

# States Grants

No. 109 of 1970

An Act to grant Financial Assistance to the States.

[Assented to 11 November 1970]

**B**E 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 Act 1970*.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Repeal.

3.—(1.) The following Acts are repealed:—

*States Grants Act 1965*;

*States Grants Act 1967*;

*States Grants Act (No. 2) 1967*;

*States Grants Act 1968*.

(2.) A State is not entitled to a grant under the *States Grants Act 1965–1968*, by virtue of its operation during the year that commenced on the first day of July, One thousand nine hundred and seventy, and before the commencement of this Act, in respect of that year.

(3.) An advance made to a State under the *States Grants Act 1965–1968* during the year that commenced on the first day of July, One thousand nine hundred and seventy, and before the commencement of this Act shall be deemed to be an advance made under section 12 of this Act in respect of the grant payable to that State under section 5 of this Act during that year.

Interpretation.

4.—(1.) In this Act, unless the contrary intention appears, “year” means financial year.

(2.) For the purposes of this Act, the average wages per person employed, in relation to a year, is the amount ascertained by dividing the aggregate of the amounts shown, in the returns lodged throughout the Commonwealth by employers for the purposes of the *Pay-roll Tax Assessment Act 1941–1969*, as wages within the meaning of that Act paid or payable in respect of periods ending in that year by the sum of the mean number of males and fifty-three per centum of the mean number of females shown by those returns as having been employed by those employers during that year.

5.—(1.) There is payable to each State, during the year that commenced on the first day of July, One thousand nine hundred and seventy, and during each year subsequent to that year, for the purpose of financial assistance, an amount equal to the sum of—

- (a) an amount that bears the same proportion to the amount of the grant under this section paid to that State during the year preceding the year concerned as the population of that State on the thirty-first day of December in the year concerned bears to the population of that State on the thirty-first day of December in the year preceding the year concerned;
- (b) if the average wages per person employed in the year ending on the thirty-first day of March in the year concerned exceed the average wages per person employed in the year ending on the thirty-first day of March in the year preceding the year concerned— an amount equal to such percentage of the amount ascertained under the last preceding paragraph as is equal to the percentage by which the first-mentioned average wages exceed the second-mentioned average wages; and
- (c) an amount—
- (i) where the year concerned is the year that commenced on the first day of July, One thousand nine hundred and seventy—equal to 1.2 per centum; and
- (ii) in any other case—equal to 1.8 per centum, of the sum of the amount ascertained in accordance with paragraph (a) of this sub-section and the amount, if any, ascertained in accordance with the last preceding paragraph.

(2.) For the purpose of ascertaining the amount of the grant to be paid under this section to a State during the year that commenced on the first day of July, One thousand nine hundred and seventy, there shall be deemed to have been paid under this section to that State during the year preceding that year a grant equal to the amount specified in the following table opposite to the name of the State:—

			\$
New South Wales	..	..	373,907,796
Victoria	..	..	280,008,042
Queensland	..	..	178,522,074
South Australia	..	..	125,705,645
Western Australia	..	..	123,334,745
Tasmania	..	..	46,340,489

(3.) For the purpose of ascertaining the amount of the grant to be paid under this section to a State during the year commencing on the first day of July, One thousand nine hundred and seventy-one, the amounts of the grants paid under the next two succeeding sections shall be deemed to have been paid under this section.

(4.) For the purpose of ascertaining the amount of the grant to be paid under this section to the State of Queensland during the year commencing on the first day of July, One thousand nine hundred and seventy-one, or during any of the next three succeeding years, the amount of the grant under this section paid to that State during the year preceding the year concerned shall be deemed to be an amount equal to the sum of the amount of that last-mentioned grant and Two million dollars.

Additional grants to States.

6. In addition to the grants payable to the States under the last preceding section during the year that commenced on the first day of July, One thousand nine hundred and seventy, there is payable to the States during that year, for the purpose of financial assistance, the amount of Forty million dollars, which shall be apportioned among them in proportion to the amounts respectively payable to them during that year under that section.

Additional grant to Tasmania.

7. In addition to the grants payable to the State of Tasmania under the last two preceding sections during the year that commenced on the first day of July, One thousand nine hundred and seventy, there is payable to that State during that year, for the purpose of financial assistance, the amount of Ten million dollars.

Additional grants to New South Wales and Victoria.

8. In addition to the grants payable under sections 5 and 6 of this Act to the States of New South Wales and Victoria during the year that commenced on the first day of July, One thousand nine hundred and seventy, and the next four succeeding years, there is payable to each of those States during each of those years, for the purpose of financial assistance, an amount ascertained by multiplying Two dollars by the number of persons included in the population of the State on the thirty-first day of December in the year concerned.

Additional grants to Western Australia.

9. In addition to the grants payable under sections 5 and 6 of this Act to the State of Western Australia during the year that commenced on the first day of July, One thousand nine hundred and seventy, and the next four succeeding years, there are payable to that State during those years, for the purpose of financial assistance, the amounts respectively specified in the following table opposite to the references to those years:—

	\$
Year that commenced on 1 July, 1970	12,500,000
Year commencing on 1 July, 1971 ..	9,500,000
Year commencing on 1 July, 1972 ..	6,500,000
Year commencing on 1 July, 1973 ..	3,500,000
Year commencing on 1 July, 1974 ..	500,000

Statistical calculations, &c.

10.—(1.) All statistical and mathematical calculations and determinations required for the purposes of this Act shall be made by the Commonwealth Statistician, after consultation, where practicable, with the official Statisticians of the States.

(2.) For the purpose of ascertaining the amount of a grant payable under this Act to a State during a year—

(a) the determination of the population of the State on the thirty-first day of December in the year concerned and on the thirty-first day of December in the year preceding the year concerned—

(i) shall be made after the thirty-first day of December, and not later than the tenth day of June, in the year concerned; and

(ii) shall have regard to the latest statistics in relation to population available to the Commonwealth Statistician on the day on which the determination is made; and

(b) the ascertainment of the average wages per person employed in the years ending on the thirty-first day of March in the year concerned and on the thirty-first day of March in the year preceding the year concerned shall be made after the thirty-first day of March in the year concerned and not later than the tenth day of June in the year concerned.

(3.) All calculations and determinations made by the Commonwealth Statistician in pursuance of this section for the purpose of ascertaining the amount of a grant payable under this Act to a State during a year shall, for that purpose, be conclusively presumed to be correct.

**11.—(1.)** The Government of the Commonwealth shall, at the request of a State, or may, if it considers it desirable to do so, enter into consultation with the Governments of the States with a view to determining whether any change is desirable in the provisions of this Act in so far as they relate to the year subsequent to the year ending on the thirtieth day of June, One thousand nine hundred and seventy-five, and submitting to the Parliament legislation to give effect to any changes that the Government of the Commonwealth considers to be desirable as a result of that consultation. Review  
of grants.

(2.) If there has occurred, or there is proposed to be, a substantial change in the financial arrangements between the Commonwealth and a State or States, the Government of the Commonwealth may review the provisions of this Act in consultation with the States with a view to submitting to the Parliament legislation to give effect to any changes it considers to be desirable as a result of that review.

**12.** The Treasurer may, in any year, make monthly or other advances to a State, for the purpose of financial assistance, of portions of a grant to which it appears to him the State will be entitled under this Act in respect of that year. Advances.

**13.** Payments in accordance with this Act shall be made out of the Consolidated Revenue Fund, which is appropriated accordingly. Appropriation.