

STATES GRANTS (MENTAL HEALTH INSTITUTIONS).

No. 16 of 1964.

An Act to make provision for the grant of Financial Assistance to the States in relation to Mental Health Institutions.

[Assented to 13th May, 1964.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title.

1. This Act may be cited as the *States Grants (Mental Health Institutions) Act 1964*.

Commencement.

2. This Act shall come into operation on the first day of July, One thousand nine hundred and sixty-four.

3.—(1.) The *States Grants (Mental Institutions) Act 1955* is repealed.

Repeal of
States Grants
(Mental
Institutions)
Act.

(2.) Notwithstanding the repeal effected by the last preceding sub-section, the provisions of the Act repealed by that sub-section continue in force for the purposes of financial assistance in relation to amounts expended by a State before the commencement of this Act, or deemed under those provisions to have been so expended.

4. In this Act, “mental health institution” means an institution carried on exclusively or principally for the care and treatment of mentally ill or mentally defective persons, being an institution conducted by, or in receipt of a grant for maintenance from, a State.

Definition.

5. Subject to this Act, there are payable to a State, by way of financial assistance, amounts equal to one-third of amounts expended by the State, during the period commencing on the first day of July, One thousand nine hundred and sixty-four, and ending on the thirtieth day of June, One thousand nine hundred and sixty-seven, for or in connexion with the buildings or equipment of mental health institutions.

Financial
assistance for
period from
1st July, 1964
to 30th June,
1967.

6.—(1.) This section applies in relation to a State only if the amount shown in the table in section four of the *States Grants (Mental Institutions) Act 1955* opposite to the name of the State is in excess of the total of the amounts paid or payable to the State under that Act and under the last preceding section; and the amount available for payment to a State under this section is an amount equal to that excess.

Financial
assistance
on or after
1st July, 1967.

(2.) Subject to this Act, but to the extent only of the amount available for payment to the State under this section, there are payable to a State in relation to which this section applies, by way of financial assistance, amounts equal to one-third of amounts expended by the State, on or after the first day of July, One thousand nine hundred and sixty-seven, for or in connexion with the buildings or equipment of mental health institutions.

7. A State is not entitled to financial assistance under this Act in relation to any particular expenditure by the State unless the State has furnished to the Minister—

Amounts not
payable unless
a certificate
has been
furnished.

(a) a statement in respect of that expenditure, in a form approved by the Minister, accompanied by a certificate of the Auditor-General of the State certifying that the expenditure shown in the statement was incurred for or in connexion with the buildings or equipment of mental health institutions; and

(b) such further information, if any, as the Minister requires in respect of that expenditure.

Expenditure for purposes of this Act.

8. For the purposes of this Act, an amount shall not be taken to have been expended for or in connexion with the buildings or equipment of a mental health institution unless—

(a) the amount has been expended for or in connexion with—

- (i) the acquisition of a building (including the land on which the building is erected) to be used for the purposes of a mental health institution;
- (ii) the erection of a building to be used for the purposes of a mental health institution, including the acquisition of the land on which the erection of the building takes place;
- (iii) the alteration of a building used, or to be used, for the purposes of a mental health institution; or
- (iv) the acquisition of equipment for use in a mental health institution; and

(b) the expenditure was incurred with the prior approval of the Minister or of a person authorized by the Minister to give approvals for the purposes of this section.

Moneys expended by or on behalf of mental health institutions.

9. Moneys paid by a State to a mental health institution, or to a person on behalf of a mental health institution, and expended by the mental health institution or that person, as the case may be, for or in connexion with the buildings or equipment of the mental health institution shall, for the purposes of this Act, be deemed—

(a) to have been expended by the State for or in connexion with the buildings or equipment of the mental health institution; and

(b) to have been so expended by the State at the time the moneys were expended by the mental health institution or that person, as the case may be.

Claims for financial assistance.

10. The Minister, or a person authorized by the Minister, may determine—

(a) the manner in which claims by a State for payments under this Act shall be made; and

(b) the times at which payments in respect of such claims shall be made.

Appropriation.

11. Amounts payable to a State under this Act are payable out of the Consolidated Revenue Fund, which is appropriated accordingly.