



BUSINESS UNDERTAKINGS ASSISTANCE ACT 1984

No. 98 of 1984

TABLE OF PROVISIONS

1. Short title.
2. Commencement.
3. Interpretation.
4. Assistance to certain persons engaged in business undertakings.
5. Recovery of loans and grants in certain circumstances.
6. Expenses of Act.
7. Regulations.



AN ACT to authorize the Treasurer to provide financial assistance to certain persons engaged in business undertakings.

[Royal Assent 12 December 1984]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Business Undertakings Assistance Act 1984*. Short title.

2—This Act shall be deemed to have commenced on 12th September 1984. Commencement.

Interpretation.

3—In this Act, “business undertakings” includes—

- (a) the provision of services;
- (b) the carrying on of agricultural, pastoral, forestry, horticultural, apicultural, orcharding, dairy farming, poultry farming, or horse farming pursuits; and
- (c) the carrying on of such other activities as may be prescribed by the regulations.

Assistance to certain persons engaged in business undertakings.

4—(1) The Treasurer may provide financial assistance, by way of grants, loans, or both, to persons engaged in business undertakings who, the Treasurer considers—

- (a) are adversely affected by economic conditions;
- (b) are suffering disadvantages by reason of competition from other persons outside this State who receive special concessions by way of reduced taxation or otherwise; or
- (c) by reason of any financial, economic, manpower, or other conditions or circumstances affecting them, should be provided with such assistance.

(2) Financial assistance provided under this Act shall be provided on such terms and conditions as the Treasurer may determine or as may be specified in any agreement relating to the provision of that assistance.

Recovery of loans and grants in certain circumstances.

5—(1) Where a person contravenes or fails to comply with a term or condition applicable to any financial assistance provided to him under this Act—

- (a) if that assistance is by way of a grant—the grant, or, if the Treasurer so determines, any part of the grant specified by him, becomes payable immediately by that person to the Treasurer; or
- (b) if that assistance is by way of a loan—the whole of that loan or such part of it as is then outstanding, as the case may be, and any interest owing under the agreement for the loan become payable immediately by that person to the Treasurer.

(2) Any money that is payable under subsection (1) by a person to the Treasurer constitutes a debt due to the Crown and may be recovered by or on behalf of the Treasurer in a court of competent jurisdiction.

6—(1) Financial assistance provided under this Act shall be paid out of money provided by Parliament for the purpose. Expenses of Act.

(2) Any money appropriated by Parliament for expenditure during the financial year beginning on 1st July 1984 or a subsequent financial year for the purpose of providing assistance to persons engaged in business undertakings who are referred to in section 4 (1) may be applied for the purpose of providing assistance under this Act.

7—(1) The Governor may make regulations for the purposes of this Act. Regulations.

(2) In addition to regulations for the purposes of section 3 (c) and without prejudice to the generality of subsection (1), the Governor may make regulations for or with respect to—

- (a) prescribing the manner and form in which applications for the provision of financial assistance under this Act may be made; and
- (b) requiring the verification of those applications by statutory declaration or declaration.

(3) Regulations under this section may be made subject to such conditions, or be made so as to apply differently according to such factors, as may be specified in the regulations or according to such limitations or restrictions, whether as to time or circumstance or otherwise, as may be so specified.

(4) Regulations under this section may provide that it is an offence, punishable on summary conviction, for a person to contravene or fail to comply with any of the regulations and may provide in respect of any such offence for the imposition of a penalty not exceeding \$500.

(5) A regulation under this section may authorize any matter or thing to be from time to time determined, applied, or regulated by any person specified in the regulation.

