



# **Rural Adjustment Amendment Act 1999**

**No. 10, 1999**



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

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## Contents

1	Short title.....	1
2	Commencement.....	1
3	Schedule(s).....	2
<b>Schedule 1—Amendment of the Rural Adjustment Act 1992</b>		<b>3</b>





# Rural Adjustment Amendment Act 1999

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

[Assented to 31 March 1999]

The Parliament of Australia enacts:

### **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.

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- (2) If the *Public Service Act 1998* 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Subject to section 2, each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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”.

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**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”.

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*[Minister’s second reading speech made in—  
House of Representatives on 26 November 1998  
Senate on 3 December 1998]*

(187/98)