I, WARREN ERROL TRUSS, Minister for Agriculture, Fisheries and Forestry, make this instrument under subsection 52B (1) of the Farm Household Support Act 1992.

Dated 8 December 2000

WARREN TRUSS
Minister for Agriculture, Fisheries and Forestry

1 Name of instrument
This instrument is the Restart Advice Scheme Amendment 2000 (No. 1).

2 Commencement
This instrument commences, or is taken to have commenced, as follows:
(a) on 1 July 2000 — sections 1 to 3, and Schedule 1;
(b) on the commencement of Schedule 1 to the Farm Household Support Amendment Act 2000 — Schedule 2.

3 Amendment of Restart Advice Scheme 1997
Schedules 1 and 2 amend the Restart Advice Scheme 1997.
Schedule 1 Amendments taken to have commenced on 1 July 2000

[1] Section 1.3, after definition of Act

*insert* supply has the same meaning as in the *A New Tax System (Goods and Services Tax) Act 1999*.

[2] Section 2.3

*substitute*

2.3 How much assistance will be provided?

(1) For a person who becomes eligible, on or after 1 July 2000, to receive assistance under this Scheme, the total amount of assistance provided to the person and the person’s partner (if any) must not be more than $3 300.

(2) No more than $495 of the assistance mentioned in subsection (1) may be spent on costs incidentally associated with obtaining advice (for example, travelling and child care expenses).

(3) For a person who became eligible, before 1 July 2000, to receive assistance under this Scheme, the total amount of assistance provided to the person and the person’s partner (if any) must not be more than:

\[ \$3 300 - \frac{\text{payments}}{10} \]

where:

*payments* is the total (in dollars) of the amounts paid or reimbursed under section 2.6 for provision of advice or other supply before 1 July 2000 to the person or the person’s partner.

(4) No more than the following amount of the assistance mentioned in subsection (3) may be spent on costs incidentally associated with obtaining advice (for example, travelling and child care expenses):

\[ \$495 - \frac{\text{payments}}{10} \]
where:

payments is the total (in dollars) of the amounts paid or reimbursed under section 2.6 for supply, associated with obtaining advice, before 1 July 2000 to the person or the person’s partner.

Note The amounts of assistance mentioned in this section have been worked out to take into account the price of the taxable supply of advice and the associated goods and services that may be obtained using the assistance. For the meanings of price and taxable supply, see the A New Tax System (Goods and Services Tax) Act 1999.

[3] Subsection 2.6 (1)

omit $3000

insert the amount mentioned for the person in subsection 2.3 (1) or (3)

[4] Subsection 3.4 (3)

substitute

(3) If the Secretary gives the direction on or after 1 July 2000, the total amount of financial assistance provided to the person must not be more than $3 300.

(4) If the Secretary gives the direction before 1 July 2000, the total amount of assistance provided to the person must not be more than:

$$3 300 - \frac{\text{payments}}{10}$$

where:

payments is the total (in dollars) of the financial assistance provided to the person under subsections (1) and (2) for provision of advice before 1 July 2000.

Note The amounts of assistance mentioned in subsections (3) and (4) have been worked out to take into account the price of the taxable supply of advice. For the meanings of price and taxable supply, see the A New Tax System (Goods and Services Tax) Act 1999.
Schedule 2  Amendments commencing on commencement of Schedule 1 to the Farm Household Support Amendment Act 2000
(section 3)

[1] Note before Part 1
omit each mention of restart
insert farm help

[2] Section 1.1
substitute

1.1 Name of Scheme
This Scheme is the Farm Help Advice Scheme 1997.

[3] Paragraph 2.2 (2) (a)
omit

[4] Section 2.4
substitute

2.4 What kinds of advice can assistance be provided for?
Assistance can be provided for a person or the person’s partner (if any) to obtain advice needed to:
(a) assist the person to assess the financial viability of the person’s farm enterprise and develop a plan for further advice; or
(b) assist the person to make decisions about the future by obtaining relevant advice (for example, career, financial, personal, legal or business advice); or
(c) assist the person to develop, and act in accordance with, an individual activity plan for an activity plan direction under subsection 13B (1) or 52A (3A) of the Act.

[5] **Section 3.1**

*substitute*

**3.1 Purpose of Part**

(1) Section 13A of the Act and section 2.4 of the *Farm Help Re-establishment Grant Scheme 1997* allow the Secretary to direct a person to obtain advice.

(2) This Part sets out guidelines for the giving of directions, provides for assistance to enable a person to obtain the advice and sets out the consequences of a person failing to comply with a direction.

(3) This Part also sets out the consequences of a person failing to comply with an activity plan direction under subsection 13B (1) or 52A (3A) of the Act.

[6] **Section 3.3, heading**

*substitute*

**3.3 Guidelines for giving directions — Section 2.4 of the *Farm Help Re-establishment Grant Scheme 1997***

[7] **Subsections 3.3 (1), (2) and (3)**

*omit*

Part 2

*insert*

section 2.4

[8] **Paragraph 3.3 (3) (a)**

*omit*

appropriate professional advice

*insert*

advice, about whether the person’s farm is viable,
Schedule 2  Amendments commencing on commencement of Schedule 1 to the Farm Restart Advice Scheme Amendment 2000 (No. 1)

[9] Subsection 3.5 (2)

after

obtain advice under

insert

section 2.4 of

[10] After subsection 3.5 (2)

insert

(3) If a person who has been given an activity plan direction under subsection 13B (1) of the Act fails to comply with the direction, the Secretary may cancel the person’s farm help income support.

(4) If a person who has been given an activity plan direction under subsection 52A (3A) of the Act fails to comply with the direction, the Secretary may disqualify the person from receiving a re-establishment grant under the Farm Help Re-establishment Grant Scheme 1997.

[11] Sections 4.1 and 4.2

substitute

4.1 Transitional

For this Scheme, a re-establishment grant paid to a person under the Restart Re-establishment Grant Scheme 1997 as in force immediately before the farm help scheme payment commencement day is taken to be a re-establishment grant paid to the person under the Farm Help Re-establishment Grant Scheme 1997.

Note 1 For the definition of farm help scheme payment commencement day, see subsection 3 (2) of the Act.

Note 2 Part 4 of the Social Security (Administration) Act 1999 provides for review of decisions under the Farm Household Support Act 1992 (including decisions under this Scheme) first by the Secretary, the CEO or an authorised review officer, then by the Social Security Appeals Tribunal and finally by the Administrative Appeals Tribunal.

Note 3 For provisions about delegation of the Secretary’s powers under this Scheme, see sections 53 and 53A of the Act.
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