

Financial Framework (Supplementary Powers) Amendment (Health Measures No. 4) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 20 August 2020

David Hurley

Governor‑General

By His Excellency’s Command

Mathias Cormann

Minister for Finance

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1 Name

This instrument is the *Financial Framework (Supplementary Powers) Amendment (Health Measures No. 4) Regulations 2020*.

2 Commencement

(1) Each provision of this instrument 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 instrument | The day after this instrument is registered. | 21 August 2020 |

Note: This table relates only to the provisions of this instrument as originally made.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

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

3 Authority

This instrument is made under the *Financial Framework (Supplementary Powers) Act 1997.*

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Financial Framework (Supplementary Powers) Regulations 1997

1 In the appropriate position in Part 3 of Schedule 1AB (table)

Insert:

|  |  |  |
| --- | --- | --- |
| 45 | Grant to the Trustee for Raise Foundation | To fund the Trustee for Raise Foundation to develop and deliver a best‑practice early intervention mentoring program aimed at preventing mental illness and reducing suicidal ideation in Year 8 students at public secondary schools in Australia, including by:  (a) developing and delivering:  (i) services for the early identification of, and intervention strategies for, mental illness in such students; and  (ii) school‑based interventions to improve student engagement and increase the mental health awareness, understanding and help‑seeking capacity of such students; and  (iii) services for reducing suicidal ideation in, and the effect of bullying on, such students; and  (b) developing and disseminating resources to increase mental health awareness and educate young people and their families about the different types of help and support available;  to give effect to Australia’s obligations under either or both of the following:  (c) the Convention on the Rights of the Child, particularly Articles 4 and 24;  (d) the International Covenant on Economic, Social and Cultural Rights, particularly Articles 2 and 12. |

2 In the appropriate position in Part 4 of Schedule 1AB (table)

Insert:

|  |  |  |
| --- | --- | --- |
| 428 | Residential Aged Care Viability Program | To provide financial assistance to residential aged care providers to ensure the provision of an adequate level of continued care for aged care residents, including funding to:  (a) assist a provider in relation to the impact on the aged care sector of the coronavirus known as COVID‑19; or  (b) support a provider to develop and undertake business improvement activities for sustaining the provision of residential aged care services; or  (c) support a provider with the sale of a residential aged care facility to facilitate the provision of care for aged care residents by another residential aged care provider; or  (d) support a provider to ensure continued care for aged care residents upon the closure of a residential aged care facility;  to give effect to Australia’s obligations under the International Covenant on Economic, Social and Cultural Rights, particularly Articles 2 and 12.  This objective also has the effect it would have if it were limited to measures:  (a) with respect to the provision of, or incidental to the provision of, sickness benefits (within the meaning of paragraph 51(xxiiiA) of the Constitution); or  (b) that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation; or  (c) undertaken in, or in relation to, a Territory. |
| 429 | Sport and Recreation Program | To provide funding to:  (a) support activities directed at Australia hosting major international sporting events, including the following:  (i) activities relating to the development of bids for Australia to host such events;  (ii) activities undertaken to prepare for, support or stage such events in Australia, including the construction or renovation of infrastructure and the purchasing of equipment;  (iii) promotion of such events hosted by Australia; and  (b) promote access to, and participation in, sporting or recreation activities by members of the community:  (i) who are Indigenous Australians, children, women, non‑citizens, immigrants or people with disabilities; or  (ii) to promote physical and mental health and prevent disease; or  (iii) to eliminate racial, cultural or ethnic discrimination and promote social cohesion within the community;  including by providing funding for infrastructure or other resources; and  (c) support the achievement of excellence in Australia’s representative athletes, including by:  (i) supporting the development of Australia’s current and future representative athletes, including by investing in research, equipment and infrastructure; and  (ii) establishing, delivering or supporting programs, and national and international sporting events, that are aimed at identifying and developing Australia’s representative athletes.  This objective has the effect it would have if it were limited to measures:  (a) with respect to postal, telegraphic, telephonic, and other like services (within the meaning of paragraph 51(v) of the Constitution); or  (b) with respect to aliens (within the meaning of paragraph 51(xix) of the Constitution); or  (c) with respect to the people of any race for whom it is deemed necessary to make special laws; or  (d) with respect to immigrants; or  (e) to give effect to Australia’s obligations under one or more of the following:  (i) the Convention on the Elimination of All Forms of Discrimination against Women, particularly Articles 2, 3, 10 and 13;  (ii) the Convention on the Rights of Persons with Disabilities, particularly Articles 4 and 30;  (iii) the Convention on the Rights of the Child, particularly Articles 3, 4, 6, 18, 24, 28, 29 and 31;  (iv) the International Covenant on Economic, Social and Cultural Rights, particularly Articles 2, 12 and 15; or  (f) done in the exercise of the executive power of the Commonwealth; or  (g) that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation; or  (h) undertaken in, or in relation to, a Territory. |