



ANNO TRICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1982

No. 84 of 1982

An Act to amend the Primary Producers Emergency Assistance Act,
1967-1981.

[Assented to 30 September 1982]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Primary Producers Emergency Assistance Act Amendment Act, 1982". Short titles.

(2) The Primary Producers Emergency Assistance Act, 1967-1981, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Primary Producers Emergency Assistance Act, 1967-1982".

2. Section 2 of the principal Act is repealed and the following section is substituted: Repeal of s. 2 and substitution of new section.

2. In this Act, unless the contrary intention appears— Interpretation.

"the Farmers Assistance Fund" or "the Fund" means the Fund kept at the Treasury and entitled "the Farmers Assistance Fund":

"natural calamity" means drought, fire, flood, frost, animal or plant disease, insect plague, or other natural calamity:

"rural liquidity" means the total amount of money that primary producers have available to spend:

"small rural business" means a business—

(a) that relies wholly or mainly on transactions with primary producers;

and

(b) of which the proprietor is—

(i) a natural person;

or

- (ii) a proprietary company of which each shareholder is a natural person who actively participates in carrying on the business or a close relative of such a person.

Amendment of
s. 3—
Payments to the
Fund.

3. Section 3 of the principal Act is amended by striking out paragraph (a) of subsection (1) and substituting the following paragraph:

- (a) all moneys received from the Commonwealth by way of grant or advance for a purpose for which the Fund may be applied;

Amendment of
s. 4—
Payments out of
the Fund.

4. Section 4 of the principal Act is amended—

- (a) by striking out paragraph (a) and substituting the following paragraph:

- (a) the moneys required for the purpose of providing financial assistance under section 5; ;

and

- (b) by striking out from paragraph (b) the passage "to primary producers".

Amendment of
s. 5—
Power to make
advances.

5. Section 5 of the principal Act is amended—

- (a) by striking out paragraph (a) of subsection (1) and substituting the following paragraph:

- (a) advances or grants to primary producers who are eligible for such advances or grants under subsection (2a); ;

- (b) by striking out paragraph (c) of subsection (1) and substituting the following paragraph:

- (c) advances to the proprietors of small rural businesses who are eligible for such advances under subsection (2b).;

- (c) by striking out paragraph (b) of subsection (2);

- (d) by striking out from paragraph (e) of subsection (2) the passage "of primary production";

and

- (e) by inserting after subsection (2) the following subsections:

- (2a) A primary producer is eligible for an advance or a grant under this section if—

- (a) the primary producer is in necessitous circumstances as a result of a natural calamity;

- (b) the advance or grant is necessary in order to enable the primary producer to continue in the business of primary production;

- (c) the primary producer has no other source of funds available to him for that purpose;

and

- (d) the primary producer would have, given the advance or grant, a reasonable prospect of being

able to continue in the business of primary production.

(2b) The proprietor of a small rural business is eligible for an advance under this section if—

- (a) his business has been adversely affected by a decline in rural liquidity resulting from drought;
- (b) those persons whose livelihood is dependent on the profitability of the business are consequently in necessitous circumstances;
- (c) the advance is necessary in order to enable the proprietor of the business to continue in that business;
- (d) the proprietor has no other source of funds available to him for that purpose;

and

- (e) the proprietor of the business would have, given the advance, a reasonable prospect of being able to continue in the business.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor