



Queensland

Rural and Regional Adjustment Amendment Regulation (No. 5) 2012

Explanatory Notes for SL 2012 No. 84

made under the

Rural and Regional Adjustment Act 1994

General outline

Short title

Rural and Regional Adjustment Amendment Regulation (No. 5) 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

Financial assistance to those who have been directly impacted by natural disasters is governed by the joint Commonwealth State Natural Disaster Relief and Recovery Arrangements (NDRRA). The NDRRA establishes a suite of pre-approved measures which can be provided in response to a natural disaster in order to assist with community recovery.

In response to the natural disasters of 2011 (the flooding and Tropical Cyclone Yasi) and the flooding of South West Queensland of early 2012 a number of additional NDRRA assistance schemes were introduced to assist with recovery. The 2011 disaster schemes are currently due to close on 30 June 2012 and the 2012 scheme is due to close on 30 July 2012. These

schemes are clean up and recovery grants programs available under Category C of the NDRRA. Their intent is to provide government assistance of up to \$25,000 to directly impacted eligible primary producers, small business and not for profit organisations to assist with clean up, repair and recovery activities.

The proposed amendment is to extend the closing date for the recovery grants introduced in 2011 and 2012 to 31 October 2012. Other disaster assistance schemes were introduced in response to the 2011 and 2012 disasters namely concessional loans schemes to non-profit organisations and an enhanced concessional loan and grant package to businesses, primary producers and not for profit organisations. However there has been no demand to extend the closing date of these schemes.

The extension of the 2011 and 2012 recovery grants programs will give eligible applicants more time to complete works associated with these schemes. Some applicants have stated that due to ongoing wet conditions or lack of available contractors that they are unable to complete works by the closing date for the 2011 or 2012 schemes.

It is proposed to extend the closing date to 31 October 2012 of the following recovery grants schemes:

- Schedule 9 - Special Disaster Flood Assistance (November 2010 to January 2011) Scheme
- Schedule 10 - Special Disaster Floods (November 2010 to January 2011) Non-profit Organisations Assistance Scheme
- Schedule 13 - Special Disaster Tropical Cyclone Yasi Assistance Scheme
- Schedule 17 - Special Disaster Western Queensland Tropical Low 2012 Assistance Scheme

As these schemes have a record keeping requirement (applicants must keep records one year from the closing date of the scheme) for audit purposes the record keeping requirement of the schemes will also need to be amended. The above schemes will have the date for the keeping of records extended to 31 October 2013.

Achievement of policy objectives

Section 10 of the Act provides that QRAA 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 *Rural and Regional Adjustment Regulation 2011*.

Consistency with policy objectives of authorising law

The policy objectives of the authorising law are contained in Section 3 of the Act. It provides that: “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.”

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

By providing more time to complete eligible clean up and repair activities, this extension will provide a benefit to those eligible small businesses, non-profit organisations and primary producers who may otherwise have missed out on obtaining this assistance.

By extending these schemes this will lead to greater expenditure by the government on these assistance measures although it is difficult to know how much. Given most potential applicants would have already applied for the 2011 schemes and the low number of potential applicants that could theoretically apply for the 2012 (which was only available in South West Queensland) the additional expenditure is not likely to be large.

Consistency with fundamental legislative principles

These regulatory amendments are consistent with fundamental legislative principles

Consultation

Queensland Treasury and Trade, Department of the Premier and Cabinet and QRAA have been consulted in regard to establishing the proposed

scheme.

The Regulatory Review Branch, Queensland Treasury and Trade, advise that a Regulatory Assessment Statement for this amendment is not required.

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Agriculture, Fisheries and Forestry.

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