

2011

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Treasurer)

## Financial Management (One ACT Public Service) Amendment Bill 2011

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# **Financial Management (One ACT Public Service) Amendment Bill 2011**

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## **A Bill for**

An Act to amend the *Financial Management Act 1996*

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The Legislative Assembly for the Australian Capital Territory enacts as follows:

1	<b>1</b>	<b>Name of Act</b>
2		This Act is the <i>Financial Management (One ACT Public Service)</i>
3		<i>Amendment Act 2011</i> .
4	<b>2</b>	<b>Commencement</b>
5		This Act commences on 1 July 2011.
6	<i>Note</i>	The naming and commencement provisions automatically commence on
7		the notification day (see Legislation Act, s 75 (1)).
8	<b>3</b>	<b>Legislation amended</b>
9		This Act amends the <i>Financial Management Act 1996</i> .
10	<b>4</b>	<b>Section 3B</b>
11		<i>substitute</i>
12	<b>3B</b>	<b>Declaration that certain bodies are not territory</b>
13		<b>authorities for Act</b>
14	(1)	The Treasurer may declare that a stated body is not a territory
15		authority for this Act or a stated provision of this Act.
16	(2)	A declaration is a notifiable instrument.
17	<i>Note</i>	A notifiable instrument must be notified under the Legislation Act.
18	<b>5</b>	<b>Section 54</b>
19		<i>substitute</i>
20	<b>54</b>	<b>Application—pt 8</b>
21		This part applies to a territory authority prescribed by the financial
22		management guidelines for this part.

1	<b>6</b>	<b>Responsibilities of chief executive officers of territory authorities</b>
2		<b>Section 55 (1), note</b>
3		
4		<i>substitute</i>
5		<i>Note</i> A territory authority has a governing board if the establishing Act for
6		the authority establishes a governing board for the authority (see s 76).
7	<b>7</b>	<b>Responsibilities of governing boards of territory authorities</b>
8		<b>Section 56 (1), note</b>
9		
10		<i>substitute</i>
11		<i>Note</i> A territory authority has a governing board if the establishing Act for
12		the authority establishes a governing board for the authority (see s 76).
13	<b>8</b>	<b>Governing board of territory authority</b>
14		<b>Section 76 (2)</b>
15		<i>omit</i>
16	<b>9</b>	<b>Dictionary, note 2</b>
17		<i>omit</i>
18		• chief executive (see s 163)
19		<i>substitute</i>
20		• director-general (see s 163)

**10 Dictionary, definitions of *department* and *departmental banking account***

*substitute*

***directorate*** means—

- (a) an administrative unit (excluding any part of an administrative unit prescribed for paragraph (b) and any administrative unit forming part of a group of administrative units prescribed for paragraph (c)); or
- (b) a part of an administrative unit prescribed for this paragraph; or
- (c) a group of 2 or more administrative units prescribed for this paragraph.

***directorate banking account*** means a banking account mentioned in section 34 (1).

**11 Dictionary, definition of *governing board***

*substitute*

***governing board***, for a territory authority, means the governing board established under the Act that establishes the authority.

**12 Dictionary, definition of *responsible chief executive***

*substitute*

***responsible director-general***, in relation to a directorate, means—

- (a) if the directorate is constituted by an administrative unit or a part of an administrative unit—the director-general of that administrative unit; or
- (b) if the directorate is constituted by a group of 2 or more administrative units—the person prescribed as the responsible director-general in relation to the directorate.

1 **13 Further amendments, mentions of *chief executive***

2 *omit*

3 chief executive

4 *substitute*

5 director-general

6 *in*

- 7 • section 4
- 8 • section 20C
- 9 • section 23
- 10 • sections 28 and 29
- 11 • sections 30B and 30C
- 12 • section 31
- 13 • sections 34 to 34B
- 14 • sections 51 to 51B
- 15 • section 53A
- 16 • section 80

17 **14 Further amendments, mentions of *chief executives***

18 *omit*

19 chief executives

20 *substitute*

21 directors-general

22 *in*

- 23 • part 4 heading
- 24 • section 31 heading

**15 Further amendments, mentions of *chief executive's***

*omit*

chief executive's

*substitute*

director-general's

*in*

- section 28
- section 30B

**16 Further amendments, mentions of *department***

*omit*

department

*substitute*

directorate

*in*

- section 4
- sections 8 to 10
- section 12
- sections 13 and 13A
- sections 15A to 16A
- sections 19C and 19D
- sections 27 to 31
- sections 34 to 35
- section 38 (5)
- sections 50 to 51B
- section 58 (5)
- sections 130 and 131



- 1 • dictionary, definition of *capital injection*
- 2 • dictionary, definition of *generally accepted accounting*
- 3 *principles*
- 4 • dictionary, definition of *outputs*
- 5 • dictionary, definition of *responsible Minister*

## 6 **17 Further amendments, mentions of *departmental***

7 *omit*

8 departmental

9 *substitute*

10 directorate

11 *in*

- 12 • section 12 heading
- 13 • section 27 (3)
- 14 • section 30 heading
- 15 • sections 30B to 30E headings
- 16 • sections 34 to 38
- 17 • section 51 heading
- 18 • sections 51A and 51B

## 19 **18 Further amendments, mentions of *departments***

20 *omit*

21 departments

22 *substitute*

23 directorates

24 *in*

- 25 • division 3.2 heading
- 26 • sections 27 to 29 headings

- 1                   • section 30A heading
- 2                   • part 4 heading
- 3                   • section 31 heading

4       **19       Further amendments, mentions of *department's***

5                   *omit*

6                   department's

7                   *substitute*

8                   directorates

9                   *in*

- 10                  • sections 30 and 30A
- 11                  • sections 30C and 30D

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 2011.

**2 Notification**

Notified under the Legislation Act on 2011.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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