



Victoria Government Gazette

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Administrative Arrangements Act 1983

ADMINISTRATIVE ARRANGEMENTS ORDER (NO. 245) 2021

The Governor in Council makes the following Order:

Dated: 16 November 2021

Responsible Minister:

THE HON DANIEL ANDREWS MP
Premier

SAMUAL WALLACE
Clerk of the Executive Council

1. Title

This Order is called the Administrative Arrangements Order (No. 245) 2021.

2. Authorising provision

This Order is made under section 3 of the **Administrative Arrangements Act 1983**.

3. Commencement

This Order is taken to have taken effect on 1 November 2021.

4. Definitions

In this Order –

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

‘**Chief Executive Officer, Family Safety Victoria**’ means the Administrative Office Head (within the meaning of the **Public Administration Act 2004**) of Family Safety Victoria;

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

‘**Family Safety Victoria**’ means the body called “Family Safety Victoria”, established as an Administrative Office:

(a) in relation to the Department of Health and Human Services under an Order made under section 11 of the **Public Administration Act 2004** effective on 22 June 2017 (published in the Government Gazette (G25) on 22 June 2017); and

(b) in relation to the Department of Families, Fairness and Housing under an Order made under section 11 of the **Public Administration Act 2004** to change the Department in relation to which Family Safety Victoria is established from the Department of Health and Human Services to the Department of Families, Fairness and Housing effective on 1 February 2021 (published in the Government Gazette (S41) on 27 January 2021);

‘**New Body**’ means, in respect of an Old Body, the Body specified in Column 3 of the item specifying the Old Body in a Table of the Schedule;

‘**Old Body**’ means a Body specified in Column 1 of an item in a Table of the Schedule;

‘**Schedule**’ means the 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

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- (f) notice; and
- (g) any other act, entitlement or liability at law.

5. Construction of references

- (1) A reference to an Old Body in any one or more of the following is taken to be a reference to the New Body –
 - (a) an Act or a provision of an Act specified in an item in a Table of the Schedule;
 - (b) a statutory instrument or other instrument made under an Act specified in an item in a Table of the Schedule;
 - (c) any other instrument specified in an item in a Table of the Schedule.
- (2) A reference to an Old Body in respect of any matter or thing done under an Act or a provision of an Act (other than the making of an instrument referred to in subclause (1)(b) or (c)) that is specified in an item in a Table of the Schedule is taken to be a reference to the New Body.
- (3) For the purposes of this clause, a reference to an Old Body acting jointly and severally in Column 1 of an item in a Table of the Schedule is to be read as a reference to that Old Body acting in one of the following ways (however described in a previous Order made under section 3 of the **Administrative Arrangements Act 1983**), as the case requires –
 - (a) on its own;
 - (b) with another Old Body specified in that item;
 - (c) with 2 or more other Old Bodies specified in that item.
- (4) For the purposes of this clause, a reference to an Old Body acting jointly in Column 1 of an item in a Table of the Schedule is to be read as a reference to that Old Body acting in one of the following ways (however described in a previous Order made under section 3 of the **Administrative Arrangements Act 1983**), as the case requires –
 - (a) with another Old Body specified in that item;
 - (b) with 2 or more other Old Bodies specified in that item.

6. Saving of existing transactions

If a transaction happened in relation to an Old Body before this Order takes effect in respect of the item specifying the Old Body –

- (a) the transaction continues as if this Order were not made;
- (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, or enforced or completed, by or in relation to the Old Body.

7. Keeping financial accounts and reports

Despite this Order taking effect in respect of the items in Table 1 of the Schedule, the Secretary to a Department that is an Old Body specified in those items must ensure, for the purposes of the **Financial Management Act 1994**, that, during the period starting on 1 July 2021 and ending on 31 October 2021, financial accounts are kept and reports are provided in relation to a function under an Act specified in those items that is transferred to the Secretary to a Department that is the New Body.

8. Providing financial accounts and reports

For the purpose of enabling the Secretary to a Department that is an Old Body specified in an item in a Table of the Schedule to comply with clause 7, the Secretary to a Department that is the New Body to which a function referred to in that clause is transferred, must, if requested by the Old Body, provide that Old Body with any financial accounts and records or other information.

SCHEDULE

Table 1

Item No.	Column 1 (Old Body)	Column 2 (Act, provision of Act, instrument or transaction)	Column 3 (New Body)
1.	Treasurer	Mutual Recognition (Victoria) Act 1998	Treasurer, Minister for Regulatory Reform, jointly and severally
2.	Family Safety Victoria	All Acts, instruments and transactions	Department of Families, Fairness and Housing
3.	Chief Executive Officer, Family Safety Victoria	All Acts, instruments and transactions	Secretary, Department of Families, Fairness and Housing

Note: The Administration of Acts – General Order may be located at the Department of Premier and Cabinet’s website: <https://www.vic.gov.au/general-orders>

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Level 2, 1 Macarthur Street
Melbourne 3002
Victoria Australia

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Ground Floor, Building 8,
658 Church Street,
Richmond 3121

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Telephone

(03) 8523 4601

email

gazette@ivegroup.com.au

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