



Rural and Regional Adjustment Act 1994

Current as at 1 July 2009

Information about this reprint

This Act is reprinted as at 1 July 2009. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

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Queensland

Rural and Regional Adjustment Act 1994

Contents

		Page
Part 1	Preliminary	
1	Short title	5
3	Object of Act.	5
4	Definitions.	6
Part 2	QRAA	
Division 1	Establishment of authority	
5	Establishment of authority	7
6	Legal status of authority	7
7	Authority represents the State	8
Division 2	Functions and powers of authority	
8	Authority's functions	8
9	Authority's powers	9
9A	Ministerial direction or notice	10
Part 3	Financial assistance	
10	Approved schemes.	11
11	Approved assistance schemes.	11
11A	Authorisation for interstate schemes	12
12	Administering approved schemes	12
13	Funding of approved schemes	13
Part 3A	Review of decisions	
13A	Who may apply for internal review	13
13B	How to apply for internal review	13
13C	Review decision	14
Part 4	Other provisions about the authority	
Division 1	The board	
14	The board.	15
15	Role of the board	15

Contents

16	Composition of board	15
16A	Chairperson to report to Minister	16
16B	Chairperson to give business plan to Minister	16
16C	Reporting and accountability	17
Division 1A	Other provisions about directors	
16D	Delegation by non-appointed directors	17
17	Duration of appointment	18
18	Conditions of appointment	18
Division 2	Proceedings of the board	
19	Time and place of meetings	18
20	Conduct of proceedings	19
21	Disclosure of interests	20
22	Minutes	20
Division 3	Financial matters	
23	Application of Financial Accountability Act	21
23A	Authority is a statutory body for Statutory Bodies Financial Arrangements Act 1982	21
24	Administration budget	21
Division 4	Other things about the authority	
25	Seal	21
26	Application of certain Acts	22
27	Delegation	22
Part 5	Staff of the authority	
Division 1	Chief executive officer	
28	Chief executive officer	22
29	Appointment	22
30	Restriction on appointment	23
31	Chief executive officer appointed under this Act	23
32	Term of appointment	23
33	Chief executive officer not to engage in other paid employment	23
34	Conditions of appointment	23
35	Acting chief executive officer	23
35A	Chief executive officer to prepare business plan	24
Division 2	Staffing the authority	
36	Authority staff	24
37	Alternative staffing arrangements	25

Division 3	Conflict of interest	
38	Disclosure of interests	25
Part 6	Miscellaneous	
39	Duty to act honestly	25
40	Disclosure of information	26
41	False or misleading information	26
42	False or misleading documents	26
43	Calling up financial assistance obtained by false statement	27
44	Regulation-making power	28
45	Review of Act	28
Part 7	Savings, transitional and validation provisions for Act No. 50 of 1994	
Division 2	Transitional references	
46	Application of division	28
47	References to Acts	28
Part 8	Other transitional provisions	
52	Continuance of authority	29
53	Transitional appointments of directors of board	29
54	Existing approved assistance schemes	29
 Endnotes		
1	Index to endnotes	31
2	Date to which amendments incorporated	31
3	Key	32
4	Table of reprints	32
5	Tables in earlier reprints	33
6	List of legislation	33
7	List of annotations	34

Rural and Regional Adjustment Act 1994

[as amended by all amendments that commenced on or before 1 July 2009]

An Act to establish an authority to give assistance to rural and regional producers and certain small businesses, and for related purposes

Part 1 Preliminary

1 Short title

This Act may be cited as the *Rural and Regional Adjustment Act 1994*.

3 Object of Act

- (1) The object of this Act is to establish QRAA primarily to administer assistance schemes that foster the development of a more productive and sustainable rural and regional sector in Queensland.
- (2) QRAA may also—
 - (a) support the State's economy by administering schemes to give assistance to primary producers, small businesses or other elements of the State's economy—
 - (i) in periods when they are experiencing temporary difficulty; or
 - (ii) to otherwise benefit the State's economy; and
 - (b) give assistance and build its own effectiveness by administering schemes for the Commonwealth and

[s 4]

other States in rural and regional sectors outside Queensland.

4 Definitions

In this Act—

approved assistance scheme see section 11.

approved scheme means an approved assistance scheme or an authorised interstate scheme.

authorised interstate scheme means a scheme for which the Minister has given an authorisation under section 11A.

authority means QRAA.

authority's assistance funds means amounts held by the authority, if the amounts have been—

- (a) advanced to the authority, for giving financial assistance under approved schemes, by—
 - (i) the State, the Commonwealth or another State, or an entity that represents the State, the Commonwealth or another State; or
 - (ii) another entity, under a scheme entered into between the entity and the State; or
- (b) paid to the authority by persons to whom financial assistance has been given, whether the assistance was given before or after the commencement of this Act; or
- (c) earned on—
 - (i) the investment by the authority of the amounts mentioned in paragraph (a) or (b); or
 - (ii) loans made, whether before or after the commencement of this Act, in giving financial assistance.

board means the authority's board of directors.

chairperson means the chairperson of the board.

chief executive officer means the authority's chief executive officer.

director see section 16.

officer of the authority means any of the following—

- (a) the chief executive officer;
- (b) an authority employee, whether or not there is a written contract of employment between the authority and the employee;
- (c) an individual who performs services for the authority—
 - (i) under a contract (other than a contract of employment) between the individual and the authority; or
 - (ii) under an arrangement between the authority and a person (other than the individual).

original decision see section 13C.

regional includes fishing and forestry.

review decision see section 13C.

rural includes fishing and forestry.

Part 2 QRAA

Division 1 Establishment of authority

5 Establishment of authority

QRAA is established.

6 Legal status of authority

The authority—

[s 7]

- (a) is a body corporate; and
- (b) has a seal; and
- (c) may sue and be sued in its corporate name.

7 Authority represents the State

- (1) The authority represents the State.
- (2) Without limiting subsection (1), the authority has all the privileges and immunities of the State.

Division 2 Functions and powers of authority

8 Authority's functions

- (1) The authority's primary function is to put approved assistance schemes into effect by—
 - (a) ensuring the schemes are properly and fairly administered; and
 - (b) directly giving the assistance the schemes provide for.
- (2) The other functions of the authority are—
 - (a) to arrange for education, training and advice to applicants under approved assistance schemes; and
 - (b) to negotiate for assistance funding with all levels of government; and
 - (c) to carry out research into, and develop policies on, issues affecting persons likely to receive assistance under this Act; and
 - (d) to review, and give advice to the Minister on—
 - (i) proposed assistance schemes; and
 - (ii) the implementation of approved assistance schemes; and

- (iii) economic and other conditions in the rural and regional sectors; and
- (e) to consult, and liaise with—
 - (i) commercial lenders and financial advisers; and
 - (ii) public sector units with the function of helping the rural, regional and small business sectors of the economy, and equivalent entities of other States or the Commonwealth; and
 - (iii) organisations representing the interests of persons likely to receive assistance under this Act; and
- (f) to administer authorised interstate schemes; and
- (g) to perform functions incidental to a function under another paragraph of this subsection; and
- (h) to perform other functions given to the authority under this Act or another Act; and
- (i) other functions prescribed by regulation.

9 Authority's powers

- (1) The authority has all the powers of an individual, and may, for example—
 - (a) enter into contracts; and
 - (b) acquire, hold, deal with and dispose of property; and
 - (c) appoint agents and attorneys; and
 - (d) charge for, and fix conditions for the supply of, the goods, services and information it supplies; and
 - (e) engage consultants; and
 - (f) do anything else necessary or convenient to be done for, or in connection with, the performance of its functions.
- (2) Without limiting subsection (1), the authority has the powers given to it under this or another Act.

[s 9A]

- (3) The authority may exercise its powers inside or outside Queensland.

9A Ministerial direction or notice

- (1) The Minister may give the authority a written direction about the performance of the authority's functions or the exercise of its powers, or written notice of a public sector policy, if the Minister is satisfied it is necessary to give the direction or notice in the public interest.
- (2) The authority must ensure the direction or policy is complied with.
- (3) However, before giving the direction or notice the Minister must—
 - (a) consult with the authority; and
 - (b) ask the authority to advise whether, in its opinion, complying with the direction or policy would not be in its financial interest.
- (4) The Minister must gazette a copy of the direction or notice within 21 days after the direction or notice is given.
- (5) The authority—
 - (a) must include in its annual report, prepared under the *Financial Accountability Act 2009*, section 63, details of any direction or notice given by the Minister under subsection (1) during the financial year to which the report relates; and
 - (b) may include in the report a comment on the effect on the authority's activities of complying with the direction or policy.

Part 3 Financial assistance

10 Approved schemes

The authority may give financial assistance only under an approved scheme.

11 Approved assistance schemes

- (1) An *approved assistance scheme* is a scheme that—
 - (a) states the purpose and nature of financial assistance that may be given; and
 - (b) identifies the categories of persons eligible to receive the assistance; and
 - (c) is approved under a regulation.
- (2) A regulation approving a scheme must set out the scheme in detail.
- (3) An approved assistance scheme—
 - (a) may include conditions on which financial assistance must be given; and
 - (b) may provide for—
 - (i) payments into the consolidated fund or a fund or the departmental accounts of a department of amounts of the authority's assistance funds associated with the scheme; and
 - (ii) write-offs to loan balances.
- (4) A regulation may also approve a scheme if—
 - (a) the scheme is established by the Commonwealth or another State or an entity that represents the State, the Commonwealth or another State; and
 - (b) the purpose of the scheme is consistent with the object of this Act.

[s 11A]

- (5) An assistance scheme approved under subsection (4) is also an *approved assistance scheme* for this Act.

11A Authorisation for interstate schemes

- (1) This section applies in relation to a scheme, other than an approved assistance scheme, established by the Commonwealth or another State or an entity that represents the Commonwealth or another State.
- (2) The authority must not tender for the administration of the scheme, or agree to administer the scheme, unless the Minister has authorised the authority to enter into arrangements for the administration of the scheme.
- (3) The Minister may give authorisation only if satisfied the scheme's main purpose is to—
- (a) foster the development of the rural and regional sector in another State; or
 - (b) give assistance to primary producers or small businesses in another State in periods when they are experiencing temporary difficulty.
- (4) Authorisation may be given on conditions the Minister considers appropriate.
- (5) The authority must give the Minister any information the Minister asks for about a tender or arrangement that the authority has made or proposes to make for the administration of the scheme.
- (6) However, subsection (5) does not apply to the extent that giving the information would contravene a confidentiality agreement to which the authority is a party.

12 Administering approved schemes

- (1) In administering an approved scheme, the authority may—
- (a) assess and decide applications for assistance under the scheme; and

- (b) cancel the provision of assistance; and
 - (c) put conditions on the giving of assistance; and
 - (d) change the arrangements for the repayment of debts to the authority; and
 - (e) decline to deal with applications made by persons previously refused assistance under the scheme; and
 - (f) decide its own procedures; and
 - (g) keep operational accounts with financial institutions within Australia.
- (2) However, in administering an approved scheme, the authority must comply with—
- (a) the contents of the scheme; and
 - (b) agreements entered into between the authority and persons receiving assistance under the scheme.

13 Funding of approved schemes

Amounts of financial assistance given by the authority under an approved scheme are to be drawn from the authority's assistance funds.

Part 3A Review of decisions

13A Who may apply for internal review

A person who is dissatisfied by a decision of the authority under section 12(1)(a) to (e) or section 43(2), in relation to an approved scheme, may apply to the chief executive officer for an internal review of the decision.

13B How to apply for internal review

- (1) An application for internal review of a decision must be—

[s 13C]

- (a) made in the approved form; and
 - (b) supported by enough information to enable the chief executive officer to decide the application; and
 - (c) made within 20 business days after the person receives notice of the decision.
- (2) However, the chief executive officer may extend the time for applying for an internal review.
- (3) The decision is stayed until the chief executive makes a decision under section 13C.

13C Review decision

- (1) The chief executive officer must, within 30 business days after receiving the application—
- (a) review the decision (the *original decision*); and
 - (b) make a decision (the *review decision*) to—
 - (i) confirm the original decision; or
 - (ii) amend the original decision; or
 - (iii) substitute another decision for the original decision; and
 - (c) give the applicant notice (the *review notice*) of the review decision.
- (2) If the review decision is not the decision sought by the applicant, the review notice must also state the reasons for the review decision.
- (3) If the chief executive officer does not comply with subsection (1), the chief executive officer is taken to have made a decision confirming the original decision.

Part 4 Other provisions about the authority

Division 1 The board

14 The board

The authority has a board of directors.

15 Role of the board

(1) The board is responsible for the way the authority performs its functions and exercises its powers.

(2) Without limiting subsection (1), it is the board's role—

(a) to decide the strategies and the operational, administrative and financial policies to be followed by the authority; and

(b) to ensure the authority performs its functions in a proper, effective and efficient way; and

Editor's note—

See section 8 (Authority's functions).

(c) to review annually the performance of the authority's chief executive officer.

16 Composition of board

(1) The board consists of the following persons (each of whom is a *director*)—

(a) the chief executive;

(b) the chief executive of the department in which the *Financial Accountability Act 2009* is administered;

(c) not more than 5 other persons, appointed by the Governor in Council, who have the skills and experience

[s 16A]

necessary to enable them to contribute effectively to the board's ability to perform its functions.

Example of skills for paragraph (c)—

financial skills, strategic and business planning skills, rural industry skills

- (2) The Governor in Council must appoint 1 of the directors appointed under subsection (1)(c) as the chairperson.
- (3) The chairperson's term of appointment ends when the person's term of appointment as a director ends.

16A Chairperson to report to Minister

- (1) The chairperson must report to the Minister on the performance of the authority's functions and the exercise of its powers.
- (2) A report under subsection (1) must be given—
 - (a) within 1 month after the end of each quarter; and
 - (b) at any other time at the Minister's request.
- (3) Also, if the chairperson becomes aware of a matter the chairperson is satisfied may adversely affect the authority's ability to perform its functions, the chairperson must immediately report the matter to the Minister.
- (4) In subsection (2)—

quarter means a 3 month period ending on 31 March, 30 June, 30 September or 31 December.

16B Chairperson to give business plan to Minister

- (1) The chairperson must give the Minister a copy of each business plan, prepared by the chief executive officer, by 30 April in the year for which the plan is prepared.
- (2) The chairperson must not give a copy of a business plan to the Minister unless the board has approved the business plan.

16C Reporting and accountability

- (1) The Minister may, at any time, require the chairperson to give the Minister stated information and reports in the way, and within the time, the Minister requires.
- (2) The chairperson must comply with the requirement to the extent the chairperson is able to comply with it.
- (3) If the chairperson can not comply with the requirement, the chairperson must give the Minister reasons for not being able to comply.
- (4) The chairperson must give the Minister a report on any matter of which the chairperson becomes aware that may significantly affect the authority's ability to perform its functions.
- (5) The chairperson must give the Minister a report mentioned in subsection (4) as soon as practicable but within 1 month after the chairperson first becomes aware of the matter.

Division 1A Other provisions about directors

16D Delegation by non-appointed directors

- (1) A director mentioned in section 16(1)(a) or (b) may delegate the director's functions under this Act to an appropriately qualified senior executive in the public service.
- (2) In this section—

appropriately qualified includes having the qualifications, experience or standing appropriate to the exercise of the function.

Example of standing—

the person's classification level in a department

function includes a power.

[s 17]

17 Duration of appointment

- (1) A director appointed under section 16(1)(c) is appointed for the term, of not more than 3 years, stated in the director's instrument of appointment.
- (1A) The terms of appointment must be staggered so that, as far as practicable, half the directors' terms end every 18 months.
- (2) The office of a director appointed under section 16(1)(c) becomes vacant if—
 - (a) the director resigns by signed notice to the Minister; or
 - (b) the director is found guilty of an indictable offence or an offence against this Act; or
 - (c) the director becomes employed by, or becomes a contractor of, the authority; or
 - (d) the director's appointment is ended by the Governor in Council under subsection (3).
- (3) The Governor in Council may, at any time, end the appointment of a director for any reason or none.

18 Conditions of appointment

- (1) A director is appointed on a part-time basis.
- (2) A director is entitled to be paid the remuneration and allowances fixed by the Governor in Council.

Division 2 Proceedings of the board

19 Time and place of meetings

- (1) The board may hold its meetings when and where it decides.
- (2) However, the board must meet at least once every 3 months.
- (3) The chairperson—
 - (a) may at any time call a meeting of the board; and

- (b) must call a meeting if asked by one-quarter or more of the other directors.

20 Conduct of proceedings

- (1) The chairperson presides at all meetings of the board at which the chairperson is present.
- (2) If the chairperson is absent, the director chosen by the directors present presides.
- (3) At a meeting of the board—
 - (a) a quorum is at least half of the directors; and
 - (b) a question is decided by a majority of the votes of the directors present and voting; and
 - (c) each director present has a vote on each question to be decided and, if the votes are equal, the director presiding has a casting vote.
- (4) The board may conduct its proceedings (including its meetings) as it considers appropriate.
- (5) The board may hold meetings, or permit directors to take part in meetings, by telephone, closed-circuit television or another form of communication.
- (6) A director who takes part in a meeting of the board under subsection (5) is taken to be present at the meeting.
- (7) A resolution is a valid resolution of the board, even though it is not passed at a meeting of the board, if—
 - (a) at least half the directors give written agreement to the resolution; and
 - (b) notice of the resolution is given under procedures approved by the board.

[s 21]

21 Disclosure of interests

- (1) A director must disclose to a meeting of the board a direct or indirect financial interest in an issue being considered or about to be considered by the board if—
 - (a) the director, or a person who, under the regulations, is related to the director, has the interest; and
 - (b) the interest could conflict with the appropriate performance of the director's duties about the consideration of the issue.
- (2) The disclosure must be recorded in the board's minutes and, unless the board otherwise directs, the director must not be present when the board considers the issue, or take part in a decision of the board on the issue.
- (3) Another director who also has, or who is, under the regulations, related to a person who also has, a direct or indirect financial interest in the issue must not—
 - (a) be present when the board is considering its decision under subsection (2); or
 - (b) take part in making the decision.
- (4) If, because of this section, a director is not present at a meeting of the board for the deliberation of the board about an issue, but there would be a quorum if the director were present, the remaining directors present are a quorum for the board's deliberation or decision about the issue at the meeting.

22 Minutes

The board must keep minutes of its proceedings.

Division 3 Financial matters

23 Application of Financial Accountability Act

- (1) The authority is a statutory body within the meaning of the *Financial Accountability Act 2009*.
- (2) This section is enacted to avoid doubt.

23A Authority is a statutory body for Statutory Bodies Financial Arrangements Act 1982

- (1) Under the *Statutory Bodies Financial Arrangements Act 1982*, the authority is a statutory body.
- (2) The *Statutory Bodies Financial Arrangements Act 1982*, part 2B sets out the way in which the authority's powers under this Act are affected by the *Statutory Bodies Financial Arrangements Act 1982*.

24 Administration budget

- (1) For each financial year, the authority must develop, adopt and submit to the Minister an administration budget not later than the day the Minister directs.
- (2) An administration budget has no effect until approved by the Minister.
- (3) During a financial year the authority may develop, adopt and submit to the Minister amendments to its administration budget.
- (4) An amendment has no effect until approved by the Minister.

Division 4 Other things about the authority

25 Seal

Judicial notice must be taken of the imprint of the authority's seal appearing on a document, and the document must be

[s 26]

presumed to have been properly sealed unless the contrary is proved.

26 Application of certain Acts

The authority is—

- (a) a unit of public administration under the *Crime and Misconduct Act 2001*; and
- (b) a relevant EEO agency for the *Public Service Act 2008*, chapter 2.

27 Delegation

The authority may delegate its powers to a director or an officer of the authority.

Part 5 Staff of the authority

Division 1 Chief executive officer

28 Chief executive officer

- (1) The authority must have a chief executive officer (however called).
- (2) The chief executive officer is responsible for ensuring the authority is managed as required by the policies of the board.

29 Appointment

The chief executive officer is appointed by the Governor in Council.

30 Restriction on appointment

A director must not be appointed as chief executive officer.

31 Chief executive officer appointed under this Act

The chief executive officer is to be appointed under this Act, and not under the *Public Service Act 2008*.

32 Term of appointment

The chief executive officer holds office for the term (not longer than 5 years) stated by the Governor in Council in the instrument of appointment.

33 Chief executive officer not to engage in other paid employment

The chief executive officer must not, without the approval of the board—

- (a) engage in paid employment outside the duties of the office of chief executive officer; or
- (b) actively take part in the activities of a business, or in the management of a corporation carrying on business.

34 Conditions of appointment

The chief executive officer holds office on the conditions (including conditions for remuneration, allowances and remuneration when the appointment ends) fixed by the authority.

35 Acting chief executive officer

The Governor in Council may appoint a person, who is eligible for appointment as chief executive officer, to act in the office of chief executive officer during—

- (a) any vacancy, or all vacancies, in the office; or

[s 35A]

- (b) any period, or all periods, when the chief executive officer is absent from duty, or cannot, for another reason, perform the duties of the office.

35A Chief executive officer to prepare business plan

- (1) Without limiting section 28(2), the chief executive officer must—
 - (a) prepare a business plan for each year; and
 - (b) give the plan to the board by 31 March in the year for which the plan is prepared.
- (2) The business plan must cover the authority's operations for the year in which the plan is prepared and the following 2 years.

Division 2 Staffing the authority

36 Authority staff

- (1) The authority may engage the employees it considers necessary to perform its functions.
- (2) The authority may decide its employees' conditions of employment.
- (3) However, subsection (2) has effect subject to any relevant award, industrial agreement, certified agreement or enterprise flexibility agreement.
- (4) The authority's employees are to be employed under this Act, and not under the *Public Service Act 2008*.
- (5) In subsection (2)—
conditions of employment includes conditions about duration of the employment and ending the employment.

37 Alternative staffing arrangements

The authority may arrange with the chief executive of a department, an authority of the State or a government owned corporation, for the services of officers or employees of the department, authority or corporation to be made available to the authority.

Division 3 Conflict of interest

38 Disclosure of interests

- (1) This section applies to an officer of the authority if—
 - (a) the officer, or a person who, under the regulations, is related to the officer, has a direct or indirect financial interest in an issue being decided, or about to be decided by the authority (whether or not under a delegation from the authority); and
 - (b) the interest could conflict with the proper performance of the officer's duties about the decision.
- (2) As soon as practicable after the officer becomes aware of the facts causing this section to apply to the officer, the officer must disclose the nature of the interest to the authority.

Part 6 Miscellaneous

39 Duty to act honestly

- (1) This section applies to a person who is a director or an officer of the authority.
- (2) A person to whom this section applies must at all times act honestly in the exercise of the person's powers and the discharge of the person's duties.

Maximum penalty—200 penalty units.

[s 40]

40 Disclosure of information

A person must not disclose information obtained in the administration of this Act (or another Act giving functions to the authority) unless the disclosure is made—

- (a) with the agreement of the person from whom the information was obtained; or
- (b) for the administration of this Act (or another Act giving functions to the authority); or
- (c) in legal proceedings; or
- (d) under the *Crime and Misconduct Act 2001* or the *Ombudsman Act 2001*; or
- (e) with another lawful excuse.

Maximum penalty—100 penalty units.

41 False or misleading information

- (1) A person must not for the purposes of this Act, including for the purpose of an application for financial assistance under this Act—

- (a) state anything the person knows is false or misleading in a material particular; or
- (b) omit from a statement anything without which the statement is, to the person's knowledge, misleading in a material particular.

Maximum penalty—200 penalty units.

- (2) It is enough for a complaint against a person for an offence against subsection (1)(a) or (b) to state that the statement made was false or misleading to the person's knowledge.

42 False or misleading documents

- (1) A person must not, for the purposes of this Act, including for the purpose of an application for financial assistance under this Act, give to the authority a document containing

information the person knows is false, misleading or incomplete in a material particular.

Maximum penalty—200 penalty units.

- (2) Subsection (1) does not apply to a person who, when giving the document—
 - (a) informs the authority, to the best of the person's ability, how it is false, misleading or incomplete; and
 - (b) if the person has, or can reasonably obtain, the correct information—gives the correct information to the authority.
- (3) It is enough for a complaint against a person for an offence against subsection (1) to state that the document was false, misleading or incomplete to the person's knowledge.

43 Calling up financial assistance obtained by false statement

- (1) This section applies to financial assistance given under this Act to a person who—
 - (a) in applying for the financial assistance contravened section 41 (False or misleading information) or 42 (False or misleading documents); and
 - (b) would not otherwise have been given the financial assistance.
- (2) The authority may, by notice given to a person who has received financial assistance to which this section applies—
 - (a) call up a loan or other amount given as the financial assistance; and
 - (b) exercise the authority's rights under a security for the loan or other amount.
- (3) If the authority calls up a loan or other amount under this section, the amount is payable from the day the notice is given, or from a later day stated in the notice.

[s 44]

44 Regulation-making power

The Governor in Council may make regulations under this Act.

45 Review of Act

- (1) The Minister must review this Act within 5 years after the commencement of this section to decide whether its provisions remain appropriate.
- (2) The Minister must, as soon as practicable after finishing the review, table a report about the outcome of the review in the Legislative Assembly.

Part 7 Savings, transitional and validation provisions for Act No. 50 of 1994

Division 2 Transitional references

46 Application of division

This division applies to references in Acts in existence at its commencement.

47 References to Acts

A reference to any of the following Acts is taken to be a reference to this Act—

- *Agricultural Bank (Loans) Act 1959*
- *Co-ordination of Rural Advances and Agricultural Bank Act 1938*
- *Farmers' Assistance (Debts Adjustment) Act 1967*

-
- *Farm Water Supplies Assistance Act 1958*
 - *Primary Producers' Assistance Act 1972.*

Part 8 Other transitional provisions

52 Continuance of authority

The Queensland Rural Adjustment Authority established under this Act, as in force immediately before the commencement of this section, is continued in existence as QRAA.

53 Transitional appointments of directors of board

- (1) This section applies to a person holding appointment as a director immediately before the commencement of this section.
- (2) The term of appointment stated in the person's instrument of appointment as a director continues to apply as if section 17 had not been amended by the *Rural Adjustment Authority Amendment Act 2004*.

54 Existing approved assistance schemes

- (1) A transitional scheme is, for the transitional period for the scheme, taken to be an approved assistance scheme.
- (2) A transitional scheme may be read with the changes necessary to—
 - (a) make it consistent with this Act; and
 - (b) adapt its operation to the provisions of this Act.
- (3) In this section—

transitional period, for a transitional scheme, means the period from the commencement of this section until—

[s 54]

- (a) 2 years after the commencement; or
- (b) the transitional scheme is earlier approved under section 11(1)(c).

transitional scheme means an approved assistance scheme in existence under this Act immediately before the commencement of this section.

Endnotes

1 Index to endnotes

	Page
2 Date to which amendments incorporated	31
3 Key	32
4 Table of reprints	32
5 Tables in earlier reprints	33
6 List of legislation	33
7 List of annotations	34

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2009. Future amendments of the Rural and Regional Adjustment Act 1994 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	1 October 1994	20 October 1994
1A	1995 Act No. 57	28 November 1995	19 September 1996
1B	1996 Act No. 54	1 December 1996	11 December 1996
1C	1997 Act No. 17	1 July 1997	14 October 1997
2	1997 Act No. 17	1 July 1997	2 June 1998
2A	1999 Act No. 29	1 July 1999	15 October 1999
2B	2000 Act No. 46	25 October 2000	3 November 2000
2C	2001 Act No. 45	15 July 2001	27 July 2001
2D	2001 Act No. 73	3 December 2001	7 December 2001
2E	2001 Act No. 73	1 January 2002	2 January 2002
3	2001 Act No. 73	1 January 2002	1 January 2002

Reprint No.	Amendments included	Effective	Notes
3A	—	2 October 2004	provs exp 1 October 2004
3B	2004 Act No. 28	12 October 2004	R3B withdrawn, see R4
4	—	12 October 2004	
4A	2008 Act No. 22	9 May 2008	
4B	2008 Act No. 38	1 July 2008	
4C	2009 Act No. 9	1 July 2009	

5 Tables in earlier reprints

Name of table	Reprint No.
Corrected minor errors	2, 4

6 List of legislation

Rural and Regional Adjustment Act 1994 No. 50 (prev Rural Adjustment Authority Act 1994)

date of assent 14 September 1994

ss 1–2 commenced on date of assent

remaining provisions commenced 1 October 1994 (see s 2, 1994 No. 45 s 2 and 1994 SL No. 342 ss 2, 8)

amending legislation—

Statute Law Revision Act 1995 No. 57 ss 1–2, 4 sch 1

date of assent 28 November 1995

commenced on date of assent

Public Service Act 1996 No. 37 ss 1–2, 147 sch 2

date of assent 22 October 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 December 1996 (1996 SL No. 361)

Statutory Bodies Financial Arrangements Amendment Act 1996 No. 54 ss 1–2, 9 sch

date of assent 20 November 1996

ss 1–2 commenced on date of assent

remaining provisions commenced 1 June 1997 (1997 SL No. 128)

Miscellaneous Acts (Non-bank Financial Institutions) Amendment Act 1997 No. 17 ss 1–2, 74 sch

date of assent 15 May 1997

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 1997 (1997 SL No. 163)

Financial Administration Legislation Amendment Act 1999 No. 29 ss 1–2, 50 sch

date of assent 16 June 1999

Endnotes

ss 1–2, 50 commenced on date of assent
remaining provisions commenced 1 July 1999 (1999 SL No. 122 and see 1999 SL No. 119, 1999 SL No. 70 s 2(3))

Statute Law (Miscellaneous Provisions) Act 2000 No. 46 ss 1, 3 sch

date of assent 25 October 2000
commenced on date of assent

Corporations (Ancillary Provisions) Act 2001 No. 45 ss 1–2, 29 sch 3

date of assent 28 June 2001
ss 1–2 commenced on date of assent
sch 3 commenced 15 July 2001 (see s 2(2) of Act 2001 No. 45 (Qld) and Corporations Act 2001 No. 50 (Cwlth) and proc pubd Cwlth of Australia gaz 13 July 2001, No. S285)
remaining provision commenced immediately before 15 July 2001 (see s 2(1) of Act 2001 No. 45 (Qld) and Corporations Act 2001 No. 50 (Cwlth) and proc pubd Cwlth of Australia gaz 13 July 2001, No. S285)

Crime and Misconduct Act 2001 No. 69 ss 1–2, 378 sch 1

date of assent 8 November 2001
ss 1–2 commenced on date of assent
remaining provisions commenced 1 January 2002 (2001 SL No. 221)

Ombudsman Act 2001 No. 73 ss 1–2, 96 sch 1

date of assent 13 November 2001
ss 1–2 commenced on date of assent
remaining provisions commenced 3 December 2001 (2001 SL No. 224)

Rural Adjustment Authority Amendment Act 2004 No. 28

date of assent 12 October 2004
commenced on date of assent

Primary Industries and Other Acts Amendment Act 2008 No. 22 s 1, pt 2

date of assent 9 May 2008
commenced on date of assent

Public Service Act 2008 No. 38 ss 1–2, 252 sch 3

date of assent 11 June 2008
ss 1–2 commenced on date of assent
remaining provisions commenced 1 July 2008 (2008 SL No. 208)

Financial Accountability Act 2009 No. 9 ss 1, 2(2), 136 sch 1

date of assent 28 May 2009
ss 1–2 commenced on date of assent
remaining provisions commenced 1 July 2009 (2009 SL No. 80)

7 List of annotations

Title amd 2004 No. 28 s 3

Short title

s 1 sub 2004 No. 28 s 4

Commencement

s 2 om 2004 No. 28 s 5

Object of Act

prov hdg sub 2004 No. 28 s 6(1)

s 3 amd 2004 No. 28 s 6(2)–(4)
sub 2008 No. 22 s 4

Definitions

s 4 def “**approved scheme**” ins 2008 No. 22 s 5(1)
def “**authorised interstate scheme**” ins 2008 No. 22 s 5(1)
def “**authority**” sub 2004 No. 28 s 7(1)–(2)
def “**authority’s assistance funds**” amd 2004 No. 28 s 7(3); 2008 No. 22 s 5(2)
def “**director**” sub 2004 No. 28 s 7(1)–(2)
def “**government owned corporation**” om 2004 No. 28 s 7(1)
def “**original decision**” ins 2004 No. 28 s 7(2)
def “**public accounts**” om 1999 No. 29 s 50 sch
def “**regional**” ins 2004 No. 28 s 7(2)
def “**review decision**” ins 2004 No. 28 s 7(2)
def “**rural**” ins 2004 No. 28 s 7(2)

PART 2—QRAA

pt hdg sub 2004 No. 28 s 8

Establishment of authority

s 5 sub 2004 No. 28 s 9

Authority represents the State

s 7 amd 2001 No. 45 s 29 sch 3

Authority’s functions

s 8 amd 1996 No. 37 s 147 sch 2; 2004 No. 28 s 10; 2008 No. 22 s 6

Authority’s powers

s 9 amd 2008 No. 22 s 7

Ministerial direction or notice

s 9A ins 2004 No. 28 s 11
amd 2009 No. 9 s 136 sch 1

Approved schemes

s 10 prev s 10 om 1996 No. 54 s 9 sch
pres s 10 ins 2008 No. 22 s 8

Approved assistance schemes

s 11 amd 1999 No. 29 s 50 sch; 2004 No. 28 s 12; 2008 No. 22 s 9

Authorisation for interstate schemes

s 11A ins 2008 No. 22 s 10

Administering approved schemes

prov hdg amd 2008 No. 22 s 11(1)
s 12 amd 1997 No. 17 s 74 sch; 2008 No. 22 s 11(2)

Funding of approved schemes

prov hdg amd 2008 No. 22 s 12(1)
s 13 amd 2008 No. 22 s 12(2)

PART 3A—REVIEW OF DECISIONS

pt hdg ins 2004 No. 28 s 13

Who may apply for internal review

s 13A ins 2004 No. 28 s 13
amd 2008 No. 22 s 13

How to apply for internal review

s 13B ins 2004 No. 28 s 13

Review decision

s 13C ins 2004 No. 28 s 13

Role of the board

s 15 amd 2004 No. 28 s 14

Composition of board

s 16 sub 2004 No. 28 s 15
amd 2009 No. 9 s 136 sch 1

Chairperson to report to Minister

s 16A ins 2004 No. 28 s 15

Chairperson to give business plan to Minister

s 16B ins 2004 No. 28 s 15

Reporting and accountability

s 16C ins 2004 No. 28 s 15

Division 1A—Other provisions about directors

div hdg ins 2004 No. 28 s 15

Delegation by non-appointed directors

s 16D ins 2008 No. 22 s 14

Duration of appointment

s 17 amd 2004 No. 28 s 16

Conduct of proceedings

s 20 amd 2008 No. 22 s 15

Application of Financial Accountability Act

prov hdg amd 2009 No. 9 s 136 sch 1
s 23 amd 2009 No. 9 s 136 sch 1

Authority is a statutory body for Statutory Bodies Financial Arrangements Act 1982

s 23A ins 1996 No. 54 s 9 sch

Application of certain Acts

s 26 amd 2001 No. 69 s 378 sch 1; 2008 No. 38 s 252 sch 3

Chief executive officer appointed under this Act

s 31 sub 1996 No. 37 s 147 sch 2; 2004 No. 28 s 17
amd 2008 No. 38 s 252 sch 3

Chief executive officer to prepare business plan

s 35A ins 2004 No. 28 s 18

Authority staff

s 36 amd 1996 No. 37 s 147 sch 2; 2008 No. 38 s 252 sch 3

Disclosure of information

s 40 amd 2001 No. 69 s 378 sch 1; 2001 No. 73 s 96 sch 1

Regulation-making power

s 44 prov hdg sub 2008 No. 22 s 16

Review of Act

s 45 prev s 45 exp 1 October 1995 (see s 45(2))
pres s 45 ins 2004 No. 28 s 19

**PART 7—SAVINGS, TRANSITIONAL AND VALIDATION PROVISIONS FOR
ACT No. 50 OF 1994**

pt hdg amd 2004 No. 28 s 20

Division 1—Interpretation

div hdg om 2000 No. 46 s 3 sch

References to Acts

s 47 amd 1995 No. 57 s 4 sch 1

Vesting of assets and liabilities

s 48 exp 1 October 1995 (see s 48(4))
AIA s 20A applies (see s 48(3))

Pending legal proceedings

s 49 exp 1 October 1995 (see s 49(3))
AIA s 20A applies (see s 49(2))

Duty to assist transfer of property

s 50 exp 1 October 1997 (see s 50(3))

Division 3—Provisions expiring in 1 year or more

div hdg exp 1 October 2004 (see s 51(5))

Interest rates for certain existing Young Farmers Establishment Scheme loans

s 51 amd 2000 No. 46 s 3 sch
exp 1 October 2004 (see s 51(5))

Division 4—Provisions expiring in 6 months

div hdg exp 1 April 1995 (see s 53)

PART 8—OTHER TRANSITIONAL PROVISIONS

pt hdg prev pt 8 hdg om R1 (see RA s 40)
pres pt 8 hdg ins 2004 No. 28 s 21

Continuance of authority

s 52 prev s 52 exp 1 October 1995 (see s 52(3))
pres s 52 ins 2004 No. 28 s 21

Transitional appointments of directors of board

s 53 orig s 53 exp 1 April 1995 (see s 53)
prev s 53 ins 1995 No. 57 s 4 sch 1
exp 28 May 1996 (see s 53(4))
pres s 53 ins 2004 No. 28 s 21

Existing approved assistance schemes

s 54 prev s 54 exp 1 April 1995 (see s 53)
pres s 54 ins 2004 No. 28 s 21

Former QIDC Act schemes still being administered

s 55 exp 1 April 1995 (see s 53)

Validation of certain schemes

s 56 exp 1 April 1995 (see s 53)

Repeals

s 57 om R1 (see RA s 40)

SCHEDULE—ACTS REPEALED

om R1 (see RA s 40)