



Textiles, Clothing and Footwear Development Authority Amendment Act 1991

No. 207 of 1991

An Act to amend the *Textiles, Clothing and Footwear Development Authority Act 1988*

[Assented to 24 December 1991]

The Parliament of Australia enacts:

Short title etc.

1.(1) This Act may be cited as the *Textiles, Clothing and Footwear Development Authority Amendment Act 1991*.

(2) In this Act, “Principal Act” means the *Textiles, Clothing and Footwear Development Authority Act 1988*¹.

Commencement

2.(1) Sections 1 and 2 commence on the day on which this Act receives the Royal Assent.

(2) Section 3 is taken to have commenced on 9 March 1990.

(3) The remaining provisions of this Act are taken to have commenced on 1 July 1991.

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3. Section 3 of the Principal Act is repealed and the following section is substituted:

Effect on Industries Commission Act

“3.(1) Subject to subsection (2), this Act does not affect the operation of the *Industries Commission Act 1989*.”

“(2) Section 10 of the *Industries Commission Act 1989* does not apply in relation to anything done by the Minister in carrying out a recommendation of the Authority under paragraph 7(h) or subsection 12(3).”.

Functions

4. Section 7 of the Principal Act is amended:

- (a) by omitting paragraphs (a) and (b);
- (b) by omitting from paragraph (c) “substantially”;
- (c) by omitting paragraph (d) and substituting the following paragraph:

“(d) subject to Division 4 of Part IV, to develop and implement, in a manner that is consistent with the policies of the Commonwealth Government, a program designed to provide, or support by way of financial or other assistance the provision, of activities, services, facilities or measures calculated to:

- (i) improve efficiency and planning in TCF industries; or
 - (ii) improve and co-ordinate the provision of infrastructure support for TCF industries; or
 - (iii) increase the export of TCF products produced in Australia;”;
- (d) by omitting paragraph (k).

Repeal—policies review

5. Section 12 of the Principal Act is repealed.

Repeal—Divisions 1 and 2 of Part IV

6. Divisions 1 and 2 of Part IV are repealed.

Applications for financial assistance

7. Section 37 of the Principal Act is amended:

- (a) by omitting subsection (2) and substituting the following subsection:

“(2) An applicant for financial assistance under the program must submit to the Authority:

- (a) the applicant’s business objectives in relation to the production in Australia of TCF products; and

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- (b) the applicant's plans for achieving those objectives in terms of:
 - (i) organisational restructuring;
 - (ii) investment (including investment in plant and equipment, manufacturing systems, purpose built buildings, retraining);
 - (iii) export development;
 - (iv) import replacement;
 - (v) raw materials processing; and
 - (vi) any other matters that in the Authority's opinion are likely to improve international competitiveness and assist in meeting the objectives of the Commonwealth Government's plans for TCF industries; and
 - (c) information on the applicant's ability, at the conclusion of the period for which assistance would be granted, to be internationally competitive at Government announced levels of assistance.”;
- (b) by omitting subsection (4).

Arrangements with other bodies

8. Section 42 of the Principal Act is amended by adding at the end the following subsection:

“(2) The arrangements may include arrangements under which a body is to:

- (a) subscribe for or otherwise acquire shares in, or debentures or other securities of, a company; or
- (b) underwrite issues of shares in, or debentures or other securities of, a company; or
- (c) lend money, whether on security or otherwise.”.

Consequential amendments

9. The Principal Act is further amended as set out in the Schedule.

SCHEDULE

Section 9

CONSEQUENTIAL AMENDMENTS

Subsection 3(2):

Omit “or subsection 12(3)”.

Section 4 (definition of “industries development strategy”):

Omit “(a), (b),”.

Paragraph 9(1)(c):

Omit “(a), (b),”.

Paragraph 9(7)(a):

Omit “(a), (b),”.

Paragraph 9(8)(a):

Omit the paragraph.

Paragraph 9(8)(c):

Omit “subparagraph 7(d)(i)”, substitute “paragraph 7(d)”.

Heading to Division 4 of Part IV:

Omit the heading, substitute the following heading:

“Division 4—Other Program”.

Section 41:

Omit “programs”, substitute “program”.

Paragraph 42(a):

Omit “a program”, substitute “the program”.

Subsection 43(1):

Omit “, in respect of each of the programs to which this Division applies,”.

Paragraph 43(1)(b):

Omit “a producer”, substitute “an applicant for assistance”.

Paragraph 43(2)(a):

Omit “a program”, substitute “the program”.

Subsection 44(1):

Omit “A producer desiring to receive assistance under a”, substitute “An applicant for assistance under the”.

Subparagraph 44(1)(a)(i):

Omit “program”, substitute “assistance”.

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SCHEDULE—continued

Subsection 44(2):

Omit “a program”, substitute “the program”.

Subsection 44(3):

(a) Omit “a program”, substitute “the program”.

(b) Omit “program” (last occurring), substitute “assistance”.

Subsection 53(1):

Omit “29,”.

Section 55:

(a) Omit “a producer” (first occurring), substitute “an applicant for a grant”.

(b) Omit “(a), (b),”.

(c) Omit “producer” (second and third occurring), substitute “applicant”.

NOTE

1. No. 14, 1988, as amended. For previous amendments, see No. 69, 1990.

*[Minister's second reading speech made in—
Senate on 14 November 1991
House of Representatives on 19 December 1991]*