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AUSTRALIAN DEVELOPMENT ASSISTANCE AGENCY (REPEAL) BILL 1977

Date Introduced: 17 March 1977
House: House of Representatives
Presented by: Hon. Andrew Peacock, M.P.,
Minister for Foreign Affairs

Short Digest of Bill

Purpose

The purpose of this Bill is to repeal the Australian Development Assistance Agency Act 1974, thus giving statutory recognition to the abolition of the Agency. Pending the passage of the Bill, a number of administrative measures for the incorporation of the Agency into the Department of Foreign Affairs have been taken. From 1 February 1977 the Agency has, in fact, been operating as the Australian Development Assistance Bureau within the Department of Foreign Affairs.

Provisions

As well as providing for the repeal of the Australian Development Assistance Agency Act 1974, the Bill makes provision for transitional arrangements, including those in relation to the transfer of assets and liabilities, the continuation of engagements, arrangements and contracts entered into before the repeal of the repealed Act, and for the closure of the Development Assistance Fund and the payment of any moneys in that Fund at 30 June 1977 to the Consolidated Revenue Fund.

Background

In March 1973 a task force was established by the Whitlam Government “to examine all the options for a unified aid administration to administer all aid including multilateral aid, all bilateral aid, and aid to an independent Papua New Guinea”. The task force considered a number of possible structures for aid administration. The then Government took the view that the form which best met Australia’s needs was a statutory corporation, under a Director-General responsible to the Minister for Foreign Affairs. The 1974 legislation (introduced twice, before and after the general elections that year) provided for the establishment of the Agency in this form. Pending the passage of this legislation, an office of the Australian Development Assistance Agency was set up on 1 December 1973 within the Department of Foreign Affairs to bring together existing aid functions previously carried out by a number of departments. The 1974 legislation also provided for the establishment of a Development Assistance Advisory Board, to advise the Minister and the Agency in respect of matters relating to aid to developing countries. The Board was to include

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members of the public, trade unions, the business community and voluntary organizations, in addition to public servants.

The separation of the Agency from the Department of Foreign Affairs and its statutory nature were justified on the grounds that they would serve to emphasise the non-political nature of Australian development assistance. The establishment of ADAA as an institution in its own right may have also facilitated the transfer of aid functions from a number of Departments, in addition to those from the Department of Foreign Affairs. Yet provision for the Director-General to be responsible to the Minister for Foreign Affairs constituted recognition of the necessarily close connection between development assistance and foreign policy. Arrangements were made for consultation on a day-to-day basis between the Agency and the Department of Foreign Affairs. Agency personnel serving in an overseas country were under the direction of the Australian head of mission (a Department of Foreign Affairs officer) in that country.

In February 1976, the present Government decided to abolish the Australian Development Assistance Agency and to transfer its functions to a Bureau within the Department of Foreign Affairs. This was in line with the Government's overall approach to the structure of the Commonwealth Public Service and the view that, to achieve greater efficiency and economy, the number of commissions and other statutory bodies should be minimised. A justification for reintegration lies in the need to project a sound understanding of the problems of development into overall foreign policy thinking and for officers concerned with aid to be aware of the implications for general policy formulation of aid programmes.

In his second reading speech the Minister for Foreign Affairs refers to arrangements being made with the Public Service Board concerning the engagement of experts and the consideration he is giving to the establishment of an informal advisory mechanism to replace the Development Assistance Advisory Board. This Board will be abolished with the repeal of the 1974 Act.

17 March 1977

Foreign Affairs Group
LEGISLATIVE RESEARCH SERVICE

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