

**STATES GRANTS (RURAL RECONSTRUCTION)  
AGREEMENT RATIFICATION (AMENDMENT)  
ACT.**

**New South Wales**



ANNO VICESIMO TERTIO

**ELIZABETHÆ II REGINÆ**

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**Act No. 21, 1974.**

An Act to approve and ratify an Agreement supplemental to a certain Agreement between the Commonwealth and the State of New South Wales in relation to rural reconstruction; for this and other purposes to amend the States Grants (Rural Reconstruction) Agreement Ratification Act, 1971; to validate certain matters; and for purposes connected therewith. [Assented to, 10th April, 1974.]

**BE**

*States Grants (Rural Reconstruction) Agreement  
Ratification (Amendment).*

**B**E it enacted by the Queen's Most Excellent Majesty, by **No. 21, 1974** and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "States Grants (Rural Reconstruction) Agreement Ratification (Amendment) Act, 1974".

2. The States Grants (Rural Reconstruction) Agreement Ratification Act, 1971, is in this Act referred to as the Principal Act.

3. The Principal Act is amended—

Amendment  
of Act No.  
37, 1971.

(a) by omitting the definition of "the Agreement" in section 2 and by inserting instead the following definition:—

"the Rural Reconstruction Agreement" means the Agreement, a copy of which is set out in Schedule 1, read with the Agreement, a copy of which is set out in Schedule 2.

(b) by omitting section 3 and by inserting instead the following section:—

3. The Agreements, copies of which are set out in Schedule 1 and Schedule 2, are approved, ratified and confirmed.

(c) by inserting after section 3 the following section:—

4. (1) The Rural Reconstruction Agreement may be carried into effect notwithstanding the provisions of any other Act.

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(2) All acts, matters and things for or with respect to which provision is made in the Rural Reconstruction Agreement, or which by that Agreement are agreed, directed, authorised or permitted to be made, done or executed by or on behalf of the Minister or the Treasurer or the Auditor-General or the Authority are hereby sanctioned, authorised and confirmed.

Schedule.

- (d) (i) by omitting from the Schedule the heading thereto and by inserting instead the heading "SCHEDULE 1.";
- (ii) by inserting at the end of the Schedule the following heading and Schedule :—

**SCHEDULE 2.**

**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**

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WHEREAS—

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- (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:—

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

2. Upon being approved by the Parliament of the Commonwealth, **Commence-** this agreement shall be deemed to have come into force and to have **ment of** commenced on the first day of July 1973 so that the Principal Agree- **Agreement.** ment 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.

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

(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.

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

(2.)

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**No. 21, 1974** (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.

Allocation of  
Financial Assist-  
ance.

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.

(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

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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. No. 21, 1974

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

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 AUS-  
TRALIA by the Honourable  
EDWARD GOUGH WHIT-  
LAM, Prime Minister, in the  
presence of—  
PETER S. WILENSKI. } E. G. WHITLAM (L.S.)

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 (L.S.)

SIGNED for and on behalf of THE  
STATE OF VICTORIA by the  
Honourable RUPERT JAMES  
HAMER, Premier, in the  
presence of—  
KEVIN A. HALL. } R. J. HAMER (L.S.)

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

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<p><b>No. 21, 1974</b> SIGNED for and on behalf of THE STATE OF SOUTH AUS- TRALIA by the Honourable DONALD ALLAN DUNSTAN, Premier, in the presence of— J. A. WHITE.</p>	}	D. A. DUNSTAN (L.S.)
<p>SIGNED for and on behalf of THE STATE OF WESTERN AUS- TRALIA by the Honourable JOHN TREZISE TONKIN, Premier, in the presence of— R. S. SEDDON.</p>	}	JOHN T. TONKIN (L.S.)
<p>SIGNED for and on behalf of THE STATE OF TASMANIA by the Honourable ERIC ELLIOTT REECE, Premier, in the presence of— C. W. HALLAM.</p>	}	ERIC REECE (L.S.)

**Validation.** 4. (1) In this section “the Rural Reconstruction Agreement” has the same meaning as in the Principal Act as amended by this Act.

(2) Any act, matter or thing done on or after 1st July, 1973, and before the commencement of this Act shall have, and shall be deemed always to have had, the same force and effect as it would have, or would have had, if the Rural Reconstruction Agreement and this Act had been in force when the act, matter or thing was done.

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