

QUEENSLAND GRANT (PROSERPINE FLOOD MITIGATION) ACT 1974

No. 116 of 1974

An Act to grant Financial Assistance to Queensland for the purpose of Flood Mitigation Works in relation to the Proserpine River.

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

1. This Act may be cited as the *Queensland Grant (Proserpine Flood Mitigation) Act 1974*.¹ Short title.

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commencement.

3. In this Act, unless the contrary intention appears— Definitions.

“flood mitigation works” means works by way of the restoration or replacement of levees constructed in the Trust area in relation to the Proserpine River that have been damaged or destroyed by flooding;

“State expenditure” means—

(a) in relation to the carrying out of flood mitigation works by Queensland—expenditure by Queensland in respect of the costs of the carrying out of those works, less any amount that has been or is to be paid to Queensland by way of Trust expenditure in respect of those costs; and

(b) in relation to the carrying out of flood mitigation works by the Trust—expenditure by Queensland by way of contribution towards the costs of the carrying out of those works;

“Trust” means The Proserpine Shire River Improvement Trust;

“Trust area” means The Proserpine Shire River Improvement Area as constituted for the time being under the *River Improvement Trust Act 1940-1971* of Queensland or, if that Act is amended, under that Act as amended;

“Trust expenditure” means—

(a) in relation to the carrying out of flood mitigation works by the Trust—expenditure by the Trust in respect of the costs of the carrying out of those works, less any amount that has been or is to be paid to the Trust, by way of State expenditure in respect of those costs; and

- (b) in relation to the carrying out of flood mitigation works by Queensland—expenditure by the Trust by way of contribution towards the costs of the carrying out of those works.

Grants of financial assistance.

4. (1) Where amounts have been paid by way of State expenditure and Trust expenditure in respect of the costs of the carrying out, during the year that commenced on 1 July 1974, of flood mitigation works, then, subject to this Act, there is payable to Queensland, by way of financial assistance, amounts necessary to reimburse Queensland in respect of one-half of so much of that State expenditure as does not exceed eight-tenths of the sum of that State expenditure and that Trust expenditure.

(2) The total amount of financial assistance to Queensland under this Act shall not exceed \$120,000.

Information to be furnished.

5. Queensland is not entitled to financial assistance under this Act in relation to an amount that has been paid, whether before or after the commencement of this Act, by way of State expenditure in respect of the costs of the carrying out of flood mitigation works unless Queensland has duly furnished all information in relation to those works, or in relation to expenditure or proposed expenditure in respect of the costs of the carrying out of those works, that the Minister has requested Queensland to furnish.

Statements to be furnished.

6. Queensland is not entitled to financial assistance under this Act in relation to an amount of State expenditure unless Queensland has furnished to the Treasurer—

- (a) a statement in respect of that expenditure in accordance with a form approved by the Treasurer, accompanied by a certificate of the Auditor-General of Queensland certifying that the amount of money shown in the statement as being State expenditure was expended as State expenditure in respect of the flood mitigation works concerned;
- (b) such further information, if any, as the Treasurer requires in respect of that expenditure;
- (c) a statement, in accordance with a form approved by the Treasurer and verified to the satisfaction of the Treasurer, giving particulars of the related Trust expenditure.

Calculation of costs.

7. The Treasurer may determine the matters that are to be taken into account in ascertaining the costs of the carrying out of flood mitigation works.

Advances.

8. The Treasurer may, at such times as he thinks fit, make advances of such amounts as he thinks fit to Queensland on account of an amount that may become payable to Queensland under section 4.

9. Payment to Queensland under this Act of any amount (including an advance), is subject to the condition that Queensland will repay to Australia, on demand by the Treasurer, the amount by which, at the time of the demand, the total of the amounts (including advances) paid to Queensland under this Act exceeds the total of the amounts that have become payable to Queensland under section 4. Over-payments.

10. Amounts payable to Queensland under this Act are payable out of the Consolidated Revenue Fund, which is appropriated accordingly. Appropriation.

NOTE

1. Act No. 116, 1974; assented to 3 December 1974.