Rural and Regional Adjustment Amendment Bill 2026

Explanatory Notes

Short title

The short title of the Bill is the Rural and Regional Adjustment Amendment Bill 2026 (the Bill).

Policy objectives and the reasons for them

The *Rural and Regional Adjustment Act 1994* (the Act) establishes the Queensland Rural and Industry Development Authority (QRIDA) to deliver financial assistance schemes, primarily to promote a more productive and sustainable rural and regional sector in Queensland.

QRIDA has extensive experience in developing and delivering a wide range of financial assistance schemes, including:

- concessional loans for primary producers through the Primary Industry Productivity Enhancement Scheme;
- disaster recovery grants and disaster assistance loans for primary producers, small business and non-profit organisations through the joint Commonwealth-State Disaster Recovery Funding Arrangements;
- grants and loans for primary producers to prepare for drought; and
- various other financial assistance schemes that support the community or benefit the economy.

QRIDA's role in supporting the objectives of the Queensland Government has continued to expand. Between 2020-21 and 2024-25, QRIDA approved over 180,000 applications for financial assistance totalling over $1.8 billion. While QRIDA is a trusted administrator of government financial assistance schemes, it is important that the Act is reviewed and updated to ensure that QRIDA can continue to operate efficiently and effectively to meet the object of the Act.

Section 45 of the Act requires the Minister to review the Act within each 10-year period and table the review report in the Legislative Assembly. Such a review was conducted in 2023-24, with a review report tabled in July 2024. The review concluded that the Act was working well and made a few recommendations for improvement.

Following the 2024 State General Election, the Minister for Natural Resources and Mines, Minister for Manufacturing and Minister for Regional and Rural Development took on responsibility for the Act. A new chairperson and directors were also appointed to the QRIDA Board. A targeted review of the Act was undertaken in 2025-26 in order to test and refine the recommendations from the previous review and to review the Object of the Act. This review recommended a number of amendments to modernise the Act, enhance customer service, and streamline and improve the operations of QRIDA.

Achievement of policy objectives

The proposed amendments aim to modernise the Act, enhance customer service, and streamline and improve the operations of QRIDA. To achieve this the Bill will:

- Allow financial assistance schemes to be established in non-legislative documents or guidelines and approved by Ministerial Notice (instead of detailed in a regulation). This will streamline the process and reduce the time and resources involved in establishing and amending financial assistance schemes, while maintaining modern standards of accountability.
- Allow QRIDA to administer 'parts' of schemes in Queensland. This will mean that the Queensland Government can leverage QRIDA's expertise to deliver these schemes, which will in turn strengthen its role in contributing to economic growth in rural and regional Queensland.
- Allow QRIDA to issue notices to recover funds paid in error, which will strengthen QRIDA's capacity to manage public resources responsibly.
- Modernise governance and administrative provisions and improve customer service and the operations of QRIDA.

Ministerial Notice for scheme approval

Section 11 of the Act requires financial assistance schemes delivered in Queensland to be detailed in a regulation. The requirement for schemes to be detailed in a regulation was inserted in 2004. This change was made to ensure schemes were drafted by the Office of the Queensland Parliamentary Counsel (OQPC), tabled and subject to disallowance in line with modern standards of accountability. However, the change has also created a significant workload. The Rural and Regional Adjustment Regulation 2011 is now over 700 pages with almost 70 schedules for approved schemes (even though many schemes have expired).

The process to establish a new scheme or amend an existing scheme can take several months and the targeted review noted that these time frames can be in tension with the need to be responsive, particularly when assistance is urgently needed for disaster relief.

The Bill will change this process by introducing Ministerial Notices for scheme approval. New schemes will be detailed in a guideline or non-legislative document published by QRIDA and then approved through a Ministerial Notice. QRIDA will administer schemes as detailed in the approved guideline or non-legislative document.

Importantly, minimum requirements for guidelines will be set out in the Act and Ministerial Notices will be declared subordinate legislation. This will ensure the Ministerial Notice is prepared by OQPC, published on the legislation website, and subject to parliamentary oversight, including tabling and potential disallowance under the *Statutory Instruments Act 1992*.

To make changes to a scheme, the guidelines will be amended, and another Ministerial Notice will be made to give effect to the guidelines as amended.

The Bill provides for certain types of schemes to be prescribed in a regulation, which will trigger the requirement for those schemes to be detailed in the regulation. This is intended to

be used for long-term loan schemes, such as the existing Primary Industry Productivity Enhancement Scheme. These long-term loan schemes can create a large and long-term financial liability. The Bill will allow these schemes to be detailed and approved through a regulation when the more involved and time-consuming drafting process is warranted.

Overall, Ministerial Notices will streamline the process and reduce the time and resources involved in establishing and amending financial assistance schemes, while maintaining modern standards of accountability. This will allow QRIDA to be more responsive to government objectives and to rapidly respond when needed so that Queenslanders can access financial assistance such as disaster relief.

'Parts' of schemes in Queensland

Section 3, 9 and 11A of the Act make it clear that QRIDA can administer 'parts' of schemes for the Commonwealth and other States in rural and regional sectors outside of Queensland. For example, QRIDA can be involved in processing and assessing applications but not involved in providing the grant, rebate, discount or loan. QRIDA could also be involved in reviewing an interstate scheme for the Commonwealth.

Despite this, it is not clear that QRIDA can administer parts of schemes for the Queensland Government. This has prevented QRIDA from delivering a part of a scheme in cooperation with a department or other entity that represents the State, even where QRIDA had the capacity and the scheme met the Object of the Act.

The Bill will remove this discrepancy and allow QRIDA to administer parts of schemes in Queensland. For example, QRIDA could be involved in processing and assessing applications for an ongoing subsidy that is provided by another department, statutory authority or government owned corporation. This will mean that the Queensland Government can leverage QRIDA's expertise to deliver a broader range of schemes, which will in turn strengthen its role in driving economic growth in rural and regional Queensland.

The process for QRIDA to administer a 'part' scheme will be the same as other schemes and will require approval through a Ministerial Notice.

Recovery of financial assistance

Section 43 of the Act only allows QRIDA to recover financial assistance where an applicant:

- knowingly provides false or misleading information (section 41 of the Act) or knowingly provides false or misleading documents (section 42 of the Act); and
- would not otherwise have been given the financial assistance.

The Bill will expand the recovery provisions to include when financial assistance is paid in error by QRIDA. Examples of this could include, where a mistake is made in assessing an application, when an applicant is overpaid or when funds are sent to the wrong bank account.

The Bill will also provide for QRIDA to recover assistance when applicants breach a condition under which the assistance was given. The power to impose conditions and to require applicants to repay assistance when those conditions are not complied with is often included in the scheme detail in the regulation. Including this in the Act will ensure that QRIDA can use its powers to deal with these matters.

QRIDA will also have the power to issue a notice to recover financial assistance as a debt. People that receive this notice will be able to seek an internal review as well as a review of the internal review decision through the Queensland Civil and Administrative Tribunal (QCAT).

Allowing QRIDA to recover funds paid in error, where appropriate, will strengthen its capacity to manage public resources responsibly. QRIDA will not be mandated to recover funds in every case and will have to weigh up, for example, the views of the policy agency that is responsible for the scheme, the nature of the error, the time and effort it would take to recover the funds, and the amount that could be recovered.

Modernise governance and administrative provisions and improve customer service and the operations of QRIDA

A number of the governance provisions in the Act have become dated. In addition to updating the wording in these provisions, the Bill will:

- enable criminal history checks when appointing a director or the chief executive officer (CEO)
- expand the grounds for disqualification from becoming a director or CEO to include:
    - having a conviction (other than a spent conviction) for an indictable offence
    - being an insolvent under administration
    - being disqualified from managing corporations under the *Corporations Act* (Cth)
- require notification of grounds for disqualification
- provide for when the office of a director or CEO becomes vacant and allow for the appointment of an acting director or CEO.

The Bill sets out what must be and what may be included in guidelines for financial assistance schemes. Where there are customer service provisions, these will be included in the relevant guideline subject to Ministerial Notice. For example, customer service provisions could include provision for pre-approval, flexible repayment options or direct payments to a supplier. Stating the relevant customer service provisions in the guidelines will provide transparency and help ensure schemes are responsive and customer focused.

The Act currently provides applicants with 20 business days to make an application for internal review. The Bill will extend this to 30 business days to make an application for internal review. Extending the timeframe and retaining the CEO's discretion to extend it further will ensure applicants have enough time to request an internal review, particularly where a disaster or emergency causes a delay.

Section 8 of the Act allows for a regulation to be made to establish a new function for QRIDA. However, the process to establish a new function for QRIDA to support the Boost to Buy Scheme showed that the current provision is vague in terms of what the regulation should contain.

The Bill will amend Section 8 of the Act to make it clearer what a regulation needs to contain (for example, what the function is, how long the function is to be performed, etc.) to establish a new function for QRIDA.

Amending the Act to clarify the requirements for establishing new functions ensures QRIDA can efficiently implement innovative policies that directly benefit Queenslanders. These amendments will ensure new functions are clearly defined and aligned with government objectives.

Together these amendments to the Act represent the most significant reform in 30 years to the legislation governing QRIDA, demonstrating the government's commitment to streamlining processes, reducing red tape and delivering tangible benefits to communities in Queensland.

Alternative ways of achieving policy objectives

The requirements relating to financial assistance schemes, fund recovery, internal review and Board appointments are all contained in the Act. Therefore, there is no alternative way of achieving the policy objectives other than by legislative reform.

Estimated cost for government implementation

Implementation of the proposed amendments will not present additional administrative or capital costs to government.

Consistency with fundamental legislative principles

The amendments in the Bill are consistent with fundamental legislative principles.

Consultation

A review of the Act was conducted in 2023-24. A discussion paper was published in June 2023 with submissions sought from the public and considered as part of the final report, which was tabled in the Legislative Assembly in July 2025.

Key industry groups that made a submission to the review were consulted on progress since the review as well as the recommendations of the targeted review in May and September 2026. Overall, these industry groups were supportive of the proposed changes to the Act.

Consistency with legislation of other jurisdictions

There are no identified inconsistencies with the legislation in other jurisdictions.

Notes on provisions

Clause 1 Short title

Clause 1 provides that the Bill, when enacted, may be cited as the *Rural and Regional Adjustment Amendment Act 2026* (the Amendment Act).

Clause 2 Commencement

Clause 2 provides that the Amendment Act commences on a day to be fixed by proclamation.

Clause 3 Act amended

Clause 3 provides that the Amendment Act amends the *Rural and Regional Adjustment Act 1994* (the Act).

Clause 4 Amendment of s 3 (Object of Act)

Clause 4 amends section 3 of the Act to insert the new terms 'financial assistance scheme' and 'authorised external scheme', which are defined in clause 28 of the Amendment Act. The amendments also make it clear that QRIDA can administer both financial assistance schemes and 'parts' of schemes in Queensland.

Clause 5 Amendment of s 6 (Legal status of authority)

Clause 5 inserts a note referring to Part 4, Division 2 of the Act. Part 4, Division 2 of the Act sets out the application of the *Financial Accountability Act 2009* and the *Statutory Bodies Financial Arrangements Act 1982* to QRIDA.

Clause 6 Amendment of s 8 (Authority's functions)

Clause 6 amends section 8 of the Act to insert the words 'financial' and 'external' to be consistent with the new terms 'financial assistance scheme' and 'authorised external scheme', which are defined in clause 28 of the Amendment Act, and to insert a new subsection (3).

Section 8 of the Act currently sets out the functions of QRIDA and allows for other functions to be prescribed by regulation. New subsection (3) provides guidance on what a regulation to prescribe a new function could contain. For example, a regulation to prescribe a new function may prescribe the scope of the function, how and how long the function is to be performed.

Clause 7 Replacement of pt 3, hdg and ss 10 and 11

Clause 7 replaces the heading for Part 3 and section 10 and 11 of the Act. These replacements will provide for certain schemes to be detailed in a document or guideline and approved through a Ministerial Notice (see new section 10B). Other schemes will continue to be detailed and approved through a regulation (see new section 11).

Part 3 Financial assistance schemes

Division 1 Preliminary

New section 10 sets out the purpose of new Part 3. New Part 3 provides for the giving of financial assistance under financial assistance schemes that are approved or authorised under this part.

New section 10A provides that QRIDA can only give financial assistance to a person under an approved assistance scheme or an authorised external scheme.

'Approved assistance scheme' means a financial assistance scheme, or part of a financial assistance scheme that is:

- approved by the Minister under Part 3, Division 2, Subdivision 1
- approved by regulation under Part 3, Division 2, Subdivision 2.

'Authorised external scheme' means a financial assistance scheme, or part of a financial assistance scheme, that is authorised by the Minister under Part 3, Division 3.

To be clear, the Amendment Act provides for QRIDA to administer 'part' of a scheme that provides financial assistance to a person. For example, QRIDA could be involved in processing and assessing applications for an ongoing subsidy that is provided by a department, statutory authority or government-owned corporation.

Division 2 Approved assistance schemes

Subdivision 1 Approval by Minister

New section 10B provides for the approval of financial assistance schemes by the Minister.

The Minister may approve a financial assistance scheme, or part of a financial assistance scheme that is established:

- in a guideline made and published by QRIDA under new section 10C
- by the Commonwealth, another State, or an entity that represents the State, the Commonwealth or another State.

To be clear, schemes approved under this section will exist in Queensland. The current section 11A of the Act provides for the authorisation of external schemes – that is, schemes that are established to provide financial assistance outside of Queensland.

Before the Minister gives approval, the Minister must be satisfied that the purpose of the scheme or part is consistent with the Object of the Act. A scheme or part does not take effect until the Minister gives notice of the approval and the scheme or part commences:

- the day the notice commences; or
- on a later day stated in the notice.

The notice made under subsection (3) is subordinate legislation.

Subsection (7) provides that the approval or notice of the approval is not invalid merely because the guideline does not substantially comply with new section 10C(2) or (3).

Subsection (8) provides that this section does not apply to a financial assistance scheme, or part of a financial assistance scheme, that is prescribed by regulation for new section 11(1).

New section 10C provides for QRIDA to make and publish a document (a guideline) that sets out the details of:

- a financial assistance scheme (where QRIDA is responsible for administering the whole scheme); or
- part of a financial assistance scheme (where QRIDA is responsible for administering part of the scheme).

All guidelines must state:

- the version number of the guideline;
- the purpose of the scheme or part; and
- details of QRIDA's role in the scheme or part.

If QRIDA is responsible for deciding applications for the scheme, then the guideline must state the:

- people or category of people who are eligible, or the criteria for determining applications, for financial assistance; and
- processes for making and deciding applications for financial assistance under the scheme or part.

If QRIDA is responsible for giving financial assistance to applicants, then the guideline must state the:

- nature of the financial assistance;
- amount or method for calculating the amount of financial assistance;
- standard terms for loans (if the financial assistance is a loan); and
- processes for giving the financial assistance.

All guidelines may include any of the following:

- the conditions under which the financial assistance is given;
- any customer service provisions; or
- another matter QRIDA considers relevant.

Guidelines can also provide for payments of amounts associated with the scheme or part to be made into the Consolidated Fund, another fund or departmental accounts, as well as write-offs to loan balances.

The customer service provisions that can be included in guidelines are the kind of provisions that are intended by QRIDA to improve the administration or accessibility of the scheme for applicants. For example, a guideline could include flexible repayment options for applicants that experience hardship or could provide for upfront payments directly to a supplier. Where relevant, stating customer service provisions in guidelines will provide transparency and help ensure schemes are customer-focused.

Subdivision 2 Approval by regulation

New section 11 provides for the approval of financial assistance schemes or parts of schemes by regulation.

Most schemes are intended to be approved under new section 10B. However, certain financial assistance schemes or types of financial assistance schemes may be prescribed by regulation under subsection (1). Schemes that are prescribed cannot be approved by the Minister. Instead, a regulation approving the scheme or part must describe the scheme or part in detail. A regulation may also vary, replace or revoke the scheme or part.

This section is intended to allow certain financial assistance schemes or types of schemes to be prescribed by regulation. For example, long-term loan schemes in Queensland, such as the Primary Industry Productivity Enhancement Scheme, could be prescribed by regulation. This would trigger the requirement for the scheme to be approved and detailed in a regulation.

Division 3 Authorised external schemes

Clause 8 Amendment of s 11A (Authorisation for interstate schemes)

Clause 8 amends section 11A of the Act primarily to change the term 'interstate' to 'external'. While the term is changed, the requirements for the authorisation of external schemes and part schemes (that is, schemes administered outside of Queensland) remain the same.

Clause 9 Insertion of new pt 3, div 4 and div 5, hdg

Clause 9 inserts a new Part 3, Division 4 and Division heading after section 11A of the Act.

Division 4 Variation, replacement and revocation

New section 11B provides that the Minister may approve a document to vary or replace a guideline, or the revocation of a financial assistance scheme, or part of a financial assistance scheme, approved under Division 2, Subdivision 1.

Before the Minister gives approval to vary or replace a guideline, the Minister must be satisfied the purpose of the guideline, as varied or replaced, is consistent with the Object of the Act. The variation, replacement or revocation does not take effect until the Minister gives notice of the approval and the variation, replacement or revocation commences on:

- the day the notice commences; or
- a later day stated in the notice.

The notice made under subsection (3) is subordinate legislation.

Subsection (6) provides that the approval of a varied or replaced guideline, or notice of the approval, is not invalid merely because the guideline does not substantially comply with section 10C(2) or (3).

New section 11C provides that QRIDA can make minor amendments to guidelines if the amendment is for a formal or clerical reason. For example, minor amendments could be made to correct a typographical error or update a reference or website address.

Division 5 Administering financial assistance schemes

Clause 10 Amendment of s 12 (Administering approved schemes)

Clause 10 amends the heading of section 12 of the Act to reference the new terms 'approved assistance schemes' and 'authorised external schemes'. These terms are also inserted into section 12(1) and (2) of the Act.

Clause 11 Replacement of s 13 (Funding of approved schemes)

Clause 11 replaces section 13 of the Act with a new section 12A as well as new provisions to recover financial assistance and to support investigations and enforcement.

QRIDA currently has no investigation and enforcement powers. As part of modernisation of the Act, these standard investigation and enforcement powers will support QRIDA to perform its function and administer schemes under the current section 12 of the Act. These new powers will also support QRIDA to recover financial assistance where grounds for recover exist under new section 12B.

New section 12A provides that financial assistance given under an approved assistance scheme or authorised external scheme, must be drawn from QRIDA's assistance funds. This provision simply updates the terms in the current section 13 of the Act.

New section 12B effectively replaces the current section 43 of the Act and provides for the following grounds for recovery:

- where a person has breached a condition under which the assistance was given
- where QRIDA reasonably believes a person has contravened sections 41 or 42 of the Act and provided false or misleading information or documents to receive financial assistance that they would not have otherwise been given
- where QRIDA becomes aware a person has received financial assistance because of a mistake and they would not have otherwise received it.

Examples of a mistake could include when a mistake is made in assessing an application, when an applicant is overpaid or when funds are sent to the wrong bank account.

Where a ground for recovery has occurred, QRIDA can give the person an information notice stating:

- the ground for recovery
- that the person is required to repay a stated amount not exceeding the amount of the financial assistance
- the reasonable period within which the person must repay the amount.

New section 12C provides that a person that receives a notice under new section 12B must repay the amount stated in the information notice within the stated period. A liability arising from this notice is a debt payable to QRIDA which may be recovered in a court of competent jurisdiction and, if the notice is given to two or more people, the liability is joint and several.

QRIDA may enter into an arrangement with the person to repay the amount in instalments. Such an arrangement may include provision for the payment of interest.

New section 12D provides the chief executive officer of QRIDA with the power to require production of a required document or the reproduction of a required document or required information (if those documents or information are stored electronically).

A required document means:

- a document issued to the person under the Act; or
- a document required to be kept by the person under the Act, an approved assistance scheme or an authorised external scheme.

Required information means information required to be kept by the person under the Act, an approved assistance scheme or an authorised external scheme.

The chief executive officer may copy the document or part of the document. If the chief executive officer does copy the document or part of the document, then the chief executive officer may require the person responsible for the document to certify the copy as a true copy.

The chief executive officer must not keep the document after copying it (except if the chief executive officer is waiting for the person to certify the document under subsection (3)).

This new power has been inserted to support QRIDA to perform its functions and administer schemes under the current section 12 of the Act.

New section 13 provides that a person must comply with the requirement to produce or certify a document, unless the person has a reasonable excuse. This offence has a maximum penalty of 100 penalty units.

It is not a reasonable excuse for a person to fail to comply because it may tend to incriminate the person, expose the person to a penalty or expose the person or another person to action for recovery under new section 12B. However, limited evidential immunity is provided in new section 13C.

The chief executive officer must inform the person that they must comply with the production or certification requirement even though it might tend to incriminate them, expose them to a penalty, or expose them or another person to grounds for recovery. A person cannot be convicted of the offence if the chief executive officer has not provided them with this information.

Subsection (5) provides that if a court convicts a person of an offence against subsection (1), then the court may, in addition to a penalty for the offence, order the person to comply with the production requirement.

New section 13A provides that the chief executive officer can require information when the chief executive officer reasonably believes that one of the matters referred to in subsection (1) has occurred and a person may be able to provide information. The matters referred to in subsection (1) include that:

- grounds for recovery of financial assistance exist
- QRIDA needs to:
    - cancel the provision of assistance
    - put conditions on giving assistance

    - change the arrangements for the repayment of debts to QRIDA
    - decline to deal with applications made by a person previously refused assistance under a scheme
- an offence against the Act has been committed.

The chief executive officer may give the person a notice requiring the person to give the chief executive officer information related to the matter within a reasonable time. Information could include a document or, if the information is kept electronically, a clear written reproduction of the information.

New section 13B provides that a person who receives a notice under new section 13A(2) must comply with the requirement to provide information, unless the person has a reasonable excuse. This offence has a maximum penalty of 100 penalty units.

It is a reasonable excuse to fail to comply because it may tend to incriminate the individual or expose the individual to a penalty. However, it is not a reasonable excuse to fail to comply because it may tend to expose the person or another person to action for recovery under new section 12B.

New section 13C provides limited evidential immunity for individuals who comply with the requirement to produce or certify a document.

Subsection (2) provides that evidence of the document or evidence directly or indirectly derived from the document is not admissible against the individual in any proceeding to the extent that the evidence tends to incriminate the individual or expose them to a penalty in the proceeding. However, subsection (2) does not apply to a proceeding about the false or misleading nature of anything in the document or in which the false or misleading nature of the document is relevant evidence.

Clause 12 Omission of pt 3A (Review of decisions)

Clause 12 omits Part 3A of the Act. The review of decisions is provided for in clause 24, which inserts a new Part 5A Review of decisions.

Clause 13 Renumbering of pt 3B (Rural debt surveys and advisory services)

Clause 13 renumbers Part 3B Rural debt surveys and advisory services to Part 3A.

Clause 14 Amendment of s 16 (Composition of board)

Clause 14 omits subsection (2) and (3) from section 16 of the Act. Subsections (2) and (3) relate to the chairperson of the board and these are now addressed in new section 16C (as renumbered).

Clause 15 Insertion of new ss 16AA–16AH

Clause 15 inserts new sections 16AA to 16AH. These provisions relate to the board, directors and the chairperson. In addition to rewording the provisions to bring the Act up to modern standards, these provisions will expand the grounds for disqualification, require notification of grounds for disqualification, provide for when an office is vacant and allow for the appointment of an acting chairperson or director.

New section 16AA provides for the terms of appointed directors and reflects the current durations stated in section 17 of the Act.

New section 16AB provides for the conditions of appointed directors and reflects the current conditions stated in section 18 of the Act. In addition to the conditions stated in the Act, an appointed director also holds office on the terms and conditions decided by the Governor in Council.

New section 16AC provides for the appointment of a chairperson. As is currently provided in section 16(2) and (3) of the Act, the Governor in Council must appoint one of the appointed directors as the chairperson. The chairperson holds the office for the term stated in their instrument of appointment, which must not end later than the person's term as an appointed director.

The chairperson's appointment ends if they:

- resign from office as chairperson under new section 16F (as renumbered)
- are removed from office as chairperson
- stop being an appointed director.

If a chairperson resigns or is removed from the office of chairperson, they may continue to hold office as an appointed director, subject to new section 16G (as renumbered).

As is currently provided in section 16CA of the Act, subsection (6) provides that the Minister may appoint any director to act as chairperson during any vacancy in the office of chairperson or any period the chairperson is absent or unable to carry out their duties. Subsection (6) does not limit the Governor in Council's power under section 24B or 25(1)(b) of the *Acts Interpretation Act 1954.*

New section 16AD provides that a person is disqualified from becoming or continuing as a director if the person:

- has a conviction, other than a spent conviction, for an indictable offence
- is an insolvent under administration
- is employed by QRIDA or is a contractor for QRIDA
- is disqualified from managing corporations because of the Corporations Act, part 2D.6
- contravenes section 21 of the Act
- does not consent to the Minister requesting a criminal history report under new section 38H.

QRIDA is a statutory body in control of significant financial assets and operations across Queensland. The purpose of these requirements is to ensure directors act in the best interest of QRIDA. Including a disqualification provision will bring the Act in line with current practices for the administration of statutory bodies in Queensland.

New section 16AE provides that an appointed director must, unless the person has a reasonable excuse, immediately provide a notice to the Minister if the person becomes an insolvent under administration or is disqualified from managing corporations because of the Corporations Act, part 2D.6. Under subsection (3) the notice must state:

- that the person has become an insolvent under administration or is disqualified from managing corporations
- when the person became insolvent or was disqualified as well as details to identify the grounds for the disqualification.

This offence has a maximum penalty of 100 penalty units.

New section 16AF provides a process for appointed directors to resign from office. An appointed director may resign from office through a signed notice given to the Minister. The resignation takes effect when the notice is given to the Minister or on a later day that is stated in the notice given to the Minister.

New section 16AG provides for when the office of an appointed director becomes vacant. An office becomes vacant if the director:

- completes their term of office and is not reappointed
- is disqualified from continuing as an appointed director under new section 16D (as renumbered)
- resigns from office under new section 16F (as renumbered)
- is removed from office
- is absent from 3 consecutive meetings of the board without the permission of the board and a reasonable excuse.

New section 16AH provides for the Minister to appoint an acting director if the office of an appointed director is vacant or an appointed director is absent from duty or is otherwise unable to perform the functions of the office. The Minister may appoint a person who is not disqualified from becoming an appointed director under new section 16D (as renumbered) to act in the office for a period of not longer than 6 months. However, the Minister may extend the appointment for a further six-month period. This section does not limit the Governor in Council's power under section 24B or 25(1)(b) of the *Acts Interpretation Act 1954.*

Clause 16 Renumbering of ss 16A–16C

Clause 16 renumbers sections 16A to 16C as sections 17, 18 and 18A.

Clause 17 Renumbering of ss 16AA–16AH

Clause 17 renumbers sections 16AA to 16AH to sections 16A to 16H.

Clause 18 Omission of s 16CA and pt 4, div 1A

Clause 18 omits section 16CA and Part 4, Division 1A.

Clause 19 Replacement of pt 4, div 4, hdg (Other things about the authority)

Clause 19 replaces the Part 4, division 4 heading.

Clause 20 Omission of s 27 (Delegation)

Clause 20 omits section 27 of the Act. Delegations are now provided for in new section 38K.

Clause 21 Replacement of ss 28–35

Clause 21 replaces sections 28 to 35 of the Act with new sections related to the chief executive officer.

New section 27 effectively replaces the current section 28, 29 and 31 of the Act. The new section provides that QRIDA must have a chief executive officer. The chief executive officer is appointed by the Governor in Council and is appointed under the Act and not the *Public Sector Act 2022*. The chief executive officer is responsible for ensuring that QRIDA is managed as required by the policies of the board.

New section 28 effectively replaces the current section 32 of the Act. New section 28 provides that the chief executive officer is appointed for the term stated in their instrument of appointment. The term must not be longer than five years, but the chief executive officer may be reappointed.

New section 29 effectively replaces section 34 of the Act. New section 29 provides that the chief executive officer is to be paid the remuneration and allowances decided by the board. The chief executive officer holds office on the terms and conditions decided by the board, in addition to the terms and conditions stated in the Act.

New section 30 provides that a person is disqualified from becoming or continuing as the chief executive officer if the person:

- has a conviction, other than a spent conviction, for an indictable offence
- is an insolvent under administration
- is disqualified from managing corporations because of the Corporations Act, part 2D.6
- is an appointed director
- contravenes section 38 of the Act
- does not consent to the Minister requesting a criminal history report under new section 38H.

QRIDA is a statutory body in control of significant financial assets and operations across Queensland. The purpose of these requirements is to ensure the chief executive officer acts in the best interest of QRIDA. Including a disqualification provision will bring the Act in line with current practices for the administration of statutory bodies in Queensland.

New section 31 provides that, if the chief executive officer becomes an insolvent under administration or is disqualified from managing corporations because of the Corporations Act, part 2D.6, then the chief executive officer must (unless they have a reasonable excuse) immediately provide a notice to the Minister. Under subsection (3), the notice must state:

- that the chief executive officer has become an insolvent under administration or disqualified from managing corporations
- when the chief executive officer became insolvent or was disqualified as well as details to identify the grounds for the disqualification.

This offence has a maximum penalty of 100 penalty units.

New section 32 effectively replaces section 32A of the Act. New section 32 provides a process for the chief executive officer to resign from office. The chief executive officer may resign from office through a signed notice given to the Minister. The resignation takes effect when the notice is given to the Minister or on a later day that is stated in the notice given to the Minister.

New section 33 provides for when the office of the chief executive officer becomes vacant. The office becomes vacant if the chief executive officer:

- completes their term of office and is not reappointed
- is disqualified from continuing as an appointed director under new section 30
- resigns from office under new section 32
- is removed from office.

New section 34 effectively replaces section 35 of the Act. New section 34 provides for the board to appoint an acting chief executive officer if the office of the chief executive officer is vacant or the chief executive officer is absent from duty or is otherwise unable to perform the functions of the office. The board may appoint a person who is not disqualified from becoming the chief executive officer under new section 30. This section does not limit the Governor in Council's power under section 24B or 25(1)(b) of the *Acts Interpretation Act 1954.*

New section 35 effectively replaces section 33 of the Act and restricts the chief executive officer from engaging in other employment or carrying on other businesses without the board's prior written approval.

Clause 22 Amendment of s 35A (Chief executive officer to prepare business plan)

Clause 22 updates the section reference in section 35A of the Act.

Clause 23 Replacement of s 35B (Delegation)

Clause 23 omits section 35B of the Act (delegations are now provided for in new section 38K) and inserts a new preservation of rights provision.

New section 35B preserves the rights of public sector employees who are appointed as the chief executive officer. This ensures, for example, that the rights of a public sector employee are protected should they be appointed to act in the office of the chief executive officer under new section 34.

Clause 24 Insertion of new pt 5A

Clause 24 inserts a new Part 5A for the review of decisions. This effectively replaces and adds to the previous Part 3A.

The main changes to Part 5A include extending the time frame to make an application for internal review from 20 to 30 business days and establishing a process for a person who receives a notice seeking to recover financial assistance under new section 12B to first seek an

internal review and, following the internal review, seek external review through the Queensland Civil and Administrative Tribunal (QCAT).

Part 5A Review of decisions

Division 1 Preliminary

New section 38A provides definitions for Part 5A.

Division 2 Internal review

New section 38B provides that an affected person for an original recovery decision may apply to the Queensland Civil and Administrative Tribunal (QCAT) for a review of the decision only if a decision on an application for internal review has been made or is taken to be made under this division.

This section means that only decisions to recover financial assistance under new section 12B can be referred to QCAT for review. Before a person can apply to QCAT, they must seek and receive an internal review decision under this division.

A person who is affected by an original assistance decision under section 12(1)(a) to (e) of the Act cannot seek an external review by QCAT.

New section 38C provides that an affected person for an original decision may apply to the chief executive officer for a review of the decision under this division.

Subsection (2) provides that, if an affected person has not been given an information notice for the original decision, the affected person may ask the authority for an information notice for the decision. Subsection (3) provides that failure to give the affected person an information notice does not limit or otherwise affect their right to apply for internal review of the decision.

New section 38D sets out the requirements for an internal review application.

An application for internal review must be in the approved form and include enough information to enable the chief executive officer to decide the application. Applications for internal review must be made within 30 business days of receiving the information notice or, if an information notice has not been given, within 30 business days of becoming aware of the decision. The chief executive officer may, at any time, extend the period within which the application may be made.

New section 38E sets out the process for the internal review.

The chief executive officer must, within 30 business days of receiving an application for internal review:

- review the original decision
- decide to:
    - confirm the original decision
    - amend the original decision; or
    - substitute another decision for the original decision.

For a review of an original assistance decision, the chief executive officer must give the affected person a notice stating:

- the internal review decision
- the reasons for the internal review decision
- the internal review decision is final and the affected person has no further right of review under this Part 5A.

For a review of an original recovery decision, the chief executive officer must give the affected person a QCAT information notice (that is, a notice complying with section 157(2) of the *Queensland Civil and Administrative Tribunal Act 2009*).

Subsection (2) provides that, before the end of the 30-business day review period, the chief executive officer and the affected person may agree to extend the period.

Subsection (3) provides that the application for review must be handled by a person who did not make the original decision and who holds a more senior office than the person who made the original decision. However, subsection (3) does not apply to an original decision made by the chief executive officer personally.

If the chief executive officer does not give the affected person a notice under subsection (1)(c) within the period required, then the chief executive officer is taken to have confirmed the original decision.

Division 3 Staying operation of original decision

New section 38F effectively replaces section 13B(3) of the Act. New section 38F provides that an application for internal review of an original decision stays the operation of the decision. The stay operates until the chief executive officer decides the application for internal review of the decision.

Division 4 External review

New section 38G provides that a person who must be given a QCAT information notice for an internal review decision, of an original recovery decision, may apply to QCAT for a review of the internal review decision as provided under the QCAT Act.

Clause 25 Insertion of new pt 6, divs 1 and 2

Clause 25 inserts a new Part 6, Division 1 and Division 2 before section 39 of the Act.

Division 1 Criminal history

New section 38H provides a process for the Minister to request a criminal history report from the police commissioner to determine whether a person is disqualified from becoming an appointed director (see new section 16D as renumbered) or the chief executive officer (see new section 30). However, subsection (2) provides that the person must have given the Minister written consent before the Minister requests a criminal history report from the Police Commissioner. A definition for criminal history is provided in subsection (5).

New section 38I provides that changes in criminal history must be disclosed to the Minister.

If an appointed director or the chief executive officer is convicted of an indictable offence during their term, then they must (unless they have a reasonable excuse) immediately provide a notice to the Minister. The notice must state:

- the existence of the conviction
- when the offence was committed
- details to identify the offence
- the sentence imposed on the person.

This offence has a maximum penalty of 100 penalty units.

New section 38J provides confidentiality protections for the criminal history information, and the conditions under which a person may disclose or use the information.

Division 2 Other provisions

New section 38K provides for QRIDA, directors (other than appointed directors) and the chief executive officer to delegate their functions under the Act or another Act.

Clause 26 Replacement of s 43 (Calling up financial assistance obtained by false statement)

Clause 26 omits section 43 of the Act (recovery of financial assistance is provided for under new section 12B) and inserts a new section 43.

New section 43 provides that the chief executive officer may approve forms for use under the Act.

Clause 27 Insertion of new pt 8, div 4

Clause 27 inserts a new Part 8, Division 4 in the Act. Part 8, Division 4 sets out the transitional provisions for the Amendment Act.

Division 4 Transitional provisions for Rural and Regional Adjustment Amendment Act 2026

New section 71 provides terms for the interpretation of Division 4.

New section 72 provides for the continuation of schemes and part schemes that were previously approved under the Act and stated in one of the scheme schedules listed in subsection (1).

Subsection (2) provides that the scheme or part is continued in effect under new Part 3 as if the scheme schedule were a guideline for the scheme that was approved by the Minister. Anything done for the purposes of the scheme or part before commencement is taken to have been done for the purposes of the scheme or part as it continues in effect under new Part 3.

Subsection (2) does not prevent the transitioned guideline being replaced or varied.

This provision will transition the schemes that were required to be approved through a regulation under the former provisions and can now be approved through a Ministerial Notice. This will ensure QRIDA can continue to operate these schemes without interruption.

New section 73 provides for the continuation of schemes and part schemes that were previously approved under former section 11(4) of the Act. This relates to schemes established by the Commonwealth or another State, or an entity that represents the State, Commonwealth or another State, and were required to be approved in a regulation under former section 11(4) of the Act.

Subsection (2) provides that the scheme or part is continued under new Part 3 as if the scheme was approved by the Minister. Anything done for the purposes of the scheme before commencement is taken to have been done for the purposes of the scheme as it continues in effect under new Part 3.

New section 74 provides for the continuation of the Primary Industry Productivity Enhancement Scheme (PIPES). PIPES means the approved scheme that was set out in schedule 1 of the Rural and Regional Adjustment Regulation 2011. Subsection (2) provides that anything done for the purposes of PIPES before commencement is taken to have been done for the purposes of PIPES as continued.

New section 75 provides for the application of the recovery, investigation and enforcement powers (see new section 12B to 13C) to schemes that have closed and are not continued under new section 72, 73 or 74. This ensures that the new powers apply to schemes that have closed and are not continued.

New section 76 provides for the continuation of appointments made before the commencement of the Amendment Act. These people continue to be appointed to the office under this Act, as amended, on the same terms and conditions of appointment that applied to the person immediately before the commencement.

New section 77 provides for internal review applications that were made but not decided or dealt with before commencement. The former Part 3A continues to apply to these applications as if the Amendment Act has not been enacted.

New section 78 provides for notices that were given to a person to call up a loan or other amount under the former section 43. Former section 43 continues to apply in relation to calling up the loan or other amount as if the Amendment Act had not been enacted. If QRIDA takes action under the former section 43(2), the decision is taken to be an original recovery decision under new Part 5A.

New section 79 provides that new section 16G(e) only applies in relation to meetings of the board conducted after the commencement.

New section 80 provides for the continuation of delegations under the former section 16D, 27 or 35B of the Act (provided those delegations can be made under new section 38K).

New section 81 provides a general power to make a regulation about transitional matters that are not dealt with by the Amendment Act. This section and any transitional regulation expire one year after commencement.

Clause 28 Amendment of sch 1 (Dictionary)

Clause 28 amends schedule 1 of the Act to omit and insert certain definitions for the purposes of the Amendment Act.

Definitions are inserted for the key terms ‘approved assistance scheme’, ‘authorised external scheme’, ‘financial assistance’, and ‘financial assistance scheme’.

‘Approved assistance scheme’ means a financial assistance scheme, or part of a financial assistance scheme that is:

- approved by the Minister under new Part 3, Division 2, Subdivision 1
- approved by regulation under new Part 3, Division 2, Subdivision 2.

‘Authorised external scheme’ means a financial assistance scheme, or part of a financial assistance scheme, that is authorised by the Minister under Part 3, Division 3.

These terms are important as new section 10A effectively provides that QRIDA can only give financial assistance to a person under an ‘approved assistance scheme’ or an ‘authorised external scheme’.

A ‘financial assistance scheme’ is one where the main purpose of the scheme, or a part of the scheme is to give financial assistance to persons or classes of persons. And ‘financial assistance’ is defined to include:

- monetary assistance given without any obligation to repay it
- monetary assistance given by way of a loan
- guaranteeing a loan
- reducing or waiving a debt
- giving a rebate, subsidy or credit.

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