



Rural Adjustment Amendment Act 1999

No. 10, 1999

Compilation No. 1

Compilation date:	5 December 1999
Includes amendments up to:	Act No. 146, 1999
Registered:	23 July 2015

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About this compilation

This compilation

This is a compilation of the *Rural Adjustment Amendment Act 1999* that shows the text of the law as amended and in force on 5 December 1999 (the **compilation date**).

This compilation was prepared on 22 July 2015.

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on ComLaw (www.comlaw.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on ComLaw for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on ComLaw for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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An Act to amend the *Rural Adjustment Act 1992*, and for related purposes

1 Short title

This Act may be cited as the *Rural Adjustment Amendment Act 1999*.

2 Commencement

- (1) Subject to subsection (2), this Act commences on the day on which it receives the Royal Assent.
- (2) If the *Public Service Act 1999* commences on or before the commencement of Schedule 1, items 11 and 12 of that Schedule commence immediately after the commencement of that Schedule. In any other case, those items commence immediately after the commencement of that Act.

3 Schedule(s)

Subject to section 2, each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the Rural Adjustment Act 1992

1 Title

Omit “a Rural Adjustment Scheme”, substitute “rural adjustment”.

2 Section 4

Insert:

Farm Business Improvement Program means the program (established by the Commonwealth) under which support relating to the improvement of farm business management skills is provided.

3 Section 4 (at the end of the definition of *State component of the Rural Adjustment Scheme*)

Add “under Part 3”.

4 Part 3 (heading)

Repeal the heading, substitute:

Part 3—The Rural Adjustment Scheme

5 Subsections 20A(1) and (2)

After “adjustment”, insert “(other than the Farm Business Improvement Program)”.

6 At the end of section 20E

Add “(other than the Farm Business Improvement Program)”.

7 Subsection 21(1)

Omit “an agreement between the Commonwealth and that State relating to rural adjustment”, substitute “an agreement under this Division between the Commonwealth and that State relating to rural adjustment (other than the Farm Business Improvement Program)”.

8 Part 4 (heading)

Repeal the heading, substitute:

Division 3—Support to be inalienable

9 After Part 3

Insert:

Part 4—The Farm Business Improvement Program

Division 1—Agreements with persons other than States

22AA Agreements with persons other than States

- (1) The Minister may, on behalf of the Commonwealth, enter into a written agreement with a person (other than a State) for the Commonwealth to make one or more grants of money to the person for purposes relating to the Farm Business Improvement Program. A grant is subject to such terms and conditions as are set out in the agreement and this Division.
- (2) Unless the Minister otherwise determines, an agreement under this section must include provisions relating to the following matters:
 - (a) performance requirements;
 - (b) outcomes and/or targets;
 - (c) performance indicators;
 - (d) review and evaluation.

This subsection does not, by implication, limit the generality of subsection (1).
- (3) Payments by the Commonwealth under agreements made under this section are to be made out of money appropriated by the Parliament for the purpose.

22AB Delegation

The Minister may, by writing, delegate all or any of his or her powers under section 22AA to an officer of the Department who holds or performs the duties of a Senior Executive Service office.

22AC Repayment of grants etc.

An amount repayable by a person to the Commonwealth under an agreement under section 22AA is a debt due by the person to the Commonwealth.

Division 2—Agreements with the States

22AD Agreements with States

The Commonwealth may enter into an agreement with a State relating to the Farm Business Improvement Program.

22AE Payments by the Commonwealth under an agreement with a State

- (1) The payments (including advances) by the Commonwealth to a State provided for in an agreement under this Division between the Commonwealth and that State relating to the Farm Business Improvement Program may be made to that State, by way of financial assistance, on the terms and conditions contained in the agreement and this Division.
- (2) Subject to subsection (3), the financial assistance is to be provided on the basis that the Commonwealth contributes 50%, and the State 50%, of the assistance provided to farmers or other persons under the schemes of support relating to the Farm Business Improvement Program that are, from time to time, in force under the agreement between the Commonwealth and the State.
- (3) The Commonwealth and the State may jointly determine that subsection (2) does not apply in relation to a particular matter arising under the agreement.

- (4) Payments by the Commonwealth under agreements made under this Division are to be made out of money appropriated by the Parliament for the purpose.

22AF Performance requirements etc.

- (1) Unless the Minister otherwise determines, an agreement under this Division must include provisions relating to the following matters:
- (a) performance requirements;
 - (b) outcomes and/or targets;
 - (c) performance indicators;
 - (d) review and evaluation.
- (2) The Minister may, by writing, delegate all or any of his or her powers under subsection (1) to an officer of the Department who holds or performs the duties of a Senior Executive Service office.
- (3) This section does not, by implication, limit the generality of section 22AD or 22AE.

22AG Repayment of grants etc.

An amount repayable by a State to the Commonwealth under an agreement under this Division is a debt due by the State to the Commonwealth.

10 Transitional—certain agreements between the Commonwealth and the States

An agreement relating to the Farm Business Improvement Program made between the Commonwealth and a State under section 20E of the *Rural Adjustment Act 1992* before the commencement of this item is taken, on and after that commencement:

- (a) to have been made under section 22AD of that Act; and
- (b) not to have been made under section 20E of that Act.

11 Section 22AB

Omit “an officer of the Department who holds or performs the duties of a Senior Executive Service office”, substitute “an SES employee, or acting SES employee, in the Department”.

12 Subsection 22AF(2)

Omit “an officer of the Department who holds or performs the duties of a Senior Executive Service office”, substitute “an SES employee, or acting SES employee, in the Department”.

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Endnotes about misdescribed amendments and other matters are included in a compilation only as necessary.

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnotes

Endnote 2—Abbreviation key

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A = Act	o = order(s)
ad = added or inserted	Ord = Ordinance
am = amended	orig = original
amdt = amendment	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
c = clause(s)	pres = present
C[x] = Compilation No. x	prev = previous
Ch = Chapter(s)	(prev...) = previously
def = definition(s)	Pt = Part(s)
Dict = Dictionary	r = regulation(s)/rule(s)
disallowed = disallowed by Parliament	Reg = Regulation/Regulations
Div = Division(s)	reloc = relocated
exp = expires/expired or ceases/ceased to have effect	renum = renumbered
F = Federal Register of Legislative Instruments	rep = repealed
gaz = gazette	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)/subsection(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
(md) = misdescribed amendment can be given effect	Sdiv = Subdivision(s)
(md not incorp) = misdescribed amendment cannot be given effect	SLI = Select Legislative Instrument
mod = modified/modification	SR = Statutory Rules
No. = Number(s)	Sub-Ch = Sub-Chapter(s)
	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Rural Adjustment Amendment Act 1999	10, 1999	31 Mar 1999	Sch 1 (items 11, 12): 5 Dec 1999 (s 2(2)) Remainder: 31 Mar 1999 (s 2(1))	
Public Employment (Consequential and Transitional) Amendment Act 1999	146, 1999	11 Nov 1999	s 4–14 and Sch 1 (item 800): 5 Dec 1999 (s 2(1), (2))	s 4–14
as amended by				
Parliamentary Service (Consequential Amendments) Act 1997	189, 1997	7 Dec 1997	Sch 1 (item 10): 5 Dec 1999 (s 2)	—

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
s 2	am No 146, 1999
