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ADMINISTRATIVE ARRANGEMENTS ACT 1983

*At Government House, Melbourne, the
twenty-third August 1985*

PRESENT:

His Excellency the Governor of Victoria
Mr Mathews | Mr Spyker

ADMINISTRATIVE ARRANGEMENTS ORDER (No. 30) 1985

The Governor in Council makes this Order under section 3 of the *Administrative Arrangements Act 1983* and under every other available power:

1. This Order is called the Administrative Arrangements Order (No. 30) 1985.
2. This Order takes effect on and after 23 August 1985.
3. Administrative Arrangements Order No. 22 is revoked.
4. In respect of each item in the Schedule a reference to the Old Body in any Act, or any provision of an Act, specified in Column 2 or in any statutory or other instrument made under any Act, or any provision of an Act, specified in Column 2 shall be construed as a reference to the New Body.
5. Where as a result of an administrative change made by this Order a function power or duty is authorized or required to be performed exercised or done by the Department of Community Services then it shall be performed exercised or done in the name and on behalf of the Department of Community Services by the Director-General of Community Services, an Assistant Director-General of Community Services or the Director of Pre-school Child Development.
6. Where—
 - (a) before this Order takes effect a transaction happened in relation to an Old Body, and at the time this Order takes effect the transaction has not been completed, then
 - (b) this Order does not affect the validity or continuity of the transaction, and the transaction shall be continued and completed in relation to the New Body in the same way as it would have been continued and completed in relation to the Old Body if this Order had not been made.
7. In this Order—

“The Act” means the *Administrative Arrangements Act 1983*.

“Body” means Minister, Administrative Unit or Officer.

“Instrument” includes contract and agreement.

“Old Body” and “New Body” mean respectively the Body specified in Column 1 and Column 3 of each item in the Schedule.

“Transaction” includes—

 - (a) Agreement, bond, contract, deed or other consensual arrangement whatsoever;
 - (b) Action, appeal, arbitration, prosecution or other legal proceeding whatsoever;
 - (c) Assignment, charge, lease, mortgage, transfer or other dealing with property whatsoever;
 - (d) Loan, guarantee, indemnity or other dealing with money whatsoever;
 - (e) Approval, consent, delegation, direction, licence, Order, permit, requirement or other authority whatsoever;
 - (f) Notice; and
 - (g) Any other act, entitlement or liability in the law whatsoever.

The Premier shall be responsible for carrying out this Order.

L.G. HOUSTON
Clerk of the Executive Council

SCHEDULE

Item	Column 1 (Previous Reference)	Column 2 (Legislation Affected)	Column 3 (New reference)
1.	Minister of Health	<i>Health Act</i> 1958 Part XIA; and, insofar as they relate to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children), Parts XIX, XX, and the Eleventh Schedule.	Minister for Community Services.
2.	Health Commission of Victoria.	Subject to Item 5 <i>Health Act</i> 1958 Part XIA; and, insofar as they relate to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children), Parts XIX, XX, and the Eleventh Schedule.	Department of Community Services.
3.	Chairman, Health Commission of Victoria	<i>Health Act</i> 1958 Part XIA; and, insofar as they relate to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children), Parts XIX, XX, and the Eleventh Schedule.	Director-General of Community Services.
4.	Officer of the Health Commission of Victoria	Subject to Item 10, <i>Health Act</i> 1958 Part XIA; section 200 insofar as it relates to pre-school centres; and, insofar as they relate to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children), Parts XIX, XX, and the Eleventh Schedule.	Officer of the Health Commission of Victoria or Officer of the Department of Community Services.
5.	Health Commission of Victoria	<i>Health Act</i> 1958 sections 208A (1), 208A (2) (a) and insofar as it relates to pre-school centres section 200.	Health Commission of Victoria or the Department of Community Services.
6.	Minister of Health	<i>Health Commission Act</i> 1977 sections 6 and 7 insofar as these sections relate to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children).	Minister for Community Services
7.	Health Commission of Victoria	<i>Health Commission Act</i> 1977 sections 6 and 7 insofar as these sections relate to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children).	Department of Community Services
8.	Minister of Health	<i>Health Act</i> 1958 Section 200 insofar as it relates to pre-school centres.	Minister for Health or Minister for Community Services
9.	Secretary of the Health Commission of Victoria	<i>Health Act</i> 1958 Part XIA; section 200 insofar as it relates to pre-school centres; and, insofar as they relate to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children), Parts XIX, XX, and the Eleventh Schedule.	Director-General of Community Services.

Item	Column 1 (Previous Reference)	Column 2 (Legislation Affected)	Column 3 (New reference)
10.	Authorized Officer	<i>Health Act 1958</i> Part XIA; section 200 insofar as it relates to pre-school centres; and, insofar as they relate to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children), Parts XIX, XX, and the Eleventh Schedule.	Officer of the Health Commission of Victoria authorized by the Health Commission of Victoria or officer of the Department of Community Services authorized by the Department of Community Services.
11.	Authorized member of the police force.	<i>Health Act 1958</i> section 435, insofar as it relates to pre-school centres, child minding centres or services for the care of pre-school children (not being services which cater exclusively for mentally retarded pre-school children).	Member of the police force authorized by the Health Commission of Victoria or by the Department of Community Services.

L.G. HOUSTON
Clerk of the Executive Council

PUBLIC SERVICE ACT 1974

*At Government House, Melbourne, the
twenty-third day of August 1985*

PRESENT:

His Excellency the Governor of Victoria
Mr Mathews | Mr Spyker

CREATION OF DEPARTMENT OF HEALTH

Pursuant to the provisions of sections 22 and 23A of the *Public Service Act 1974*, His Excellency the Governor of Victoria, by and with the advice of the Executive Council thereof, doth by this Order—

1. Respectively amend columns one and two of Schedule Two to that Act by—
 - (a) adding immediately after the entry relating to the Ethnic Affairs Commission the administrative unit "Department of Health" and the related office "Chief General Manager, Department of Health"; and
 - (b) removing the administrative unit "Health Commission" and the related office "Chairman, Health Commission of Victoria"; and
2. Specify that the functions of the Department of Health shall be the functions set out in the Schedule to this Order.

This Order shall operate with effect from 26 August 1985.

SCHEDULE

FUNCTIONS OF DEPARTMENT OF HEALTH

1. To provide advice to the Minister on—
 - the factors that affect the health of the people of Victoria and the need for health services, and
 - the development, provision, management and use of health services.
2. To promote the identification of the patterns and factors affecting the health of the community and the development of general strategies and programmes to improve the health of the community.
3. To protect the community against major environmental, microbiological, chemical, radiological and physical agents of disease and to promote behavioural and environmental changes conducive to health.

4. To ensure that health services of an appropriate standard and mix are provided on an equitable and accessible basis to meet the needs of the population within the context of Government policies and the optimal use of available resources.
5. To promote community participation and representation in the direction and management of health services.
6. To promote staff participation and consultation within the health sector.
7. To promote and undertake where appropriate, research for health, health services and health-related areas.
8. To develop and review policy options, plans and programmes for the health sector in consultation with operating agencies where appropriate, to co-ordinate policy development within the industry and to advise the Minister on industry plans, programmes, and institutional arrangements.
9. To develop guidelines and planning parameters to assist operating agencies in the health industry to develop plans and programmes and to provide advice to agencies.
10. To monitor and review the performance of operating agencies against approved budgets, programmes and objectives and to assist the Minister in evaluating and reporting on industry performance.
11. To analyse financial programmes and budgets prepared by various operating agencies in the health industry, to identify associated policy issues and to provide advice to the Minister on all aspects of such programmes and budgets prior to their consideration and approval by Government.
12. To ensure the development of a comprehensive data base for the Victorian health sector relating to health services and health related matters, and financial, physical and human resources and to analyse and monitor the data base in the development of policies, plans and programmes.
13. To undertake health services and related functions as may be assigned by legislation, directed by the Minister or delegated to the Department by other public authorities.

And the Honourable John Cain, Her Majesty's Premier for the State of Victoria, shall give the necessary directions herein accordingly.

L. G. HOUSTON
Clerk of the Executive Council

ADMINISTRATIVE ARRANGEMENTS ACT 1983

*At Government House, Melbourne, the
twenty-third day of August 1985*

PRESENT:

His Excellency the Governor of Victoria
Mr Mathews | Mr Spyker

ADMINISTRATIVE ARRANGEMENTS ORDER (No. 31) 1985

The Governor in Council makes this Order under section 3 of the *Administrative Arrangements Act* 1983 and under every other available power:

1. This Order is called the Administrative Arrangements Order (No. 31) 1985.
2. This Order takes effect on and after 26 August 1985.
3. If an earlier Order under section 3 of the Act required a reference to an Old Body to be construed as a reference to some other Body then this Order does not affect the operation of the earlier Order.
4. (1) In respect of each item in the Schedule a reference to the Old Body in any Act, or any provision of an Act, specified in Column 2 or in any statutory or other instrument made under any Act, or any provision of an Act, specified in Column 2 shall be construed as a reference to the New Body.
(2) A reference to the Health Commission of Victoria or the Chairman, Health Commission of Victoria, in any other instrument shall be construed respectively as a reference to the Department of Health or the Chief General Manager, Department of Health.
(3) A reference to an officer or employee of the Health Commission of Victoria in any other instrument shall be construed as a reference to an officer or employee of the Department of Health.
(4) Nothing in this Order affects the Memorandum or Articles of Association of Health Computing Services—Victoria Limited.
5. Where as a result of an administrative change made by this Order a function power or duty is authorized or required to be performed exercised or done by the Department of Health then it shall be performed exercised or done in the name and on behalf of the Department of Health by its Chief General Manager.

6. Where—

(a) before this Order takes effect a transaction happened in relation to an Old Body, and at the time this Order takes effect the transaction has not been completed.

then

(b) this Order does not affect the validity or continuity of the transaction, and the transaction shall be continued and completed in relation to the New Body in the same way as it would have been continued and completed in relation to the Old Body if this Order had not been made.

7. Without limiting the generality of the foregoing a delegation made under section 19 of the *Health Commission Act 1977* before this Order takes effect shall continue as if it were a delegation made under section 19 after this Order takes effect.

8. In this Order—

“The Act” means the *Administrative Arrangements Act 1983*.

“Body” means Minister, Administrative Unit or Officer.

“Earlier Order” means an Order under the Act that took effect before 26 August 1985.

“Instrument” includes contract and agreement.

“Old Body” and “New Body” mean respectively the Body specified in Column 1 and Column 3 of each item in the Schedule.

“Transaction” includes:

- (a) Agreement, bond, contract, deed or other consensual arrangement whatsoever;
- (b) Action, appeal, arbitration, prosecution or other legal proceeding whatsoever;
- (c) Assignment, charge, lease, mortgage, transfer or other dealing with property whatsoever;
- (d) Loan, guarantee, indemnity or other dealing with money whatsoever;
- (e) Approval, consent, delegation, direction, licence, Order, permit, requirement or other authority whatsoever;
- (f) Notice; and
- (g) Any other act, entitlement or liability in the law whatsoever.

The Premier shall be responsible for carrying out this Order.

SCHEDULE

Item	Column 1 (Previous Reference)	Column 2 (Legislation Affected)	Column 3 (New reference)
1.	Health Commission of Victoria.	All Acts, other than the <i>Health Commission Act 1977</i> sections 4, 5, 8(1), 9, 10, 16, 18, 20, 21, 35, 36, 41, and 48.	Department of Health.
2.	Chairman, Health Commission of Victoria.	All Acts other than Part 2 of the <i>Health Commission Act 1977</i> .	Chief General Manager, Department of Health.
3.	Officer or employe of the Health Commission of Victoria.	Subject to Item 4, all Acts.	Officer or employe of the Department of Health.
4.	Officer or employe of the Health Commission of Victoria.	<i>Health Commission Act 1977</i> section 31(1).	Officer or employe of the Health Commission of Victoria or officer or employe of the Department of Health.
5.	Regional Director of the Health Commission of Victoria.	All Acts.	Regional Director of the Department of Health.

<i>Item</i>	<i>Column 1 (Previous Reference)</i>	<i>Column 2 (Legislation Affected)</i>	<i>Column 3 (New reference)</i>
6.	Medical Officer of the Health Commission of Victoria.	All Acts.	Medical Officer of the Department of Health.
7.	Officer of the Health Commission of Victoria.	All Acts.	Officer of the Department of Health.
8.	Employee of the Health Commission of Victoria.	All Acts.	Employee of the Department of Health.

L. G. HOUSTON
Clerk of the Executive Council
