



Victoria Government Gazette

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Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 204) 2010

The Governor in Council makes the following Order:

Dated 6 July 2010

Responsible Minister

HON JOHN BRUMBY MP

Premier of Victoria

TOBY HALLIGAN
Clerk of the Executive Council

1. Title

This Order is called the Administrative Arrangements Order (No. 204) 2010.

2. Authorising provisions

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

3. Operation and effect of Order

This Order takes effect on the day it is made.

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 Table 1 or Table 2 in the Schedule;

‘**New Body**’ means a Body specified in Column 3 of an item in Table 1 or Table 2 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 Table 1 in the Schedule, a reference to the Old Body specified in Column 1 of that Table for the item, in an instrument specified in Column 2 of that Table for the item, is deemed to be a reference to the New Body specified in Column 3 of that Table in that item.

SPECIAL

6. Transfers

In respect of the item in Table 2 in the Schedule, property specified in Column 2 of that Table is transferred from the Old Body specified in Column 1 of that Table to the New Body specified in Column 3 of that Table.

7. 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; 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.

8. Keeping financial accounts and reports

The Secretary, Department of Innovation, Industry and Regional Development and the Secretary, 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 30 September 2010 in respect of functions under the instruments specified in Schedule 1 that are transferred to CenITex or the Department of Treasury and Finance as if the functions had not been transferred.

9. Providing financial accounts and reports

CenITex and the Department of Treasury and Finance must, if requested by the Secretary, Department of Innovation, Industry and Regional Development and the Secretary, Department of Human Services, provide the Secretary, Department of Innovation, Industry and Regional Development and the Secretary, Department of Human Services with any financial accounts and records or other information required to enable the Secretary, Department of Innovation, Industry and Regional Development and the Secretary, Department of Human Services to comply with clause 8.

SCHEDULE

Table 1

Item No.	Column 1 (Old Body)	Column 2 (Instrument)	Column 3 (New Body)
1.	Department of Innovation, Industry and Regional Development	Purchase Order for Data Services dated 10 March 2006 between the Department of Innovation, Industry and Regional Development and Telstra Corporation Limited entered into under the TPAMS Head Agreement for TCS between The Crown in Right of the State of Victoria through the Department of Treasury and Finance and Telstra Corporation Limited dated 6 July 2004.	CenITex a declared authority and State Body established by the State Owned Enterprises (State Body – CenITex) Order 2008 made under section 14 of the State Owned Enterprises Act 1992 on 16 July 2008 and published in Government Gazette S 200 on that date
2.	Department of Innovation, Industry and Regional Development and Department of Industry, Innovation and Regional Development	IGSN Project, Customer Contract for Department of Innovation, Industry and Regional Development, dated 26 October 2009, between the Department of Innovation, Industry and Regional Development and Victorian Rail Track, pursuant to the iGSN Head Agreement between the Crown in Right of the State of Victoria, through the Department of Treasury and Finance and Victorian Rail Track dated 20 August 2008.	CenITex a declared authority and State Body established by the State Owned Enterprises (State Body – CenITex) Order 2008 made under section 14 of the State Owned Enterprises Act 1992 on 16 July 2008 and published in Government Gazette S 200 on that date
3.	Department of Human Services	All contracts (other than the contracts specified in items 4 to 11 of Column 2) in effect immediately before the date of this Order: (a) to which the State of Victoria (as represented by the Department of Human Services), or the Secretary to the Department of Human Services in his or her capacity as an officer of the Department of Human Services, or the Minister for Health, the Minister for Community Services, the Minister for Mental Health or the Minister for Housing is a party; and	CenITex a declared authority and State Body established by the State Owned Enterprises (State Body – CenITex) Order 2008 made under section 14 of the State Owned Enterprises Act 1992 on 16 July 2008 and published in Government Gazette S 200 on that date

Item No.	Column 1 (Old Body)	Column 2 (Instrument)	Column 3 (New Body)
		(b) in relation to the carrying out the following functions in the Department of Human Services: <ul style="list-style-type: none"> ● application hosting; ● data centre facilities; ● IT Service Centre functions; ● network services; and ● data storage and backup operations 	
4.	Department of Human Services	Contract for the Supply of Servers Storage, Equipment Related Products and Services between The State of Victoria acting through the Department of Human Services and Total RISC Technology Pty Ltd dated 28 August 2008	Department of Treasury and Finance
5.	Department of Human Services	Contract for the Supply of Servers Storage, Equipment Related Products and Services between The State of Victoria acting through the Department of Human Services and Acer Computer Australia Pty Ltd dated 28 August 2008	Department of Treasury and Finance
6.	Department of Human Services	Contract for the Supply of Servers Storage, Equipment Related Products and Services between The State of Victoria acting through the Department of Human Services and Hewlett Packard Australia Pty Ltd dated 28 August 2008	Department of Treasury and Finance
7.	Department of Human Services	Contract for the Supply of Servers Storage, Equipment Related Products and Services between The State of Victoria acting through the Department of Human Services and EMC Global Holdings Company (Australian Branch) dated 28 August 2008	Department of Treasury and Finance
8.	Department of Human Services	Contract for the Supply of Servers Storage, Equipment Related Products and Services between The State of Victoria acting through the Department of Human Services and Dell Australia Pty Ltd dated 28 August 2008	Department of Treasury and Finance
9.	Department of Human Services	Contract for the Supply of Servers Storage, Equipment Related Products and Services between The State of Victoria acting through the Department of Human Services and Hitachi Data Systems Australia Pty Ltd dated 28 August 2008	Department of Treasury and Finance

Item No.	Column 1 (Old Body)	Column 2 (Instrument)	Column 3 (New Body)
10.	Department of Human Services	Contract for the Supply of Servers Storage, Equipment Related Products and Services between The State of Victoria acting through the Department of Human Services and IBM Australia Limited dated 28 August 2008	Department of Treasury and Finance
11.	Department of Human Services	Contract for the Supply of Servers Storage, Equipment Related Products and Services between The State of Victoria acting through the Department of Human Services and NetApp Australia Pty Ltd dated 28 August 2008	Department of Treasury and Finance

Table 2

Item No.	Column 1 (Old Body)	Column 2 (Property)	Column 3 (New Body)
1.	State of Victoria	<p>All property (other than any real property) used in the Department of Human Services for the purposes of carrying out the following functions in the Department immediately before the date of this Order:</p> <ul style="list-style-type: none"> ● application hosting; ● data centre facilities; ● IT Service Centre functions; ● network services; and ● data storage and backup operations. 	CenITex a declared authority and State Body established by the State Owned Enterprises (State Body – CenITex) Order 2008 made under section 14 of the State Owned Enterprises Act 1992 on 16 July 2008 and published in Government Gazette S 200 on that date

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

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Level 2 1 Macarthur Street
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