



New South Wales

Rural Assistance Amendment Act 2000 No 79

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Rural Assistance Amendment Act 2000 No 79

Act No 79, 2000

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. [Assented to 9 November 2000]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Rural Assistance Amendment Act 2000*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Rural Assistance Act 1989 No 97

The *Rural Assistance Act 1989* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 2A

Insert after section 2:

2A Object of Act

The object of this Act is to promote the efficient delivery of programs of assistance to farmers and other persons engaged in rural industries, and to other persons as provided by this Act.

[2] Section 3 Definitions

Omit the definition of *protection order* from section 3 (1).

[3] Section 5 Provision of rural assistance

Omit “schemes”. Insert instead “programs”.

[4] Section 6 Review of programs of assistance etc

Omit “scheme” wherever occurring in section 6 (a) and (b).
Insert instead “program”.

[5] Section 10 Functions of Board

Omit section 10 (1). Insert instead:

- (1) The Board has the following functions:
 - (a) to advise the Minister on the provision of assistance under this Act,
 - (b) to report to the Minister at least annually on:
 - (i) the effectiveness of programs of assistance implemented under this Act in meeting the Government’s objectives for those programs, and
 - (ii) the performance of the Authority in the delivery of assistance under programs implemented or administered under this Act,

- (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.

[6] Section 10 (2)

Omit “that function”. Insert instead “those functions”.

[7] Sections 12A and 12B

Insert after section 12:

12A Authority to provide Board with information

The Authority must provide to the Board such information as the Board may from time to time request with respect to the following:

- (a) the implementation by the Authority of guidelines advised by the Board in respect of particular programs of assistance under this Act,
- (b) the delivery of assistance by the Authority under programs implemented or administered under this Act,
- (c) the operation and management of the Authority.

12B Review of composition of Board

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.

[8] Section 15 Applications for assistance

Omit “(including a protection order)” from section 15 (1).

[9] Section 15 (1)

Omit “scheme”. Insert instead “program”.

[10] Part 3, Division 2, heading

Omit the heading to Division 2 of Part 3. Insert instead:

Division 2 State programs of assistance

[11] Section 18

Omit sections 18–20. Insert instead:

18 Programs of assistance

- (1) The Authority may establish programs for the grant of assistance to farmers and other persons engaged in rural industries, for the following purposes:
 - (a) increasing the level of investment in sustainable land and water management practices,
 - (b) increasing the level of investment in self-preparedness measures that assist them in responding to adjustment pressures and industry downturns,
 - (c) ensuring the availability of short-term assistance in times of natural disaster,
 - (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.
- (2) Under such a program the Authority may grant assistance for any one or more of the following purposes:
 - (a) effecting permanent improvements to a farm (including fencing, fodder or grain storage facilities, stockyards and water supplies of a minor nature),
 - (b) effecting production improvements to a farm (including pasture improvement, fodder conservation and stock improvement),
 - (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,
 - (d) such other purposes as the Minister may from time to time determine.

- (3) Without limiting the generality of subsection (2) (c), assistance may be provided under that paragraph for the following purposes:
- (a) replacing lost or damaged farm improvements and stock,
 - (b) enabling farming operations to continue,
 - (c) providing fodder,
 - (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.
- (4) Before determining that a grant of assistance to a farmer or person engaged in a rural industry be made, the Authority must consider the principles of ecologically sustainable development described in section 6 (2) of the *Protection of the Environment Administration Act 1991*.

[12] Part 3, Division 3, heading

Omit the heading to Division 3 of Part 3. Insert instead:

Division 3 Administration of Commonwealth and other programs

[13] Section 25 Administration of Commonwealth and other programs

Omit “scheme” wherever occurring. Insert instead “program”.

[14] Sections 26 and 27

Omit “scheme” wherever occurring. Insert instead “program”.

[15] Part 3, Division 4

Omit the Division.

[Minister's second reading speech made in—
Legislative Assembly on 21 June 2000
Legislative Council on 11 October 2000]

BY AUTHORITY