

# Forestry Restructuring and Nature Conservation Act 1995 No 50

[1995-50]



New South Wales

## Status Information

### Currency of version

Current version for 30 October 2023 to date (accessed 1 December 2024 at 12:25)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Responsible Minister

- Minister for the Environment
- Minister for Climate Change

For full details of Ministerial responsibilities, see the [Administrative Arrangements \(Minns Ministry—Administration of Acts\) Order 2023](#).

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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# Forestry Restructuring and Nature Conservation Act 1995 No 50



New South Wales

An Act to provide for the payment of expenditure on forest industry restructuring, nature conservation and certain other environmental initiatives from the Environmental Trust, and for other purposes.

## 1 Name of Act

This Act is the *Forestry Restructuring and Nature Conservation Act 1995*.

## 2 Commencement

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

## 3 Definitions

In this Act—

**Budget Papers** means the Budget Papers tabled in Parliament (whether before or after the commencement of this section).

**Environmental Trust Act** means the *Environmental Trust Act 1998*.

**Fund** means the Environmental Trust Fund established under the *Environmental Trust Act*.

## 4 Payments from the Fund for certain programs

(1) There is to be paid out of the Fund such amounts as the Minister for Climate Change and the Environment directs for payment into the Consolidated Fund to offset the amounts paid from the Consolidated Fund for the following expenditure—

(a)–(c) (Repealed)

(d) Expenditure for the purpose of implementing forestry restructure and assistance schemes and programs in the Brigalow and Nandewar and adjacent areas, including business exit assistance, timber worker assistance and industry development assistance, shown in the Budget Papers or declared in writing by the Treasurer as expenditure to be recouped from the Fund. That expenditure is referred to in this Act as **Brigalow and Nandewar areas expenditure**.

(e) (Repealed)

(1A) (Repealed)

(2) The Treasurer is to certify to the Minister from time to time the amounts paid from the Consolidated Fund for the expenditure referred to in this section.

(3), (4) (Repealed)

(5) Money is not to be paid from the Fund under this Act in respect of Brigalow and Nandewar areas expenditure unless the Minister for Climate Change and the Environment and the Minister for Mineral and Forest Resources jointly certify that the expenditure has been incurred for the purposes of implementing a scheme or program designed to assist persons affected by Government forest conservation initiatives in the Brigalow or Nandewar areas.

(6) (Repealed)

#### **5 Minister determines timing and details of payment**

The timing of payments from the Fund under this Act and the amount of a particular payment on a particular occasion are to be as determined by the Minister for Climate Change and the Environment. The Minister is to be mindful of the need for the Fund to be able to earn income in order to meet its projected commitments under this Act and the Environmental Trust Act over the period of operation of this Act.

#### **6-8 (Repealed)**

#### **9 Payments can be made out of capital and income**

Payments under this Act can be made out of both capital and income of the Fund.

#### **10-11A (Repealed)**

#### **12 Audit by Auditor-General of payments from the Fund**

The audit of the accounts relating to the Fund by the Auditor-General under the [Government Sector Audit Act 1983](#) is to include an audit of the payments made from the Fund under this Act.

#### **13 (Repealed)**

#### **Schedules 1, 2 (Repealed)**