

2019-2020

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Assistance for Severely Affected Regions
(Special Appropriation) (Coronavirus
Economic Response Package) Bill 2020**

No. , 2020

(Infrastructure, Transport and Regional Development)

**A Bill for an Act to appropriate money for
community, regional and industry support as part
of the Coronavirus Economic Response, and for
related purposes**

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**A Bill for an Act to appropriate money for
community, regional and industry support as part
of the Coronavirus Economic Response, and for
related purposes**

The Parliament of Australia enacts:

1 Short title

This Act is the Assistance for Severely Affected Regions (Special Appropriation) (Coronavirus Economic Response Package) Act 2020.

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2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after this Act receives the Royal Assent.	

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Definitions

In this Act:

accountable authority has the meaning given by the *Public Governance, Performance and Accountability Act 2013*.

Commonwealth entity has the meaning given by the *Public Governance, Performance and Accountability Act 2013*.

constitutional corporation means a corporation to which paragraph 51(xx) of the Constitution applies.

non-corporate Commonwealth entity has the meaning given by the *Public Governance, Performance and Accountability Act 2013*.

official has the meaning given by the *Public Governance, Performance and Accountability Act 2013*.

rules means the rules made under section 7.

4 Appropriation

- (1) The Consolidated Revenue Fund is appropriated to the extent of \$1 billion for the purposes of making payments to support communities, regions and industry sectors affected by the economic impacts of the Coronavirus known as COVID-19.
- (2) Without limiting subsection (1), the purpose in that subsection includes the following:
 - (a) helping businesses and other organisations identify:
 - (i) alternative markets, including export markets; and
 - (ii) alternative suppliers and supply chains;
 - (b) promoting and supporting Australia's tourism industry;
 - (c) designing and delivering support measures for affected communities, regions and industry sectors;
 - (d) designing and delivering recovery measures for affected communities, regions and industry sectors;
 - (e) supporting those recovery measures;
 - (f) reimbursing Commonwealth entities, including the Great Barrier Reef Marine Park Authority and the Director of National Parks, for fees and charges that are waived;
 - (g) making payments to a State or Territory for a purpose set out in another provision of this section.

5 Terms and conditions relating to payments

Payments to States and Territories

- (1) If money appropriated by this Act is paid to a State or Territory:
 - (a) the terms and conditions on which the money is payable must be set out in a written agreement between the Commonwealth and the State or Territory; and
 - (b) the State or Territory must comply with the terms and conditions.

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Payments to constitutional corporations

- (2) If money appropriated by this Act is paid to a constitutional corporation:
- (a) the terms and conditions on which the money is payable must be set out in a written agreement between the Commonwealth and the corporation; and
 - (b) the corporation must comply with the terms and conditions.

Payments to other persons

- (3) If money appropriated by this Act is paid to a person other than a State, Territory or constitutional corporation:
- (a) the terms and conditions on which the money is payable must be set out in a written agreement between the Commonwealth and the person; and
 - (b) the person must comply with the terms and conditions.

Making agreements

- (4) Agreements for the purposes of this section may be entered into on behalf of the Commonwealth by:
- (a) a Minister; or
 - (b) an accountable authority of a non-corporate Commonwealth entity.

6 Delegation

Delegation by a Minister

- (1) A Minister may, by writing, delegate the Minister's power to make an agreement for the purposes of section 5 to an official of any non-corporate Commonwealth entity who:
- (a) is an SES employee, or an acting SES employee; or
 - (b) holds, or is acting in, a position that is equivalent to, or higher than, a position occupied by an SES employee.

Note: The expressions **SES employee** and **acting SES employee** are defined in section 2B of the *Acts Interpretation Act 1901*.

- (2) In exercising powers under a delegation, the delegate must comply with any directions of the Minister.

Delegation by an accountable authority

- (3) An accountable authority of a non-corporate Commonwealth entity may, by writing, delegate the authority's power to make an agreement for the purposes of section 5 to an official of any non-corporate Commonwealth entity who:
- (a) is an SES employee, or an acting SES employee; or
 - (b) holds, or is acting in, a position that is equivalent to, or higher than, a position occupied by an SES employee.
- (4) In exercising powers under a delegation, the delegate must comply with any directions of the accountable authority.

7 Rules

- (1) The Minister may, by legislative instrument, make rules prescribing matters:
- (a) required or permitted by this Act to be prescribed by the rules; or
 - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) The rules may also do the following:
- (a) prescribe circumstances in which the Commonwealth may pay money appropriated by this Act;
 - (b) set amounts to be appropriated for specified purposes under the appropriation in this Act;
 - (c) provide for another Minister to administer a specified amount appropriated for a specified purpose under the appropriation in this Act.
- (3) However, to avoid doubt, the rules may not do the following:
- (a) create an offence or civil penalty;
 - (b) provide powers of:
 - (i) arrest or detention; or

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- (ii) entry, search or seizure;
- (c) impose a tax;
- (d) directly amend the text of this Act.

Legislative authority for spending

- (4) To avoid doubt, subsection (2) does not limit the sources of legislative authority for spending money appropriated by this Act.

Note: The Commonwealth might rely on other provisions as authority for spending money appropriated by this Act, including:

- (a) the purposes set out in section 4; or
- (b) provisions of the *Financial Framework (Supplementary Powers) Regulations 1997*.

8 Time limit for payments under this Act

The Commonwealth must not pay money under the appropriation in this Act after 30 June 2021.