

RURAL RECONSTRUCTION SCHEME.

No. 88 of 1973.

AN ACT to amend the Rural Reconstruction Scheme
Act, 1971.

[Assented to 21st December, 1973.]

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 Scheme Act Amendment Act, 1973*. Short title and citation.

(2) In this Act the Rural Reconstruction Scheme Act, 1971 is referred to as the principal Act. Act No. 17 of 1971.

(3) The principal Act as amended by this Act may be cited as the Rural Reconstruction Scheme Act, 1971-1973.

Section 3
amended.

2. Section 3 of the principal Act is amended—

- (a) by deleting the definition “Agreement” and substituting the following definition—

“Agreement” means the first agreement and the second agreement; ;

- (b) by deleting the word “Agreement” in the last line of the definition “farmer” and substituting the words “first agreement”;

- (c) as to the definition “Scheme”—

- (i) by deleting the passage “clause 4 of” in line three; and

- (ii) by deleting the passage “State.” in the last line and substituting the passage “State;” ; and

- (d) by adding after the definition “Scheme” the following definitions—

“the first agreement” means the agreement between the Commonwealth and the State a copy of which is set forth in the First Schedule to this Act;

“the second agreement” means the agreement between the Commonwealth and the State a copy of which is set forth in the Second Schedule to this Act; .

Section 5
amended.

3. Section 5 of the principal Act is amended by adding the following subsection—

- (3) For the purposes of this section “Agreement” means the first agreement. .

Section 5A
added.

4. The principal Act is amended by adding a section as follows—

Second
agreement
approved.

5A. (1) The second agreement is approved and the doing or performance of all such acts, matters or things as are necessary to give effect thereto is hereby authorized.

(2) Without affecting the operation of subsection (1) of this section, all acts, matters and things that by the second agreement are agreed, directed, authorized or permitted to be made, done or executed by or on behalf of the State, its authorities and instrumentalities or by the Minister, or any other person specified therein, whether named as a party to the second agreement or not, are hereby sanctioned, authorized and confirmed. .

5. The heading to the Schedule to the principal Act is deleted and the following headings are substituted—

Schedule headings substituted.

THE SCHEDULES.

FIRST SCHEDULE.

6. The principal Act is amended by adding at the end thereof, the following Schedule—

Second Schedule added.

SECOND SCHEDULE.

Section 3

THIS AGREEMENT made the fifth day of November One thousand nine hundred and seventy-three between—

The Commonwealth of Australia of the first part,
The State of New South Wales of the second part,
The State of Victoria of the third part,
The State of Queensland of the fourth part,
The State of South Australia of the fifth part,
The State of Western Australia of the sixth part, and
The State of Tasmania of the seventh part

is supplemental to the agreement in relation to the provision of financial assistance for persons engaged in rural industries in the States (in this agreement called 'the Principal Agreement') that was approved by the States Grants (Rural Reconstruction) Act 1971 and was made between the Commonwealth and all the States the fourth day of June 1971.

WHEREAS—

- (a) the Commonwealth and the States are desirous of varying the terms and conditions upon which financial assistance is provided by the Commonwealth to the States under the Principal Agreement and of extending the period during which financial assistance is to be provided;

- (b) the Parliament of the Commonwealth will be requested to approve this agreement and to authorise the grant of financial assistance to the States in accordance with the provisions of the Principal Agreement as varied by this agreement,

NOW IT IS HEREBY AGREED as follows:—

Approval of
Agreement.

1. This agreement shall have no force or effect and shall not be binding upon any party until it has been approved by the Parliament of the Commonwealth.

Commence-
ment of
Agreement.

2. Upon being approved by the Parliament of the Commonwealth, this agreement shall be deemed to have come into force and to have commenced on the first day of July 1973 so that the Principal Agreement shall be regarded as having been varied on that date and as providing for and giving effect to acts done on and from that date as if it had been so varied.

Construction
and
Operation of
Agreements.

3. (1) In this agreement, each State that is a party is referred to as a 'State', and the expression 'the States' means, except where the context otherwise requires, all of the States that are for the time being parties.

(2) The Principal Agreement as varied by this agreement shall be construed as if this agreement were incorporated in and formed part of the Principal Agreement and so that, except where the context otherwise requires, references in the Principal Agreement to that agreement were references to that agreement as varied by and incorporating the provisions of this agreement.

(3) Except where the contrary intention appears, expressions used in this agreement that are expressions to which meanings are attributed in the Principal Agreement have in this agreement the respective meanings so attributed to them.

Provision of
Financial
Assistance.

4. (1) On and from the first day of July 1973, the provisions of clauses 11 and 12 of the Principal Agreement shall cease to apply in respect of the provision of financial assistance by the Commonwealth and the provisions set out hereafter in this clause shall apply in their place.

(2) Subject to, and to the performance by a State of, the provisions of the Principal Agreement as varied by this agreement, the Commonwealth will during the financial years commencing on the first day of July in the years 1973, 1974 and 1975 make financial assistance available to the States for the purposes of the Scheme.

(3) The amount of the financial assistance to be made available by the Commonwealth to each State during a financial year shall be determined by the Commonwealth before the commencement of the financial year following a

meeting of Commonwealth and State Ministers which will review the circumstances relating to the financial year and which will give due consideration to submissions made by the States not later than the end of the February last preceding the financial year and will have regard to such other criteria as the Commonwealth considers appropriate.

5. (1) Clause 6 of the Principal Agreement shall not apply to financial assistance made available by the Commonwealth during the financial years specified in sub-clause (2) of clause 4 of this agreement.

Allocation
of Financial
Assistance

(2) Subject to the provisions of the Principal Agreement as varied by this agreement, the financial assistance made available by the Commonwealth to a State after the first day of July 1973 shall be applied to the forms of assistance under the Scheme, namely debt reconstruction, farm build-up and rehabilitation as referred to in accordance with clause 5 of the Principal Agreement.

(3) The allocation by a State of the financial assistance during a financial year between the forms of assistance shall be in accordance with a determination made by the Commonwealth prior to the commencement of the financial year after consultation with the State, in which determination shall be specified a target percentage for commitments on farm build-up which the State should endeavour to achieve and a maximum percentage of commitments on debt reconstruction which the State may not exceed without the prior approval of the Commonwealth.

(4) The consultations referred to in sub-clause (3) of this clause shall extend to establishing by agreement between the Commonwealth and the State a firm programme of commitments of the financial assistance month by month during the year.

(5) If during a financial year either the Commonwealth or a State informs the other that it considers the allocation of the financial assistance by the State or the programme of commitments in respect of the year should be varied, further consultations will be held between the Commonwealth and the State with a view to varying the determination by the Commonwealth for the purposes of sub-clause (3) of this clause should the Commonwealth see fit to do so or varying the programme of commitments for the purposes of sub-clause (4) of this clause, as the case may be.

6. The Principal Agreement as varied by this agreement shall be known as 'the 1971-1973 Rural Reconstruction Agreement'.

Title of
Agreements.

IN WITNESS WHEREOF this agreement has been executed as at the day and year first above written.

Signed for and on behalf of
The Commonwealth of Australia by The Honourable
Edward Gough Whitlam,
Prime Minister, in the presence of—
PETER S. WILENSKI

} E. G. WHITLAM

Signed for and on behalf of
The State of New South Wales by The Honourable
Sir Robert William Askin,
Premier, in the presence of—
B. DAVIES

} R. W. ASKIN

Signed for and on behalf of
The State of Victoria by The Honourable Rupert James
Hamer, in the presence of—
KEVIN A. HALL

} R. J. HAMER

Signed for and on behalf of
The State of Queensland by
The Honourable Johannes Bjelke-Petersen, Premier, in
the presence of—
C. M. BYCROFT

} JOH. BJELKE-PETERSEN

Signed for and on behalf of
The State of South Australia by The Honourable
Donald Allan Dunstan,
Premier, in the presence of—
J. A. WHITE

} D. A. DUNSTAN

Signed for and on behalf of
The State of Western Australia by The Honourable
John Trezise Tonkin,
Premier, in the presence of—
R. S. SEDDON

} JOHN T. TONKIN

Signed for and on behalf of
The State of Tasmania by
The Honourable Eric Elliott
Reece, Premier, in the presence of—
C. W. HALLAM

} ERIC REECE