

**RURAL RECONSTRUCTION
AND RURAL ADJUSTMENT
SCHEMES.**

No. 27 of 1985.

AN ACT to amend the Rural Reconstruction and Rural Adjustment Schemes Act 1971 and to repeal the Rural Industries Assistance Act 1975.

[Assented to 6 May 1985.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Rural Reconstruction and Rural Adjustment Schemes Amendment Act 1985*.

Short title
and
principal
Act.

No. 27.] *Rural Reconstruction and Rural Adjustment Schemes.* [1985.]

Reprinted as approved 21 December 1978 and amended by Acts Nos. 23 of 1980 and 20 of 1984.

(2) In this Act the Rural Reconstruction and Rural Adjustment Schemes Act 1971 is referred to as the principal Act.

Long title amended.

2. The long title to the principal Act is amended by inserting after "ACT" the following—

“ to provide for the Rural Adjustment and Finance Corporation of Western Australia, to make provision for schemes of assistance to rural industry and ”.

Commencement.

3. The provisions of this Act shall come into operation on such day as is fixed by proclamation.

Heading to Part I inserted.

4. The principal Act is amended by inserting before section 1 the following heading—

“ PART I.—PRELIMINARY. ”.

Section 1 amended.

5. Section 1 of the principal Act is amended by deleting "Reconstruction and Rural Adjustment Schemes" and substituting the following—

“ Adjustment and Finance Corporation ”.

Section 3 amended.

6. Section 3 of the principal Act is amended—

(a) in the definition of "a scheme" by deleting "of this Act" and substituting the following—

“ or section 7A ”;

(b) by deleting the definition of "Authority" and substituting the following definitions—

“ "Chairman" means the person appointed under section 9 (1) (a) to be the Chairman of the

Corporation and includes a person acting in the office of the Chairman;

“Corporation” means the Rural Adjustment and Finance Corporation of Western Australia preserved and continued by section 8; ”;

- (c) in the definitions of “farmer” and “protection order” by deleting “Authority” and substituting the following—

“ Corporation ”;

- (d) by inserting after the definition of “farmer” the following definition—

“ “member” means a member of the Corporation appointed under section 9 and includes the Chairman and a person appointed under section 10 (1) or (1a) to be acting Chairman or an acting member; ”;

- (e) by inserting after the definition of “protection order” the following definition—

“ “rural assistance scheme” means a scheme established pursuant to section 7A; ”;

and

- (f) by inserting after the definition of “the third agreement” the following definitions—

“ “the former Authority” means The Rural Adjustment Authority established pursuant to the Rural Reconstruction and Rural Adjustment Schemes Act 1971;

No. 27.] *Rural Reconstruction and Rural Adjustment Schemes.* [1985.]

“the repealed Act” means the Rural Industries Assistance Act 1975 repealed by section 34 of this Act; ”.

Heading to Part II inserted.

7. The principal Act is amended by inserting before section 5 the following heading—

“PART II.—AGREEMENTS AND SCHEMES. ”.

Section 7 amended.

8. Section 7 of the principal Act is amended by deleting “established” and substituting the following—

“ preserved and continued ”.

Sections 7A and 7B inserted.

9. After section 7 of the principal Act the following sections are inserted—

Rural assistance schemes.

“ 7A. (1) Where money is placed under the administration and control of the Corporation for the purposes of a scheme of assistance to persons engaged in any part of the rural industry the Corporation may, subject to the directions of the Minister, operate the scheme.

(2) The money placed under the administration and control of the Corporation for the purposes of a rural assistance scheme shall include—

- (a) any money appropriated by Parliament for those purposes;
- (b) any payment made by the Commonwealth to the State for those purposes; and
- (c) any other money that may be lawfully made available to the Corporation for those purposes.

7B. (1) Where prior to the coming into operation of the Rural Reconstruction and Rural Adjustment Schemes Amendment Act 1985 a scheme of assistance to persons engaged in any part of the rural industry is administered by The Rural and Industries Bank of Western Australia under Part VII of the Rural and Industries Bank Act 1944, that Bank shall when directed to do so by the Treasurer after consultation with the Minister, on or after the coming into operation of this Act, transfer to the Corporation the administration of that scheme.

Transfer of
existing
schemes to
Corporation.

(2) Where a scheme is transferred to the Corporation under subsection (1)—

- (a) any money held by The Rural and Industries Bank of Western Australia for the purposes of the scheme shall be placed under the administration and control of the Corporation for the purposes of that scheme;
- (b) that money shall be deemed to have been placed under the administration and control of the Corporation under section 7A;
- (c) a reference in this Act to a rural assistance scheme shall be read as including a reference to a scheme so transferred; and
- (d) the provisions of section 19 (3), (4) and (5) apply to any securities for the repayment of advances made under a scheme so transferred. ”.

No. 27.] *Rural Reconstruction and Rural* [1985.
Adjustment Schemes.

Heading to
Part III
inserted.

10. The principal Act is amended by inserting before section 8 the following headings—

“ PART III.—ADMINISTRATION.

Division 1—Constitution of the Corporation. ”.

Sections 8
and 9
repealed and
sections 8, 9,
9A and 9B
substituted.

11. Sections 8 and 9 of the principal Act are repealed and the following sections are substituted—

The Rural
Adjustment
and Finance
Corporation.

“ 8. (1) The body corporate which was—

(a) prior to the coming into operation of the Rural Reconstruction Scheme Act Amendment Act 1977 constituted under this Act by the name “The Rural Reconstruction Authority”;

and

(b) thereafter constituted under this Act by the name “The Rural Adjustment Authority”,

is hereby preserved and continued in existence as a body corporate having perpetual succession and a common seal under the name “Rural Adjustment and Finance Corporation of Western Australia”, so that the corporate identity of that body corporate and its rights, powers, functions, duties, assets, liabilities and securities of every description as at the date immediately preceding the coming into operation of the Rural Reconstruction and Rural Adjustment Schemes Amendment Act 1985, are not affected, otherwise than by virtue of the agreements, and vest in or are imposed upon the Corporation.

1985.] *Rural Reconstruction and Rural* [No. 27.
Adjustment Schemes.

(2) The Corporation has perpetual succession and a common seal and is capable of—

- (a) acquiring, holding and disposing of real and personal property;
- (b) suing and being sued; and
- (c) doing and suffering all such acts and things as bodies corporate may lawfully do and suffer.

(3) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Corporation affixed to any document and shall presume that it was duly affixed.

(4) A reference to—

- (a) The Rural Reconstruction Authority whether by use of that name or a similar or abbreviated form of that name in a written law in force, or any document made or executed, before the coming into operation of the Rural Reconstruction Scheme Act Amendment Act 1977; or
- (b) The Rural Adjustment Authority whether by use of that name or a similar or abbreviated form of that name in a written law in force, or any document made or executed, before the coming into operation of the Rural Reconstruction and Adjustment Schemes Amendment Act 1985,

shall, unless the context is such that it would be incorrect or inappropriate so to do, be read and construed as a reference to the Rural Adjustment and Finance Corporation of Western Australia.

Members
of the
Corporation.

9. (1) The Corporation shall consist of 5 members appointed by the Governor, of whom—

- (a) one shall be a person who has wide experience in financial matters relevant to rural industry, who shall be appointed to be a member and Chairman;
- (b) one shall be an officer of the Department of Agriculture of the State nominated by the Minister;
- (c) one shall be an officer of the Treasury of the State nominated by the Treasurer; and
- (d) two shall be persons who have wide experience in rural industry or financial matters or who have other qualifications relevant to the functions of the Corporation, who are nominated for appointment by the Minister.

(2) Each of the members referred to in paragraphs (b), (c) and (d) of subsection (1) shall hold office for such period not exceeding 3 years as is specified in his instrument of appointment, but he may from time to time be reappointed.

(3) A member, unless he sooner resigns or is removed from office, shall continue in office until his successor comes into office, notwithstanding that the term for which he was appointed may have expired.

(4) Appointment as a member does not render the Public Service Act 1978, or any other Act applying to persons as officers of the Public Service of the State, applicable to

1985.] *Rural Reconstruction and Rural* [No. 27.
Adjustment Schemes.

that person, or affect or prejudice the application to him of those provisions if they applied to him at the time of his appointment.

9A. (1) In this section—

The
Chairman.

“appointed day” means such day as may be fixed by the Governor, by Order in Council, to be the appointed day for the purposes of this section.

(2) The Chairman of the Corporation shall hold office for such period not exceeding 5 years as is specified in his instrument of appointment, but he may from time to time be reappointed.

(3) On and after the appointed day—

(a) the Chairman shall, in addition to performing the functions of the Chairman of the Corporation, be the chief executive officer of the Corporation; and

(b) the appointment of the Administrator appointed under section 14 as chief executive officer of the Corporation shall be terminated.

9B. A person who is or has been a member of the Corporation is not personally liable for anything done or omitted in good faith, in or in connection with, the exercise or purported exercise of any power conferred, or the carrying out of any duty imposed, on the Corporation by or under this Act. ”.

Liability of
members.

12. Section 10 of the principal Act is amended—

Section 10
amended.

(a) by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”;

(b) in subsection (1)—

(i) by deleting “thereof” and substituting the following—

“ referred to in paragraph (d) of section 9 (1) ”; and

(ii) by deleting “as deputy for the Chairman or to act as a deputy for that member during the incapacity of the Chairman or member,” and substituting the following—

“ temporarily as Chairman or to act temporarily in the place of the member, ”;

(c) by inserting after subsection (1) the following subsection—

“ (1a) If a member referred to in paragraph (b) or (c) of section 9 (1) is unable to attend a meeting of the Corporation the Minister may appoint an officer of the Department of Agriculture or the Treasury, as the case requires, to act temporarily in the place of that member. ”; and

(d) in subsection (2)—

(i) by deleting “deputy of the Chairman or deputy of a” and substituting the following—

“ acting Chairman or acting ”;

and

(ii) by deleting “as deputy”.

13. Section 11 of the principal Act is repealed and the following section is substituted—

Section 11
substituted.

“ 11. (1) A member may resign his office by notice in writing addressed to the Governor.

Extra-
ordinary
vacancies.

(2) A member may be removed from office at any time by the Governor —

(a) for—

(i) mental or physical disability;

(ii) incompetence;

(iii) neglect of duty; or

(iv) misconduct,

impairing the performance of his functions and proved to the satisfaction of the Governor;

(b) if he is an undischarged bankrupt or a person whose property is subject to an order or arrangement under the laws relating to bankruptcy; or

(c) if he is absent without leave of the Corporation from 3 consecutive meetings of the Corporation of which he has had notice.

(3) If a member dies or resigns or is removed from office, the vacancy shall be deemed to be an extraordinary vacancy.

(4) In the case of an extraordinary vacancy in the office of a member, the Governor may appoint a person to be a member for the residue of the term of the former holder of that office, so that the Corporation is constituted as provided in section 9. ”.

No. 27.] *Rural Reconstruction and Rural Adjustment Schemes.* [1985.]

Section 12
amended.

14. Section 12 of the principal Act is amended—

(a) by deleting “Authority” and substituting the following—

“ Corporation ”, and

(b) by deleting “expenses” and substituting the following—

“ and other allowances ”.

Section 13
amended.

15. Section 13 of the principal Act is amended—

(a) by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”; and

(b) by repealing subsection (5) and substituting the following subsection—

“ (5) If the Chairman is absent from a meeting of the Corporation the members present shall appoint one of their number to preside at the meeting. ”.

Section 14
amended.

16. Section 14 of the principal Act is amended—

(a) by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”; and

(b) by deleting “a chief executive officer to be” and substituting the following—

“ an officer who, subject to section 9A (3), is the chief executive officer of the Corporation ”.

1985.] *Rural Reconstruction and Rural [No. 27.
Adjustment Schemes.*

17. Section 15 of the principal Act is repealed and the following section and heading are substituted—

Section 15
substituted.

“ *Division 2.—Functions and powers.*

15. (1) The functions of the Corporation are—

Functions
and powers
of the
Corporation.

- (a) to operate the Rural Reconstruction Scheme and the Rural Adjustment Scheme;
- (b) to continue to operate schemes operated by the former Authority under the repealed Act;
- (c) to operate schemes of assistance placed under the administration and control of the Corporation under section 7A or transferred to the Corporation under section 7B; and
- (d) to carry out such other functions for the benefit of rural industry in the State as may be prescribed.

(2) The Corporation has all such powers, rights and privileges as are reasonably necessary to enable it to carry out its functions.

(3) For the purposes of assisting the Corporation to operate a scheme the Corporation may, by arrangement with the Minister concerned, on such terms and conditions as may be mutually arranged with that Minister and with the Public Service Board, make use of the services of any officer or employee employed in the Public Service of the State or in a State instrumentality or otherwise in the service of the Crown in right of the State. ”.

No. 27.] *Rural Reconstruction and Rural Adjustment Schemes.* [1985.]

Sections 15A, 15B, 15C and 15D and heading inserted.

18. After section 15 of the principal Act the following sections and heading are inserted—

“ *Division 3.—Powers as to land and compensation.*

Provisions as to acquisition, holding and disposal of property.

15A. (1) Without limited the generality of section 15 (2) the Corporation may, to such extent and in such manner as is contemplated by, and necessary for the operation of, a scheme—

- (a) acquire, hold and deal with real and personal property;
- (b) sell, lease, grant, exchange or otherwise dispose of real or personal property on such terms and conditions as the Corporation thinks fit;
- (c) take such security as the Corporation thinks fit in respect of moneys advanced under the scheme by way of loan.

(2) Where the approval in writing of the Minister to whom the administration of the Land Act 1933 is committed has first been obtained—

- (a) the holder of any estate or interest in land under the operation of that Act may, notwithstanding anything contained in that Act, dispose of that estate or interest to the Corporation;
- (b) the Corporation may, notwithstanding anything contained in that Act, acquire and hold, surrender or otherwise deal with an estate or interest in land under the operation of that Act.

1985.] *Rural Reconstruction and Rural* [No. 27.
Adjustment Schemes.

(3) The Governor may, if he is satisfied that it is necessary or expedient for the operation of a rural assistance scheme—

- (a) dispose of any area of Crown land to the Corporation for an estate in fee simple;
- (b) lease any area of Crown land to the Corporation,

on such terms and conditions as he thinks fit.

15B. (1) Where—

Compensation for effect of clearing control.

- (a) an offer is made to a person by the Corporation setting out details of the assistance that the Corporation proposes to render to him under a rural assistance scheme;
- (b) that offer is accepted by that person in writing; and
- (c) that person is the owner or occupier of land, or of an estate or interest in land, that has been injuriously affected by the operation of Part IIA of the Country Areas Water Supply Act 1947,

the Corporation may serve a notice under this section on the Minister to whom the administration of that Part of that Act is committed.

(2) A notice under this section shall be in writing and shall—

- (a) identify the person who has accepted the offer of assistance and the land that has been injuriously affected;

No. 27.] *Rural Reconstruction and Rural Adjustment Schemes.* [1985.]

- (b) specify the cause and nature of the injurious affection; and
- (c) notify the Minister on whom it is served that such assistance as is specified in the notice (being the whole or a portion of the assistance offered and accepted) is to be rendered to the person by the Corporation by way of compensation for the injurious affection.

(3) On and from the service of a notice under this section—

- (a) the person identified in the notice shall, for the purposes of the provisions of Part IIA of the Country Areas Water Supply Act 1947, be deemed to have claimed and been paid compensation under and in accordance with those provisions in respect of the injurious affection specified in the notice and shall not be entitled to make or proceed with any claim under those provisions in respect of the injurious affection; and
- (b) the assistance specified in the notice shall, for the purposes of the provisions of the Country Areas Water Supply Act 1947, be deemed to have been paid as compensation under and in accordance with those provisions in respect of the injurious affection specified in the notice and those provisions shall apply thereto and in relation thereto.

Prohibitions
on dealings
in land.

15C. (1) Where the Corporation disposes of an estate or interest in any land to a person for the purpose of assisting him under a rural assistance scheme the Corporation may deliver to the Registrar of Titles or the

Registrar of Deeds, as the case requires, a memorial in the prescribed form reciting that the estate or interest has been so disposed of, and the Registrar of Titles, or the Registrar of Deeds, as the case requires, shall without payment of a fee, register the memorial and endorse or note the title and land register or record in respect of the land.

(2) When the memorial is registered the Registrar of Titles or the Registrar of Deeds, as the case requires, is prohibited from registering and from accepting for registration an instrument effecting a transfer or assignment of the estate or interest or a lease of the land without the consent of the Corporation until the land ceases under subsection (3) to be bound by this subsection.

(3) Where a memorial has been registered under subsection (1) in relation to land the Corporation may deliver to the Registrar of Titles, or the Registrar of Deeds, as the case requires, a notice signed and dated by the Chairman of the Corporation notifying that the Corporation no longer requires the land to be bound by subsection (2) and the Registrar of Titles, or the Registrar of Deeds, as the case requires, shall endorse the title and land register or record to that effect and, when the notice is so noted, the land ceases to be bound by subsection (2).

15D. Notwithstanding anything contained in Part IIA of the Country Areas Water Supply Act 1947, where, pursuant to a rural assistance scheme, the Corporation disposes of an estate or interest in land to a person referred to in section 15C (1) (c) no claim for compensation shall thereafter lie under that Part of that Act in relation to any use of that land by a person deriving title through the Corporation. ”.

Claims for
compensa-
tion
excluded.

Heading to
Part IV
inserted.

19. The principal Act is amended by inserting before section 16 the following heading—

“ PART IV.—FINANCIAL PROVISIONS. ”

Section 16
amended.

20. Section 16 of the principal Act is amended—

(a) by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”;

(b) by inserting after subsection (1) the following subsection—

“ (1a) Money placed under the administration and control of the Corporation pursuant to section 7A shall be paid into a separate Fund in the Treasury to be known as the “Rural Assistance Fund”. ”;

(c) in paragraph (c) of subsection (2)—

(i) in subparagraph (i), by deleting “of this section” and substituting the following—

“ or paid to the credit of the Rural Adjustment Fund in accordance with permission given under subsection (3b) ”;

and

(ii) in subparagraph (ii), by deleting “scheme within the meaning of the Rural Industries Assistance Act 1975” and substituting the following—

“ rural assistance scheme ”;

(d) in subsection (2a)—

(i) in subparagraph (i) of paragraph (ba), by deleting “(3a) of this section; and” and substituting the following—

“ (3a); ”;

(ii) in subparagraph (ii) of paragraph (ba)—

(I) by deleting “scheme within the meaning of the Rural Industries Assistance Act 1975” and substituting the following—

“ rural assistance scheme ”;

(II) by deleting “agreement;” and substituting the following—

“ agreement; and ”; and

(III) by adding after subparagraph (ii) the following subparagraph—

“ (iii) are not immediately required for the purposes of the Rural Reconstruction Scheme; ”;

(iii) by deleting “and” after paragraph (ba); and

(iv) by inserting after paragraph (ba) the following paragraph—

“ (bb) any moneys borrowed for the purposes of the Rural Adjustment Scheme pursuant to section 16A; and ”;

No. 27.] *Rural Reconstruction and Rural Adjustment Schemes.* [1985.]

(e) by inserting after subsection (2a) the following subsection—

“ (2b) There shall be paid into the Rural Assistance Fund—

(a) all moneys placed under the administration and control of the Corporation pursuant to section 7A;

(b) all moneys which are placed under the administration and control of the Corporation in accordance with permission given under subsection (3a);

(c) all moneys received from time to time for the repayment of advances made under a rural assistance scheme and interest from time to time paid on such advances;

(d) any moneys borrowed for the purposes of a rural assistance scheme pursuant to section 16A; and

(e) all other payments that may be lawfully paid into that Fund. ”;

(f) in subsection (3)—

(i) by deleting “and” after paragraph (b); and

(ii) by deleting paragraph (c) and substituting the following paragraphs—

“ (c) all moneys granted under a rural assistance scheme; and

1985.] *Rural Reconstruction and Rural [No. 27.
Adjustment Schemes.*

- (d) all moneys that are necessary to meet the obligations of the Corporation in respect of moneys borrowed by it under section 16A; ”;
- (g) in subsection (3a), by deleting “scheme within the meaning of the Rural Industries Assistance Act 1975” and substituting the following—
- “ rural assistance scheme ”;
- (h) by adding after subsection (3a) the following subsections—
- “ (3b) The Minister may, with the consent of the Treasurer, from time to time in writing permit the Corporation to place the whole or part of any moneys not immediately required to be paid out of the Rural Reconstruction Fund by paragraph (a) or (b) of subsection (3) to the credit of the Rural Adjustment Fund until that whole or part is required for the purposes of the Rural Reconstruction Scheme or of a repayment to the Commonwealth under the first agreement or the second agreement and the Corporation may so place all or any of that whole or part in accordance with that permission.
- (3c) The Corporation shall cause separate records and accounts to be maintained in respect of each rural assistance scheme forming part of the Rural Assistance Fund under the heading of the particular scheme for which the money was made available under section 7A. ”; and
- (i) by repealing subsections (6) and (7).

No. 27.] *Rural Reconstruction and Rural* [1985.
Adjustment Schemes.

Section 16A
inserted.

21. After section 16 of the principal Act the following section is inserted—

Borrowing
by the
Corporation.

“ 16A. (1) Subject to this Act the Corporation may—

(a) borrow by way of loan, advance or overdraft such moneys;

(b) obtain such credit;

(c) pay such commission or brokerage;

and

(d) give such security,

as it thinks necessary from time to time for carrying out its functions.

(2) A loan, advance or overdraft under this section may only be made with the prior approval of the Treasurer and upon such terms and conditions as the Treasurer approves.

(3) Any moneys borrowed by the Corporation under this section may be raised as one loan or as several loans and in such manner as the Treasurer may approve, but the amount of the moneys so borrowed shall not in any one year exceed in the aggregate such amount as the Treasurer approves.

(4) The Treasurer may, in the name and on behalf of the Crown in right of the State, guarantee repayment of the principal moneys and interest thereon in respect of moneys borrowed by the Corporation under this section, and any liability of the Crown arising out of the guarantee is payable out of moneys in the Consolidated Revenue Fund, which to the necessary extent is appropriated accordingly.

1985.] *Rural Reconstruction and Rural [No. 27.
Adjustment Schemes.*

(5) A guarantee under this section shall be in such form and subject to such terms and conditions as the Treasurer determines. ”.

22. Section 17 of the principal Act is amended— Section 17
amended.

(a) by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”;

(b) by repealing subsections (1) and (2) and substituting the following subsections—

“ (1) The Corporation shall cause to be kept proper accounts and records of its transactions and affairs under such heads as the Treasurer may from time to time direct and shall do all things necessary to ensure that all payments out of moneys standing to the credit of the Funds are correctly made and properly authorized and that adequate control is maintained over the assets of the Corporation and over the incurring of liabilities against the Funds.

(2) The Corporation shall cause to be prepared in respect of each financial year—

(a) a full, true and fair—

(i) balance sheet of its assets and liabilities;

and

(ii) income and expenditure statement;

and

- (b) such other statements as the Treasurer may from time to time direct,

in such form as the Treasurer approves and shall submit that balance sheet and those statements for audit, examination and report by the Auditor General.

(2a) The Auditor General shall inspect and audit the accounts and records of the financial transactions of the Corporation and of the Funds and shall—

- (a) forthwith draw the attention of the Minister to any irregularity disclosed by the audit that is, in the opinion of the Auditor General, of sufficient importance to justify him so doing; and
- (b) report to the Minister as to—
 - (i) whether in his opinion the statements are based on proper accounts and records;
 - (ii) whether in his opinion the accounts and records are properly drawn up in accordance with generally accepted accounting standards so as to present a true and fair view of the transactions for the period under review and the financial position at the end of that period;

(iii) whether in his opinion the controls exercised by the Corporation are adequate to provide reasonable assurance that the receipt and expenditure of moneys and acquisition and disposal of assets have been in accordance with this Act; and

(iv) such other matters arising out of the statements as the Auditor General considers should be reported.

(2b) The Auditor General has for the purposes of this Act all the powers conferred on him by the Audit Act 1904. ”; and

(c) by inserting after subsection (4) the following subsection—

“ (5) In this section “Funds” means the Funds established pursuant to subsections (1) and (1a) of section 16. ”.

23. Section 18 of the principal Act is amended— Section 18
amended.

(a) by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”; and

(b) in subsection (5), by inserting after “agreements” the following—

“ or to any direction of the Minister under section 7A (1), as the case requires ”.

No. 27.] *Rural Reconstruction and Rural Adjustment Schemes.* [1985.]

Section 19
amended.

24. Section 19 of the principal Act is amended—

- (a) in subsection (2), by deleting “of this section may be taken in favour of the Authority or The Rural and Industries Bank of Western Australia if such advances are made by that Bank through one of its departments as agent for the Authority, out of moneys available to the Bank from the Rural Reconstruction Fund or the Rural Adjustment Fund, as the case may require, for the purpose of providing financial assistance under a scheme” and substituting the following—

“ shall be taken in favour of the Corporation ”; and

- (b) by adding the following subsections—

“ (3) Where prior to the coming into operation of the Rural Reconstruction and Rural Adjustment Schemes Amendment Act 1985 the security for the repayment of advances—

(a) made under this Act; or

(b) made pursuant to a scheme transferred to the Corporation pursuant to section 7B,

and interest thereon was taken in favour of The Rural and Industries Bank of Western Australia, that security shall, on or after the coming into operation of the Rural Reconstruction and Rural Adjustment Schemes Amendment Act 1985, be transferred by that Bank to the Corporation.

(4) The Registrar of Titles, the Registrar of Deeds, the Commissioner for Corporate Affairs, the Registrar of Bills of Sale, the Mining Registrar and any other person authorized by an Act

to record and give effect to the registration of documents relating to transactions affecting any estate or interest in land or other property is hereby authorized and directed, upon application in that behalf being made to him by the Corporation and The Rural and Industries Bank of Western Australia accompanied by a statement of the securities affected, to make all such entries or memorials upon any certificate of title, deed, mortgage, bill of sale, debenture or other instrument or upon any register or record kept by him and the holder of any such certificate of title, deed, mortgage, bill of sale, debenture or other instrument shall produce the same to the Registrar of Titles, the Registrar of Deeds, the Commissioner for Corporate Affairs, the Registrar of Bills of Sale, the Mining Registrar or other person for the purposes of subsection (3).

(5) If any question arises as to whether a security is to be transferred to the Corporation by subsection (3) the Minister may consult with the Minister to whom the administration of the Rural and Industries Bank Act 1944 is committed, but where no such consultation is concluded or if the Ministers cannot agree as to the question, the question may be finally and conclusively determined by the Governor and effect shall be given to any such determination. ”.

25. The principal Act is amended by inserting before section 20 the following heading—

Heading to
Part V
inserted.

“ PART V.—PROTECTION ORDERS. ”.

No. 27.] *Rural Reconstruction and Rural Adjustment Schemes.* [1985.]

Section 20
amended.

26. Section 20 of the principal Act is amended by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”.

Section 21
amended.

27. Section 21 of the principal Act is amended—

(a) by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”; and

(b) in subparagraph (iii) of subsection (6) (a), by deleting “Married Persons and Children (Summary Relief) Act, 1965” and substituting the following—

“ Family Court Act 1975 ”.

Section 22
amended.

28. Section 22 of the principal Act is amended by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”.

Section 23
amended.

29. Section 23 of the principal Act is amended by deleting “Authority” wherever it occurs and substituting the following in each case—

“ Corporation ”.

Section 25
amended.

30. Section 25 of the principal Act is amended by deleting “, Deputy Chairman”.

Heading to
Part VI
inserted.

31. The principal Act is amended by inserting before section 26 the following heading—

“ PART VI.—MISCELLANEOUS. ”.

1985.] *Rural Reconstruction and Rural* [No. 27.
Adjustment Schemes.

32. Section 28 of the principal Act is amended by deleting “Authority” wherever it occurs and substituting the following in each case—

Section 28
amended.

“ Corporation ”.

33. Section 29 of the principal Act is amended in subsection (1)—

Section 29
amended.

(a) by deleting “Authority” and substituting the following—

“ Corporation ”; and

(b) by deleting “financial”.

34. (1) The Rural Industries Assistance Act 1975, Act No. 32 of 1975, is hereby repealed.

Repeal and
transitional
provision.

(2) A reference in any other written law in force, or document made and executed, before the date of coming into operation of this Act, to the repealed Act or a provision of the repealed Act shall, unless the context otherwise requires, be read and construed as a reference to—

(a) this Act; or

(b) the corresponding provision of this Act, as the case requires.

(3) A reference in any other written law in force, or document made and executed before the date of coming into operation of this Act, to a scheme under the repealed Act shall, unless the context otherwise requires, be read and construed as a reference to a rural assistance scheme.

35. The terms of office of the Chairman and each of the members appointed under section 9 of the principal Act as in force before the coming into operation of section 11 of this Act shall expire on the coming into operation of this Act.

Transitional
provision
as to
members.