary to the Department of Infrastructure must ensure that financial accounts are kept and reports are provided for the purposes of the **Financial Management Act 1994** until 31 August 2007 in respect of a function under an Act specified in item 27 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.	Minister for Children and Early Childhood Development	Education and Training Reform Act 2006 Division 1 of Part 2.1; Division 2 of Part 2.1	Minister for Education
2.	Department of Innovation, Industry and Regional Development	Education and Training Reform Act 2006 Section 5.8.1	Department of Education and Early Childhood Development or Department of Innovation, Industry and Regional Development
3.	Secretary, Department of Innovation, Industry and Regional Development	Education and Training Reform Act 2006 Section 5.8.1	Secretary, Department of Education and Early Childhood Development or Secretary, Department of Innovation, Industry and Regional Development
4.	Department of Innovation, Industry and Regional Development	Education and Training Reform Act 2006 Part 3.3	Department of Planning and Community Development
5.	Secretary, Department of Innovation, Industry and Regional Development	Education and Training Reform Act 2006 Part 3.3	Secretary, Department of Planning and Community Development
6.	Minister for Skills and Workforce Participation	Education and Training Reform Act 2006 Part 4.5 insofar as it relates to courses delivered to overseas students in schools	Minister for Education

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
7.	Department of Innovation, Industry and Regional Development	Education and Training Reform Act 2006 Part 4.5 insofar as it relates to courses delivered to overseas students in schools	Department of Education and Early Childhood Development
8.	Secretary, Department of Innovation, Industry and Regional Development	Education and Training Reform Act 2006 Part 4.5 insofar as it relates to courses delivered to overseas students in schools	Secretary, Department of Education and Early Childhood Development
9.	Minister for Education	Education and Training Reform Act 2006 Division 1 of Part 5.4	Minister for Education or Minister for Skills and Workforce Participation
10.	Department of Education and Early Childhood Development	Education and Training Reform Act 2006 Division 1 of Part 5.4	Department of Education and Early Childhood Development or Department of Innovation, Industry and Regional Development
11.	Secretary, Department of Education and Early Childhood Development	Education and Training Reform Act 2006 Division 1 of Part 5.4	Secretary, Department of Education and Early Childhood Development or Secretary, Department of Innovation, Industry and Regional Development
12.	Minister for Planning	Geographic Place Names Act 1998	Minister for Environment and Climate Change
13.	Department of Planning and Community Development	Geographic Place Names Act 1998	Department of Sustainability and Environment

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
14.	Secretary, Department of Planning and Community Development	Geographic Place Names Act 1998	Secretary, Department of Sustainability and Environment
15.	Minister for Environment and Climate Change	Health Act 1958 Section 228 and Part XX where it relates to the operation of section 228 Subdivision Act 1988 – Except: Insofar as it relates to the management of the Office of the Registrar-General and the Land Titles Office, and; Part 5; section 38; section 43 (insofar as it relates to Part 5 and section 38)	Minister for Planning
16.	Department of Sustainability and Environment	Health Act 1958 Section 228 and Part XX where it relates to the operation of section 228 Subdivision Act 1988 – Except: Insofar as it relates to the management of the Office of the Registrar-General and the Land Titles Office, and; Part 5; section 38; section 43 (insofar as it relates to Part 5 and section 38)	Department of Planning and Community Development
17.	Secretary, Department of Sustainability and Environment	Health Act 1958 Section 228 and Part XX where it relates to the operation of section 228 Subdivision Act 1988 – Except: Insofar as it relates to the management of the Office of the Registrar-General and the Land Titles Office, and; Part 5; section 38; section 43 (insofar as it relates to Part 5 and section 38)	Secretary, Department of Planning and Community Development
18.	Minister for Consumer Affairs	House Contracts Guarantee Act 1987	Minister for Finance, WorkCover and the Transport Accident Commission

Item No.	Column 1 (Old Body)	Column 2 (Legislation)	Column 3 (New Body)
19.	Department of Justice	House Contracts Guarantee Act 1987	Department of Treasury and Finance
20.	Secretary, Department of Justice	House Contracts Guarantee Act 1987	Secretary, Department of Treasury and Finance
21.	Minister for Community Services	Health Act 1958 Part XIX and Part XX	Minister for Health
22.	Minister for Community Services	Health Act 1958 Part IX	Minister for Children and Early Childhood Development
23.	Department of Human Services	Health Act 1958 Part IX	Department of Education and Early Childhood Development
24.	Secretary, Department of Human Services	Health Act 1958 Part IX	Secretary, Department of Education and Early Childhood Development
25.	Minister for Major Projects	Docklands Act 1991	Minister for Planning
26.	Department of Infrastructure	Docklands Act 1991	Department of Planning and Community Development
27.	Secretary, Department of Infrastructure	Docklands Act 1991	Secretary, Department of Planning and Community Development

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