Farm Help Advice and Training Scheme Amendment 2007 (No. 1)

Farm Household Support Act 1992

I, PETER JOHN McGAURAN, Minister for Agriculture, Fisheries and Forestry, make this Instrument under subsection 52B (1) of the Farm Household Support Act 1992.

Dated 18 June 2007

PETER McGAURAN
Minister for Agriculture, Fisheries and Forestry

1 Name of Instrument
This Instrument is the Farm Help Advice and Training Scheme Amendment 2007 (No. 1).

2 Commencement
This Instrument commences on 1 July 2007.

3 Amendment of Farm Help Advice and Training Scheme 1997
Schedule 1 amends the Farm Help Advice and Training Scheme 1997.
Schedule 1 Amendments

(Section 3)

[1] Note before Part 1

omit
(consisting only of section 52A)

[2] Section 1.3, note

omit
• partner
insert
• partner
• re-establishment grant

[3] Section 2.2, definition of eligible person

substitute
eligible person has the meaning given by section 2.3.
farm help income support means income support under Division 1B of Part 2 of the Act.

[4] Section 2.2, after definition of prescribed adviser

insert
re-entry client has the meaning given by section 2.3A.
re-entry grant means the farm help advice and training grant mentioned in section 2.5A.

[5] After section 2.3

insert

2.3A Who is a re-entry client

A person is a re-entry client, if:
(a) the person is an eligible person; and
(b) the person is qualified for farm help income support and 12 months have lapsed since farm help income support ceased to be payable to the person; and
(c) the person has not received a re-establishment grant.
[6] Section 2.4

substitute

2.4 When grant must be used

(1) An eligible person must use a grant (other than a re-entry grant) before the latest of the following:
   (a) if farm help income support is payable to the person, but he or she chooses not to receive that support — 12 months after the day he or she becomes eligible for that support;
   (b) if the person receives farm help income support — 12 months after the day on which the person receives his or her final farm help income support payment;
   (c) if the person receives a re-establishment grant — 12 months after the day that the person’s farm is sold.

(2) Subject to subsection (3), a re-entry client must use a re-entry grant within 12 months after the day on which he or she becomes eligible for the re-entry grant.

(3) If, after receiving a re-entry grant, the re-entry client then receives a re-establishment grant, he or she may use any unused amount of the re-entry grant within 12 months after the day on which his or her farm is sold.

(4) However, if the Minister is satisfied that, due to circumstances beyond the control of the person, the person was unable to obtain advice or complete training within the period specified for the person in subsection (1), (2) or (3) the Minister may grant an extension of the time for the person to obtain the advice or complete the training.

[7] Subsection 2.5 (1)

substitute

(1) The total amount of a grant, or grants (other than a re-entry grant), provided under this Scheme for use by an eligible person and the person’s partner (if any) must not be more than:
   (a) $5 500; or
   (b) if, under subsection (2) or (3), the person is entitled to a lesser amount — that amount.

[8] After subparagraph 2.5 (2) (c) (iii)

insert

   (iv) professional advice and planning grant under the exceptional circumstances program;
[9] **After section 2.5**

*insert*

2.5A **Amount of re-entry grant**

The total amount of a re-entry grant for use by a re-entry client and the client’s partner (if any) must not be more than $2 500.

[10] **After subsection 2.8A (1)**

*insert*

(1A) However, if the Secretary is satisfied that the person is a re-entry client, the Secretary:

(a) must give a written direction that the re-entry client, or the re-entry client’s partner, is to obtain advice on financial outlook from a prescribed adviser; and

(b) must give a written direction that the re-entry client is to develop an activity plan.


*omit*

A direction for subsection (1)

*insert*

A direction for subsection (1) or (1A)

[12] **Subsection 2.8A (4)**

*substitute*

(4) The activity plan of an eligible person who has received:

(a) exceptional circumstances relief payment under Division 1A of Part 2 of the Act; or

(b) another kind of payment that was made under the Act and that was made because of exceptional circumstances affecting the person;

must include a drought management plan to enable the farm enterprise carried on by the person to be better prepared for a drought.

[13] **Paragraph 2.8A (6) (a)**

*omit*

under subsection (1); or

*insert*

under subsection (1) or (1A); or
[14]  **Paragraph 2.8A (6) (e)**

*omitted*

.. replace:: a re-establishment grant under the *Farm Help Re-establishment Grant Scheme 1997*,

*inserted*

.. replace:: a re-establishment grant,

[15]  **Subsection 2.13 (1)**

*omitted*

.. replace:: Not more than $500

*inserted*

.. replace:: Not more than $750

[16]  **After section 2.14**

*inserted*

**2.14A  Additional grant for computer software**

(1) An eligible person may receive an additional grant for the purchase of computer software, in accordance with this Scheme and calculated in accordance with subsection (2), if:

(a) on or before 30 June 2007:

(i) the Secretary gave written authorisation to the eligible person under section 2.14; and

(ii) the eligible person purchased computer software for use by the person in accordance with the person’s activity plan; and

(b) on or after 1 July 2007, the eligible person purchased additional computer software for use in accordance with the person’s activity plan.

(2) For subsection (1), the maximum amount of additional grant that the eligible person is entitled to receive is $750 less the amount of any grant for the purchase of computer software previously paid or reimbursed under section 2.14.

[17]  **After section 3.3**

*inserted*

**3.4  Guidelines for giving directions — re-entry client**

A direction to obtain advice, given by the Secretary under subsection 2.8A (1A):

(a) must be in writing; and
(b) must require the person to obtain advice about financial outlook, as set out in paragraph 2.8A (1A) (a); and
(c) may be given at any time before the grant is paid.

[18] **After subsection 3.5 (2)**

*insert*

(3) If a re-entry client who has been directed to obtain advice under subsection 2.8A (1A) fails to comply with the direction within 3 months of the date of the direction, the Secretary may disqualify the re-entry client from receiving a re-entry grant.

[19] **Section 4.3**

*omit*

  his or her power under subsection 2.4 (2)

*insert*

  his or her power under subsection 2.4 (4)