



# Victoria Government Gazette

No. S 378 Tuesday 13 November 2012  
By Authority of Victorian Government Printer

## Administrative Arrangements Act 1983

### ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 213) 2012

The Governor in Council makes the following Order:

Dated 13 November 2012

Responsible Minister:

TED BAILLIEU MLA

Premier

MATTHEW McBEATH  
Clerk of the Executive Council

**1. Title**

This Order is called the Administrative Arrangements Order (No. 213) 2012.

**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 on 14 August 2007.
- (2) This Order, as it applies to or in respect of an item in Table 2 of the Schedule, takes effect on 12 August 2009.
- (3) This Order, as it applies to or in respect of an item in Table 3 of the Schedule, takes effect on 8 December 2010.

**4. Definitions**

In this Order –

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

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

‘**New Body**’ means a Body specified in Column 3 of an item in Table 1, Table 2 or Table 3 of the Schedule;

‘**Old Body**’ means a Body specified in Column 1 of an item in Table 1, Table 2 or Table 3 of 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 a Table of the Schedule, a reference to an Old Body –

- (a) in a provision of an Act specified in Column 2 of an item in Table 1, 2 or 3 of the Schedule; or

**SPECIAL**

- (b) in a statutory instrument or other instrument made under an Act specified in Column 2 of an item in Table 1, 2 or 3 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 an item in Table 1, 2 or 3 of the Schedule; or
- (d) in an instrument specified in Column 2 of an item in Table 1, 2 or 3 of the Schedule – is taken 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) the transaction shall continue in the same way it would have continued if this Order had not been made; and
- (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, enforced or completed, by or in relation to the Old Body if this Order had not been made.

**7. Keeping financial accounts and reports**

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 31 December 2012 in respect of functions under an Act specified in items 1 and 2 in Table 2 of the Schedule that are transferred to the Secretary, Department of Health as if the functions 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 who is an Old Body, provide that Old Body with any financial accounts and records or other information required to enable the Old Body to comply with clause 7.

## SCHEDULE

Table 1

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
1.	Secretary to the Department of Education and Early Childhood Development	<b>Child Wellbeing and Safety Act 2005</b> – <ul style="list-style-type: none"> <li>Section 3 in the definition of <i>human service</i> paragraphs (b), (c) and (e)</li> </ul>	Secretary to the Department of Human Services

Table 2

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
1.	Secretary to the Department of Human Services	<b>Child Wellbeing and Safety Act 2005</b> – <ul style="list-style-type: none"> <li>Section 3 in the definition of <i>human service</i> paragraph (e)</li> </ul>	Secretary to the Department of Health
2.	Secretary to the Department of Human Services	<b>Child Wellbeing and Safety Act 2005</b> – <ul style="list-style-type: none"> <li>Section 38(1)</li> </ul>	Secretary to the Department of Human Services or Secretary to the Department of Health, or both

Table 3

Item No.	Column 1 (Old Body)	Column 2 (Legislation or Instrument)	Column 3 (New Body)
1.	Minister for Skills and Workforce Participation	<b>Planning and Environment Act 1987</b>	Minister for Higher Education and Skills

**bluestar** \* **PRINT**

The *Victoria Government Gazette* is published by Blue Star Print with the authority of the Government Printer for the State of Victoria

© State of Victoria 2012

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 5, 460 Bourke Street  
Melbourne 3000  
PO Box 1957 Melbourne 3001  
DX 106 Melbourne

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

**email**

gazette@bluestargroup.com.au

**Retail & Mail Sales****Victoria Government Gazette**

Level 5, 460 Bourke Street  
Melbourne 3000  
PO Box 1957 Melbourne 3001

**Telephone**

(03) 8523 4601

**Fax**

(03) 9600 0478

**Retail Sales****Victorian Government Bookshop**

Level 20, 80 Collins Street  
Melbourne 3000

**Telephone**

1300 366 356

**Fax**

(03) 9208 3316

**Price Code A**