

# States Grants Act 1973

No. 149 of 1973

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## AN ACT

To grant Financial Assistance to the States.

[Assented to 27 November 1973]

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

- Short title.      1. This Act may be cited as the *States Grants Act 1973*.
- Commence-  
ment.            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 (1) The following Acts are repealed:—  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 (No. 2) 1971*;  
                    *States Grants Act 1972*;  
                    *States Grants Act (No. 2) 1972*.

(2) Subject to sub-section (3), a State is not, and shall be deemed not to have been, entitled to a grant under the *States Grants Act 1971–1972* by virtue of the operation of that Act on and after 1st July, 1973.

(3) A payment made to a State under the *States Grants Act 1971–1972* on or after 1st July, 1973, and before the commencement of this Act shall be deemed to be an advance made under section 12 of this Act in respect of a grant payable to that State under this Act during the year that commenced on that date.

4. In this Act, unless the contrary intention appears—

Definitions.

“base year” means the year that commenced on 1st July, 1973;

“pay-roll tax law” means a law that relates to the imposition upon employers of a tax upon wages paid or payable by them and the assessment and collection of that tax;

“year” means a financial year.

5. Financial assistance is granted to the States by way of the amounts payable under this Act.

Purpose of grants.

6. (1) Subject to sub-sections (3) and (4) and to section 7, there is payable to each State, during the base year and during each succeeding year, an amount equal to the sum of—

Grants to States.

(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 31st December in the year concerned bears to the population of that State on 31st December in the year preceding the year concerned;

(b) if the average wages per person employed in Australia in the period of twelve months ending on 31st March in the year concerned exceed the average wages per person employed in Australia in the period of twelve months ending on 31st March in the year preceding the year concerned—an amount equal to such percentage of the amount ascertained under paragraph (a) as is equal to the percentage by which the first-mentioned average wages exceed the second-mentioned average wages; and

(c) an amount equal to 1.8 per centum of the sum of the amount ascertained in accordance with paragraph (a) and the amount, if any, ascertained in accordance with paragraph (b).

(2) For the purpose of ascertaining the amount of the grant to be aid under this section to a State during the base year, there shall be deemed to have been paid under this section to that State during the year preceding the base year a grant equal to the amount specified in the following table opposite to the name of the State:—

			\$
New South Wales	..	..	521,963,309
Victoria	..	..	396,087,449
Queensland	..	..	273,945,514
South Australia	..	..	181,429,749
Western Australia	..	..	186,369,458
Tasmania	..	..	79,497,850

(3) There shall be deducted from the amount of the grant that, but for this sub-section, would be payable under this section to a State in the year commencing on 1st July, 1974, the amount specified in the following table opposite to the name of the State:—

			\$
New South Wales	..	..	75,200,000
Victoria	..	..	70,800,000
Queensland	..	..	27,600,000
South Australia	..	..	24,700,000
Western Australia	..	..	24,200,000
Tasmania	..	..	7,200,000

(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 1st July, 1974, the amount of the grant under this section paid to that State during the year that commenced on 1st July, 1973, shall be deemed to be an amount equal to the sum of the amount of that last-mentioned grant and Two million dollars.

**Deductions during 1973-74.**

7. There shall be deducted from the aggregate amount of grants that, but for this section, would be payable under this Act to a State in the year that commenced on 1st July, 1973, the amount specified in the following table opposite to the name of the State:—

			\$
New South Wales	..	..	36,400,000
Victoria	..	..	34,800,000
Queensland	..	..	13,500,000
South Australia	..	..	12,000,000
Western Australia	..	..	11,600,000
Tasmania	..	..	3,500,000

**Additional grants to States during 1973-74.**

8. In addition to the grants payable to the States under section 6 during the base year, there is payable to each of the States during that year an amount that bears to Twenty-five million dollars the same proportion as the sum of the amounts that are payable to that State during that year under section 6 bears to the sum of the amounts that are payable to all the States during that year under section 6.

**Additional grants to Western Australia.**

9. In addition to the grants payable under section 6 to the State of Western Australia during the base year and the next succeeding year, there are payable to that State during those years the amounts respectively specified in the following table opposite to the references to those years:—

			\$
Year that commenced on 1st July, 1973	..	..	10,000,000
Year commencing on 1st July, 1974			6,500,000

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. Statistical calculations, &c.

(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 31st December in the year concerned and on 31st December in the year preceding the year concerned—

(i) shall be made after 31st December, and not later than 10th June, in the year concerned; and

(ii) shall be made having 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 average wages per person employed in Australia in the period of twelve months ending on 31st March in the year concerned and in the period of twelve months ending on 31st March in the year preceding the year concerned shall be ascertained, after 31st March, and not later than 10th June, in the year concerned, in such manner as the Treasurer, after consultation with the Treasurer of each State, determines, which may be a manner that—

(i) for the purpose of calculating the total number of persons employed and the total wages paid, disregards any of the persons on whose wages tax is not payable under the payroll tax law of Australia or of a State; and

(ii) for the purpose of calculating the total number of persons employed, takes into account a proportion only of the number of female persons employed who are not disregarded in accordance with sub-paragraph (i).

(3) All calculations and determinations made by the Commonwealth Statistician in pursuance of this section for the purposes 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 Australian Government 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 a year subsequent to the year ending on 30th June, 1975, and submitting to the Parliament legislation to give effect to any changes that the Australian Government 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 Australian Government and the Government or Governments of a State or States, the Australian Government may review the provisions of this Act in consultation with the Governments of 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.

**Advance  
payments.**

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

**Appropriation.**

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

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