



Queensland

Rural and Regional Adjustment Amendment Regulation (No. 1) 2012

Explanatory Notes for SL 2012 No. 11

made under the

Rural and Regional Adjustment Act 1994

General outline

Short title

Rural and Regional Adjustment Amendment Regulation (No. 1) 2012.

Authorising law

Sections 10, 11 and 44 of the *Rural and Regional Adjustment Act 1994* (the Act)

Policy objectives and the reasons for them

The purpose of the subordinate legislation is to extend the closing dates of the natural disaster assistance schemes offered in response to the late 2010 early 2011 flooding and Tropical Cyclone Yasi from 31 January 2012 to 30 June 2012.

Achievement of policy objectives

Section 10 of the Act provides that QRRA may only give assistance under an approved scheme and section 11 of the Act provides that an approved assistance scheme is one which is approved by regulation. Consequently

approved assistance schemes under which QRAA administers financial assistance are prescriptively detailed in the subordinate legislation.

A number of natural disaster assistance schemes were introduced into the Regulation in response to the flooding of late 2010-early 2011 and Tropical Cyclone Yasi. These assistance schemes close on 31 January 2012. These schemes have previously been extended to 31 January 2012 from the initial closing date of 30 September 2011 (for flooding schemes) or 31 October 2011 (Cyclone Yasi schemes). After advice from industry groups and individual producers, the Queensland Government announced on 22 December by media statement that it would further extend the closing date of these assistance schemes to 30 June 2012 to provide sufficient time to allow all potential applicants to apply for the assistance. The schemes whose closing dates are to be extended to 30 June 2012 are the—

- Special Disaster Flood Assistance (November 2010 to January 2011) Scheme;
- Special Disaster Floods (November 2010 to January 2011) Non-profit Organisations Assistance Scheme;
- Floods (November 2010 to January 2011) and Tropical Cyclone Yasi Non-profit Organisations Assistance Scheme;
- Floods (November 2010 to January 2011) and Tropical Cyclone Yasi (Extreme Damage) Assistance Scheme;
- Special Disaster Tropical Cyclone Yasi Assistance Scheme

Some of these schemes also have record keeping requirements which require applicants to keep records up to a year from the closing date of the scheme. This record keeping requirement allows for the potential audit of recipients of the grants by QRAA to ensure moneys paid under the scheme have been appropriately spent by the recipient. As a consequence of the extension of the closing date of these schemes, the record keeping requirements have also been extended to 30 June 2013 through this subordinate legislation.

Consistency with policy objectives of authorising law

This subordinate legislation is consistent with the objects as outlined in section 3 of the Act in that it will enable QRAA to support the State's economy by providing assistance to primary producers, small business and

other elements of the economy in periods when they are experiencing temporary difficulty.

Inconsistency with policy objectives of other legislation

This subordinate legislation is not inconsistent with the policy objectives of any other legislation.

Benefits and costs of implementation

This subordinate legislation does not introduce new assistance schemes but provides an extension of time for existing schemes. The expenditure to date on these schemes has been less than the initial forecasts and the extension of time is unlikely to lead to total expenditure higher than initial forecast. The closing date for the keeping of records for audit purposes has been extended by the same amount of time as the closing date of the schemes so this may mean some applicants keep records for 5 months longer than they would previously.

Consistency with fundamental legislative principles

No fundamental legislative principle issues have been identified in the preparation of this subordinate legislation.

Consultation

Queensland Treasury, Queensland Reconstruction Authority, QRAA and the Department of Premier and Cabinet were consulted on the provisions of the subordinate legislation. These agencies are supportive of this extension.

The Regulatory Review Branch noted that the proposed regulation qualifies for an exclusion from the RAS system as it is urgent flood related regulation. Previous ministerial direction had directed that such regulations would be exempt from the RAS process.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Employment, Economic Development and Innovation.

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