



New South Wales

Rural Assistance Amendment Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Rural Assistance Act 1989* (***the Act***) so as:

- (a) to clarify the object of the Act, and
- (b) to clarify and further define the functions of the Rural Assistance Authority Board (***the Board***), and
- (c) to require the Rural Assistance Authority (***the Authority***) to provide certain information to the Board on request, and
- (d) to require the Minister for Agriculture every 5 years to review the requirements of the Act relating to the composition of the Board to ensure that the Board's decisions continue to reflect community views on rural assistance and disaster relief issues, and
- (e) to consolidate and clarify the provisions of the Act that relate to programs of assistance, and
- (f) to repeal the provisions of the Act relating to protection orders.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Rural Assistance Act 1989* set out in Schedule 1.

Schedule 1 [1] gives effect to paragraph (a) of the objects outlined above by inserting proposed section 2A (Object of Act) into the Act.

Schedule 1 [5] replaces section 10 (1) of the Act to give effect to paragraph (b) of the objects outlined above. Proposed section 10 (1) of the Act clarifies and expands the functions of the Board.

Schedule 1 [7] gives effect to paragraphs (c) and (d) of the objects outlined above by inserting proposed sections 12A and 12B into the Act.

Proposed section 12A provides that the Authority must on request give to the Board information relating to the implementation by the Authority of guidelines advised by the Board in respect of particular programs of assistance under the Act, the delivery of assistance by the Authority under programs implemented or administered under the Act, or the operation and management of the Authority.

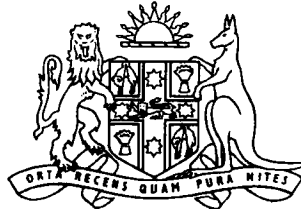
Proposed section 12B requires the Minister administering the Act (currently the Minister for Agriculture) every 5 years to review the requirements of the Act relating to the composition of the Board to ensure that decisions of the Board continue to reflect community views on rural assistance and disaster relief issues.

Schedule 1 [11] repeals and replaces sections 18–20 of the Act to give effect to paragraph (e) of the objects outlined above.

Schedule 1 [15] repeals Division 4 of Part 3 of the Act relating to protection orders to give effect to paragraph (f) of the objects outlined above.

Schedule 1 [2]–[4], [6], [8]–[10] and [12]–[14] make consequential amendments.

First print



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New South Wales

Rural Assistance Amendment Bill 2000

No. , 2000

A Bill for

An Act to amend the *Rural Assistance Act 1989* to provide for the object of the Act, to repeal provisions for protection orders, and to make further provision with respect to assistance programs and the functions and membership of the Rural Assistance Authority Board; and for other purposes.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Rural Assistance Amendment Act 2000</i> .	3
2 Commencement	4
This Act commences on a day or days to be appointed by proclamation.	5 6
3 Amendment of Rural Assistance Act 1989 No 97	7
The <i>Rural Assistance Act 1989</i> is amended as set out in Schedule 1.	8

Schedule 1 Amendments	1
(Section 3)	2
[1] Section 2A	3
Insert after section 2:	4
2A Object of Act	5
The object of this Act is to promote the efficient delivery of	6
programs of assistance to farmers and other persons engaged in	7
rural industries, and to other persons as provided by this Act.	8
[2] Section 3 Definitions	9
Omit the definition of <i>protection order</i> from section 3 (1).	10
[3] Section 5 Provision of rural assistance	11
Omit “schemes”. Insert instead “programs”.	12
[4] Section 6 Review of programs of assistance etc	13
Omit “scheme” wherever occurring in section 6 (a) and (b).	14
Insert instead “program”.	15
[5] Section 10 Functions of Board	16
Omit section 10 (1). Insert instead:	17
(1) The Board has the following functions:	18
(a) to advise the Minister on the provision of assistance	19
under this Act,	20
(b) to report to the Minister at least annually on:	21
(i) the effectiveness of programs of assistance	22
implemented under this Act in meeting the	23
Government’s objectives for those programs,	24
and	25
(ii) the performance of the Authority in the delivery	26
of assistance under programs implemented or	27
administered under this Act,	28

(c)	to determine the general policies of the Authority including by means of the setting of guidelines for the implementation of particular programs of assistance under this Act.	1 2 3 4
[6]	Section 10 (2)	5
	Omit “that function”. Insert instead “those functions”.	6
[7]	Sections 12A and 12B	7
	Insert after section 12:	8
	12A Authority to provide Board with information	9
	The Authority must provide to the Board such information as the Board may from time to time request with respect to the following:	10 11 12
	(a) the implementation by the Authority of guidelines advised by the Board in respect of particular programs of assistance under this Act,	13 14 15
	(b) the delivery of assistance by the Authority under programs implemented or administered under this Act,	16 17
	(c) the operation and management of the Authority.	18
	12B Review of composition of Board	19
	At least once within each 5 year period occurring from the commencement of this section the Minister is to review the requirements of this Act as to the composition of the Board for the purpose of ensuring that decisions of the Board continue to reflect community views on rural assistance and disaster relief issues.	20 21 22 23 24 25
[8]	Section 15 Applications for assistance	26
	Omit “(including a protection order)” from section 15 (1).	27
[9]	Section 15 (1)	28
	Omit “scheme”. Insert instead “program”.	29

[10] Part 3, Division 2, heading	1
Omit the heading to Division 2 of Part 3. Insert instead:	2
Division 2 State programs of assistance	3
[11] Section 18	4
Omit sections 18–20. Insert instead:	5
18 Programs of assistance	6
(1) The Authority may establish programs for the grant of assistance to farmers and other persons engaged in rural industries, for the following purposes:	7
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(a) increasing the level of investment in sustainable land and water management practices,	10
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(b) increasing the level of investment in self-preparedness measures that assist them in responding to adjustment pressures and industry downturns,	12
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(c) ensuring the availability of short-term assistance in times of natural disaster,	15
	16
(d) such other purposes in connection with the carrying on of farming operations or rural industries as the Minister may from time to time determine to be appropriate to be the subject of a program of assistance under this Act.	17
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(2) Under such a program the Authority may grant assistance for any one or more of the following purposes:	21
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(a) effecting permanent improvements to a farm (including fencing, fodder or grain storage facilities, stockyards and water supplies of a minor nature),	23
	24
	25
(b) effecting production improvements to a farm (including pasture improvement, fodder conservation and stock improvement),	26
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	28
(c) providing relief to a person who is, in the opinion of the Authority, in urgent and genuine need of assistance due to losses suffered through natural disaster,	29
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(d) such other purposes as the Minister may from time to time determine.	32
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(3)	Without limiting the generality of subsection (2) (c), assistance may be provided under that paragraph for the following purposes:	1
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(a)	replacing lost or damaged farm improvements and stock,	4
		5
(b)	enabling farming operations to continue,	6
(c)	providing fodder,	7
(d)	such other purposes (including any purposes for which assistance may be granted under subsection (2) (a), (b) or (d)) as the Minister may from time to time determine.	8
		9
		10
[12]	Part 3, Division 3, heading	11
	Omit the heading to Division 3 of Part 3. Insert instead:	12
	Division 3 Administration of Commonwealth and other programs	13
		14
[13]	Section 25 Administration of Commonwealth and other programs	15
	Omit “scheme” wherever occurring. Insert instead “program”.	16
[14]	Sections 26 and 27	17
	Omit “scheme” wherever occurring. Insert instead “program”.	18
[15]	Part 3, Division 4	19
	Omit the Division.	20