



Industry Research and Development (Forestry Recovery Development Fund Program) Instrument 2020

I, Jonathon Duniam, as delegate of the Minister for Industry, Science and Technology, make the following instrument.

Dated 27 August 2020

Jonathon Duniam
Assistant Minister for Forestry and Fisheries
Parliamentary Secretary to the Minister for Agriculture, Drought and Emergency
Management

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Definitions	1
5	Prescribed program	2
6	Specified legislative power	2

1 Name

This instrument is the *Industry Research and Development (Forestry Recovery Development Fund Program) Instrument 2020*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	29 August 2020

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 33 of the *Industry Research and Development Act 1986*.

4 Definitions

In this instrument:

Act means the *Industry Research and Development Act 1986*.

affected wood processing facility means a wood processing facility that:

- has been adversely affected by the 2019-2020 bushfires; and
- is not owned by a State; and
- does not form part of a State; and
- is not a statutory authority established under a law of a State.

constitutional trade or commerce means trade or commerce:

- between Australia and places outside Australia; or
- among the States; or
- between a State and a Territory, between 2 Territories or within a Territory.

program: see subsection 5(1).

5 Prescribed program

- (1) For the purposes of subsection 33(1) of the Act, the Forestry Recovery Development Fund Program (the *program*) is prescribed.
- (2) The program provides funding in the form of grants to affected wood processing facilities that demonstrate that they will use the grants to:
 - (a) develop new wood products solely or mainly for constitutional trade or commerce; or
 - (b) increase, maintain or restore their capacity to continue to deliver existing wood products that are solely or mainly sold in the course of constitutional trade or commerce.

6 Specified legislative power

For the purposes of subsection 33(3) of the Act, the powers of the Parliament to make laws with respect to the following are specified:

- (a) trade and commerce with other countries, and among the States (within the meaning of paragraph 51(i) of the Constitution);
- (b) the government of a Territory (within the meaning of section 122 of the Constitution).