SOIL CONSERVATION (FINANCIAL ASSISTANCE) BILL 1985

Date Introduced: 20 March 1985
House: House of Representatives
Presented by: Hon. John Kerin, M.P., Minister for Primary Industry

Short Digest of Bill

Purpose

To regulate the mechanisms by which the Commonwealth may offer financial assistance to the States Commonwealth Departments and other bodies to assist in soil conservation.

Background

Although there is a great range of climate, soil and landforms in Australia, the degradation of the land is a universal problem. The major problems arise from erosion and increasing salinity in some areas. Erosion is usually caused by water or wind and is often magnified by poor land management techniques. A combination of over-intensive use and unfavourable climatic conditions, such as a drought, can result in extensive soil erosion in a short time. Increased salination of the soil induced by man's activities, either dryland salinity or irrigation area salinity, can result in the reduction or prevention of the growth of vegetation, the loss of land productivity, soil erosion, and the reduction of water quality. The major areas of dryland salinity occur in Western Australia and Victoria. The Murray-Darling River Basin contains the greatest area of soils affected by irrigation area salinity.

The Government established the National Soil Conservation Program in 1983 with the object of coordinating and assessing the various proposals for soil conservation, and made $1m available to the Program in the year 1983/84. Of this amount, $600,000 was provided to State soil conservation agencies for 25 projects, while the remaining $400,000 was distributed to a range of institutions and organisations for a further 15 projects. The Government has made $4m available for the Program in 1984/85, and future assistance will be made available under the terms of the Bill.[1]
The Bill has 3 major functions, the regulation of financial assistance, the creation of a National Soil Conservation Program Fund and the formation of a Soil Conservation Advisory Committee to advise on priorities and the operation of the Bill.

Main Provisions

By clause 2 the Bill will come into effect when it receives the Royal Assent.

Clauses 4 to 7 are concerned with financial assistance to the States, Commonwealth Departments and other persons.

Clause 4 concerns agreements with the States. An agreement to provide assistance must be in writing and conform to the conditions contained in the Bill (see clause 7). The clause also allows the Minister to make advances when specified in the agreement, and states that payments under this clause must be from funds appropriated for this purpose.

Clause 5 concerns assistance to Commonwealth Departments. Although payments to Departments may be made by transfer, they are to be appropriated by the Parliament for this purpose to allow easier scrutiny of the total Government commitment to soil conservation. The expenditure must be in accordance with a written arrangement approved by the Minister, but, as it is an internal arrangement within the Commonwealth, it need not conform with the conditions laid down in clause 7.

Clause 6 deals with assistance to 'other persons', which is defined to include organisations. Agreement can be made by an authorised officer subject to Ministerial approval, and may allow for the payment of advances. The agreement must be in accordance with clause 7. Such assistance will come from the National Soil Conservation Program Fund (sub-clause 8(5)).

Clause 7 details the nature of the agreements to be made under clauses 4 and 6. Sub-clause 7(2) sets out the conditions that must be included in all agreements. It allows the Commonwealth to recover monies paid when there is a breach of the agreement, the Minister determining how much is to be repaid. Other parts of the clause deal with supervision of the expenditure.
Clauses 8 and 9 establish the National Soil Conservation Program Fund. The fund is to be a trust account with income coming from the monies appropriated by Parliament, interest, gifts and bequeaths. Expenditure of the fund can be made to 'other persons' pursuant to clause 6, for administration, and for the appointment of consultants pursuant to clause 18.

Clauses 10 to 17 create the Soil Conservation Advisory Committee.

Clause 10 sets out the functions of the Committee namely, the making of recommendations with regard to priorities, agreements made under the Bill and the general operation of the Bill.

Clause 11 details the membership of the Committee - 2 persons nominated by the Australian Soil Conservation Council, 1 nominee of the Department and between 2 and 4 with special knowledge of soil conservation.

Clause 14 deals with the removal and resignation of members. The grounds for removal are misbehaviour or physical or mental incapacity, failure to disclose pecuniary interests (see clause 16) or, for the nominees of the Australian Soil Conservation Council, on request from the Council.

Clause 15 concerns remuneration, which shall be determined by the Remuneration Tribunal.

Clause 16 imposes a duty on members to disclose a direct or indirect pecuniary interest in a matter before the Committee.

Clause 17 concerns meetings of the Committee. A quorum shall be constituted by 4 members.

The remaining clauses concern miscellaneous matters, the more important being:

Clause 18 which allows the Committee to appoint consultants.

Clause 19 details the requirement for an Annual Report of the Committee to be presented to the Minister.

Remarks

Excluding the administrative expenses of the Committee, there is no direct expenditure in the Bill. The
administration expenses are estimated at $180,000 p.a. for the first 2 years and $120,000 p.a. for subsequent years.[2]

For further information, if required, contact:

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References

1. Paper on the National Soil Conservation Program, Department of Primary Industry, November 1984.