

**STATES AND NORTHERN TERRITORY
GRANTS (BLUETONGUE VIRUS CONTROL)
ACT 1978**

No. 80 of 1978

An Act to make provision for the grant of financial assistance to the States and the Northern Territory for purposes arising out of the control of bluetongue virus, and for other purposes.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

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| Short title | 1. This Act may be cited as the <i>States and Northern Territory Grants (Bluetongue Virus Control) Act 1978</i> . ¹ |
| Commence-
ment | 2. This Act shall come into operation on the day on which it receives the Royal Assent. ¹ |
| Interpret-
ation | <p>3. (1) In this Act, unless the contrary intention appears—</p> <p>“advance” means an advance made under section 7;</p> <p>“arrangement” means an arrangement entered into under section 4;</p> <p>“bluetongue virus” means the virus of ruminants that is known as bluetongue virus;</p> <p>“Northern States” means the States of Queensland and Western Australia.</p> <p>(2) On and after 1 July 1978—</p> <p>(a) a reference in this Act to the Northern States or to a State shall be read as including a reference to the Northern Territory;</p> <p>(b) a reference in this Act to the Treasurer of a State shall, in relation to the Northern Territory, be read as a reference to the Treasurer of the Northern Territory; and</p> <p>(c) a reference in this Act to the Auditor-General of a State shall, in relation to the Northern Territory, be read as a reference to the Auditor-General of the Commonwealth, or any other person, performing, in relation to the Northern Territory, functions corresponding to those of the Auditor-General of a State.</p> |

4. (1) For the purposes of this Act, the Minister may, on behalf of the Commonwealth, make all or any of the following arrangements with the States: Arrangements with States

- (a) arrangements with any of the Northern States for the making of payments by the State to cattle producers in the State towards meeting the cost of mustering cattle—

- (i) for the purpose of the control of bluetongue virus; or

- (ii) for the purpose of movement of stock, whether or not related to the control of bluetongue virus;

during the period that commenced on 1 January 1978 and that ends on 31 December 1978;

- (b) arrangements with a State for the making of payments by the State to cattle producers in the State towards meeting the cost of bloodtesting of cattle, during the period that commenced on 1 October 1977 and that ends on 31 December 1978, for the purpose of the control of bluetongue virus;

- (c) arrangements with any of the Northern States for the making of payments by the State for the purpose of the acquisition and installation, before 31 December 1978, by the State of virology laboratory equipment to be used for the purpose of the control of bluetongue virus.

(2) An arrangement under sub-section (1) with the Northern Territory shall not relate to the cost of anything done before 1 July 1978.

5. Subject to this Act, there is payable to a State, by way of financial assistance, the amount necessary to re-imburse that State in respect of one-half of any expenditure by the State in accordance with an arrangement. Grant of financial assistance

6. A State is not entitled to a payment under section 5 with respect to any expenditure by the State in accordance with an arrangement unless the State has furnished to the Minister for Finance— Evidence of expenditure

- (a) a statement in respect of that expenditure, in accordance with a form approved by the Minister for Finance, accompanied by a certificate of the Auditor-General of the State certifying that, in his opinion, the amounts shown in the statement as having been expended were expended in accordance with the arrangement; and

- (b) such further information, if any, as the Minister for Finance requires in respect of that expenditure.

7. The Minister for Finance may, at such times as he thinks fit, make advances to a State of such amounts as he thinks fit on account of an amount that may become payable to a State under this Act. Advances

Conditions

8. (1) Payment of an amount (including an advance) to a State in accordance with an arrangement is subject to the following conditions:

- (a) that, if the Minister so requests, there will be furnished to the Minister by the State, as soon as practicable after such date as the Minister specifies, a report on the carrying out by the State of the arrangement, being a report containing such particulars as are specified by the Minister;
- (b) that, if the Minister informs the Treasurer of the State that he is satisfied that the State has failed to fulfil the conditions specified in paragraph (a), the State will repay the amount, or such part of the amount as the Minister specifies, to the Commonwealth;
- (c) that the Minister for Finance may deduct any amount repayable by a State in accordance with the conditions specified in paragraph (b) from any amount payable by the Commonwealth to the State under this Act.

(2) Payment of an amount (including an advance) to a State under this Act is subject to the following conditions:

- (a) that the State will repay to the Commonwealth, on demand by the Minister for Finance, the amount by which, at the time of the demand, the total of the amounts (including advances) paid to the State under this Act exceeds the total of the amounts that have become payable to the State under this Act;
- (b) that the Minister for Finance may deduct any amount repayable by a State in accordance with the conditions specified in paragraph (a) from any amount payable by the Commonwealth to the State under this Act.

Payments to
States to be
made out of
Con-
solidated
Revenue
Fund

9. Payments (including advances) to a State under this Act shall be made out of the Consolidated Revenue Fund, which is appropriated accordingly.

Authority to
borrow

10. The Treasurer may, from time to time, in accordance with the provisions of the *Commonwealth Inscribed Stock Act 1911*, or in accordance with the provisions of an Act authorizing the issue of Treasury Bills, borrow moneys for the purpose of making payments to the Consolidated Revenue Fund in accordance with section 12 (including moneys to meet the expenses of any such borrowing).

Application
of moneys
borrowed

11. Moneys borrowed under section 10 shall be issued and applied only for the expenses of borrowing and for the purpose of making payments to the Consolidated Revenue Fund in accordance with section 12, and the Loan Fund is appropriated, as necessary, for those purposes.

12. (1) Where an amount has been paid out of the Consolidated Revenue Fund for the purposes of this Act, the Minister for Finance may authorize the payment to that Fund, out of the Loan Fund, of an amount not exceeding the amount so paid.

Reimburse-
ment of Con-
solidated
Revenue
Fund from
Loan Fund

(2) In any statement prepared by the Minister for Finance under section 49 or 50 of the *Audit Act* 1901, amounts paid to the Consolidated Revenue Fund under sub-section (1) of this section shall not be shown as receipts of that Fund but shall be shown as having reduced the total of the amounts expended from that Fund for the purposes of this Act.

(3) Where there has been a payment from the Loan Fund to the Consolidated Revenue Fund under sub-section (1) in respect of an amount paid out of the Consolidated Revenue Fund for the purposes of this Act, the amount so paid out of the Consolidated Revenue Fund, shall, for the purposes of sections 9 and 10 of the *National Debt Sinking Fund Act* 1966, be deemed to have been paid out of the Loan Fund.

NOTE

1. Act No. 80, 1978; assented to 22 June 1978.