



# Victoria Government Gazette

No. S 418 Tuesday 26 November 2013  
By Authority of Victorian Government Printer

## Administrative Arrangements Act 1983 ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 218) 2013

The Governor in Council makes the following Order:

Dated 26 November 2013

Responsible Minister:  
THE HON DR DENIS NAPTHINE MP  
Premier

YVETTE CARISBROOKE  
Clerk of the Executive Council

1. **Title**  
This Order is called the **Administrative Arrangements Order (No. 218) 2013**.
2. **Authorising provision**  
This Order is made under section 3 of the **Administrative Arrangements Act 1983**.
3. **Commencement**
  - (1) Subject to subclause (2), this Order takes effect on 3 June 2013.
  - (2) This Order, as it applies to or in respect of clause 8 and item 1 in Table 2 of the Schedule, takes effect on 1 July 2013.
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 Table 1 or 2 of the Schedule;  
**‘New Body’** means a Body specified in Column 3 of Table 1 or 2 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 the Schedule, a reference to an Old Body –
  - (a) in a provision of an Act specified in Column 2 of Table 1 or 2 of the Schedule; or
  - (b) in a statutory instrument or other instrument made under an Act specified in Column 2 of Table 1 or 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 Table 1 or 2 of the Schedule; or
  - (d) in an instrument specified in Column 2 of Table 1 or 2 of the Schedule –  
is taken 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 this Order takes effect –

- (a) the transaction shall continue in the same way it would have continued as 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 as if this Order had not been made.

**7. Incidental and consequential matters relating to planning, sport and recreation and local government matters administrative changes**

(1) To avoid doubt, on and after the day on which an applicable administrative change takes effect, the objects and functions of the Department of Transport, Planning and Local Infrastructure under Division 2 of Part 3 of the **Transport Integration Act 2010** and the powers of the Secretary to that Department under Division 3 of Part 3 of that Act (the *transport system objects, functions and powers*) do not limit or derogate from any functions of that Department or any functions or powers of that Secretary in relation to planning, sport and recreation and local government matters where those matters are not matters in relation to which the transport system objects, functions and powers apply.

(2) In subclause (1) –

*applicable administrative change* means –

- (a) the construction of references to the Department of Planning of Community Development and the Secretary to that Department in items 1 to 9 and 12 and 13 of Table 1 of the Schedule to Administrative Arrangements Order (No. 217) 2013; or
- (b) the transfer of staff from the Department of Planning and Community Development to the Department of Transport, Planning and Local Infrastructure by a declaration made under section 30 of the **Public Administration Act 2004** and the transfer of functions from the Department of Planning and Community Development to the Department of Transport, Planning and Local Infrastructure.

**8. Incidental and consequential matters relating to land matters administrative changes**

(1) To avoid doubt, on and after the day on which an applicable administrative change takes effect, the objects and functions of Department of Transport, Planning and Local Infrastructure under Division 2 of Part 3 of the **Transport Integration Act 2010** and the powers of the Secretary to that Department under Division 3 of Part 3 of that Act (the *transport system objects, functions and powers*) do not limit or derogate from any functions of that Department or any functions or powers of that Secretary in relation to land matters where those matters are not matters in relation to which the transport system objects, functions and powers apply.

(2) In subclause (1) –

*applicable administrative change* means –

- (a) the construction of references to the Department of Environment and Primary Industries, the Secretary to that Department and the Minister for Environment and Climate Change required by Table 2 of the Schedule to Administrative Arrangements Order (No. 217) 2013; or
- (b) the transfer of the administration of Acts or parts of Acts from the Minister for Environment and Climate Change to the Minister for Planning under the Administration of Acts General Order effective 1 July 2013; or
- (c) the transfer of staff from the Department of Environment and Primary Industries to the Department of Transport, Planning and Local Infrastructure by a declaration made under section 30 of the **Public Administration Act 2004** and the transfer of functions from the Department of Environment and Primary Industries to the Department of Transport, Planning and Local Infrastructure.

**9. Keeping financial accounts and reports**

The Secretary, Department of Primary Industries must ensure that financial accounts are kept and records are provided for the purposes of the **Financial Management Act 1994** until 30 June 2013 in respect of a function under an Act specified in item 1 in Table 1 of the Schedule that is transferred to the New Body specified in that item.

**SCHEDULE****Table 1**

<b>Item No.</b>	<b>Column 1 (Old Body)</b>	<b>Column 2 (Legislation or Instrument)</b>	<b>Column 3 (New Body)</b>
1.	Secretary, Department of Primary Industries	<b>Food Act 1984</b>	Secretary, Department of Environment and Primary Industries
2.	Department of Primary Industries	The Act listed in Column 2 of item 1	Department of Environment and Primary Industries

**Table 2**

<b>Item No.</b>	<b>Column 1 (Old Body)</b>	<b>Column 2 (Legislation or Instrument)</b>	<b>Column 3 (New Body)</b>
1.	Department of Environment and Primary Industries	<b>Planning and Environment Act 1987 –</b> <ul style="list-style-type: none"> <li>• Section 201R, definition of <i>Central Plan Office</i></li> </ul>	Department of Transport, Planning and Local Infrastructure

**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 2013

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**