

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 14 December 1982

(Minister representing the Minister for Finance)

A BILL

FOR

An Act to make provision for the expenditure of funds on special employment-related programs

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title

5 **1.** This Act may be cited as the *Special Employment-related Programs Act 1982*.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent or, if the *Salaries and Wages Pause Act 1982* has not come into operation before that day, on the day on which that Act comes into operation.

10 **Interpretation**

3. In this Act, unless the contrary intention appears—
“approved program” means a program approved under section 6;
“qualified accountant” means—

15 (a) a person who is registered as a company auditor or a public accountant under a law in force in a State or Territory; or

- (b) a member of The Institute of Chartered Accountants in Australia or of the Australian Society of Accountants;

“State” includes the Northern Territory.

Appropriation

4. The Consolidated Revenue Fund is appropriated for the purposes of— 5

(a) providing funds for programs (other than programs referred to in paragraph (b)) that, in the opinion of the Minister, will contribute to the generation or maintenance of employment within Australia; and

(b) making payments to the States under this Act to enable the States to conduct programs that, in the opinion of the Minister, will contribute to the generation or maintenance of employment within Australia, 10

and is so appropriated to the extent of \$300,000,000.

No expenditure by Minister in respect of employment after 30 June 1984

5. The Minister shall not, in connection with the employment of persons after 30 June 1984, expend moneys appropriated under this Act for the purpose set out in paragraph 4 (a). 15

Minister may approve programs

6. The Minister may, if he is satisfied that a program proposed to be undertaken by a State will contribute to the generation or maintenance of employment within Australia, by instrument in writing— 20

(a) approve that program for the purposes of this Act; and

(b) specify, in respect of that program, the maximum amount that will be paid to the State under this Act in respect of expenditure by the State for the purposes of that program.

Grant of financial assistance 25

7. Subject to this Act, there is payable to a State, by way of financial assistance, the amount necessary to reimburse the State in respect of so much of the expenditure by the State for the purposes of an approved program as does not exceed the amount specified by the Minister under section 6 in respect of that program, being expenditure in connection with the employment of persons on or before 30 June 1984. 30

Evidence of expenditure

8. A State is not entitled to a payment under section 7 with respect to any expenditure by the State for the purposes of an approved program unless the State has furnished to the Minister— 35

(a) a statement in respect of that expenditure, in accordance with a form approved by the Minister, accompanied by a certificate of the Auditor-General of the State certifying, in relation to each amount shown in the statement as having been expended, either—

(i) that, in his opinion, the amount was expended for the purposes of the approved program; or 40

- (ii) that he has received a certificate from a qualified accountant stating that, in his opinion, the amount was expended for the purposes of the approved program; and
- (b) such further information, if any, as the Minister requires in respect of that expenditure.

Advances

9. The Minister may, at such times as he thinks fit, make advances to a State of such amounts as he thinks fit on account of an amount that may become payable to the State under this Act.

Conditions

10. (1) Payments of amounts (including advances) to a State for the purposes of an approved program are subject to the following conditions:

- (a) that, if the Minister so requests, there will be furnished to the Minister by the State, as soon as practicable after such date as the Minister specifies, a report on the activities by the State in connection with the approved program, being a report containing such particulars as are specified by the Minister;
- (b) that, if the Minister informs the Treasurer of the State that he is satisfied that the State has failed to fulfil the condition specified in paragraph (a) or has failed to undertake the approved program or any part of the approved program, the State will repay the amount, or such part of the amount as the Minister specifies, to the Commonwealth;
- (c) that the Minister may deduct any amount repayable by a State in accordance with the condition specified in paragraph (b) from any amount payable by the Commonwealth to the State under this Act.

(2) Payment of an amount (including an advance) to a State under this Act is subject to the following conditions:

- (a) that the State will repay to the Commonwealth, on demand by the Minister, the amount by which, at the time of the demand, the total of the amounts (including advances) paid to the State under this Act exceeds the total of the amounts that have become payable to the State under this Act;
- (b) that the Minister may deduct any amount repayable by a State in accordance with the condition specified in paragraph (a) from any amount payable by the Commonwealth to the State under this Act.

(3) In addition to the conditions referred to in sub-sections (1) and (2), payments of amounts (including advances) to a State for the purposes of an approved program are subject to such other conditions (if any) as are determined by the Minister from time to time.

Arrangements

11. The Minister may, on behalf of the Commonwealth, make an arrangement with the appropriate Minister of a State in connection with the provision of financial assistance to the State under this Act and, if the Minister

makes such an arrangement with the appropriate Minister of a State, payments (including advances) to the State under this Act shall, to the extent that the terms and conditions of the arrangement are not inconsistent with the provisions of this Act, be made in accordance with those terms and conditions.

Making of payments

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12. Payments under this Act shall be made in such amounts and at such times as the Minister determines.