



Drought Assistance (Primary Producers) Act 1982

No. 99 of 1982

**An Act to make provision for the grant of financial assistance to
primary producers who are affected by drought**

[Assented to 28 October 1982]

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

PART I—PRELIMINARY

Short title

1. This Act may be cited as the *Drought Assistance (Primary Producers) Act 1982*.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

PART II—INTEREST SUBSIDY

Appropriation

3. (1) The Consolidated Revenue Fund is appropriated to the extent of \$36,000,000 for the purpose of making payments to eligible primary producers to assist them to pay interest in respect of loans made to them.

(2) In sub-section (1), “eligible primary producer” means a primary producer who is eligible to receive payments under that sub-section in accordance with criteria determined by the Minister by instrument in writing under his hand published in the *Gazette*.

PART III—FODDER SUBSIDY

Interpretation

4. In this Part, unless the contrary intention appears—

“advance” means an advance made under section 8;

“arrangement” means an arrangement entered into under section 5;

“fodder” means grain, hay, manufactured feedstuffs and other substances suitable for feeding to sheep or cattle;

“prescribed period” means the period that commenced on 1 September 1982 and ends on a date to be fixed by the Minister by notice published in the *Gazette*;

“State” includes the Northern Territory.

Arrangements with States

5. For the purposes of this Part, the Minister may, on behalf of the Commonwealth, make an arrangement with the appropriate Minister of a State for the making of payments by the State to primary producers in the State towards meeting the cost of purchasing, during the prescribed period, fodder for feeding to sheep and cattle that are affected by drought.

Grant of financial assistance

6. Subject to this Part, there is payable to a State, by way of financial assistance, the amount necessary to reimburse that State in respect of any expenditure by the State in accordance with an arrangement.

Evidence of expenditure

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

- (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.

Advances

8. 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 Part.

Conditions

9. (1) Payments of amounts (including advances) to a State in accordance with an arrangement are subject to such conditions as are set out in the arrangement.

(2) In addition to the conditions referred to in sub-section (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 a condition set out in the arrangement or the condition 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 condition specified in paragraph (b) from any amount payable by the Commonwealth to the State under this Part.

(3) Payment of an amount (including an advance) to a State under this Part 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 Part exceeds the total of the amounts that have become payable to the State under this Part;
- (b) that the Minister for Finance may deduct any amount repayable by a State in accordance with the condition specified in paragraph (a) from any amount payable by the Commonwealth to the State under this Part.

Payments to States to be made out of Consolidated Revenue Fund

10. Payments (including advances) to a State under this Part shall be made out of the Consolidated Revenue Fund, which is, to the extent of \$320,000,000, appropriated accordingly.