



Financial Framework (Supplementary Powers) Amendment (Education, Skills and Employment Measures No. 7) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 29 October 2020

David Hurley
Governor-General

By His Excellency's Command

Mathias Cormann
Minister for Finance

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
	Schedule 1—Amendments	2
	<i>Financial Framework (Supplementary Powers) Regulations 1997</i>	<i>2</i>

1 Name

This instrument is the *Financial Framework (Supplementary Powers) Amendment (Education, Skills and Employment Measures No. 7) Regulations 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.	31 October 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Note: This table relates only to the provisions of this instrument as originally made.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 the *Financial Framework (Supplementary Powers) Act 1997*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Financial Framework (Supplementary Powers) Regulations 1997

1 Part 4 of Schedule 1AB (cell at table item 33, column headed “Objective(s)”)

Repeal the cell, substitute:

To provide payments of financial assistance to unemployed persons and other eligible individuals to assist them to relocate to other areas of Australia to take up employment, including for the purpose of addressing labour shortages resulting from the coronavirus known as COVID-19.

This objective has the effect it would have if it were limited to measures:

- (a) with respect to aliens (within the meaning of paragraph 51(xix) of the Constitution); or
- (b) involving the provision of unemployment benefits (within the meaning of paragraph 51(xxiiiA) of the Constitution); or
- (c) to give effect to Australia’s obligations under one or more of the following:
 - (i) the International Covenant on Economic, Social and Cultural Rights, particularly Articles 2 and 6;
 - (ii) the International Labour Organization’s Convention concerning Employment Policy, particularly Article 1;
 - (iii) the International Labour Organization’s Convention concerning the Organisation of the Employment Service, particularly Article 1;
 - (iv) the International Labour Organization’s Convention concerning Vocational Guidance and Vocational Training in the Development of Human Resources, particularly Articles 1 to 4; or
- (d) that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation; or
- (e) undertaken in, or in relation to, a Territory.

2 Part 4 of Schedule 1AB (table item 128)

Repeal the item, substitute:

128	Harvest Trail Services and Harvest Trail Information Service	<p>To provide unemployed persons and other eligible individuals with information and support to undertake work that meets the requirements of employers in the agricultural industry:</p> <ul style="list-style-type: none">(a) during periods of peak labour demand; or(b) during labour shortages resulting from the coronavirus known as COVID-19. <p>This objective has the effect it would have if it were limited to providing funding for measures:</p> <ul style="list-style-type: none">(a) with respect to postal, telegraphic, telephonic, and other like services (within the meaning of paragraph 51(v) of
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- the Constitution); or
- (b) with respect to aliens (within the meaning of paragraph 51(xix) of the Constitution); or
- (c) involving the provision of, or incidental to the provision of, unemployment benefits (within the meaning of paragraph 51(xxiiiA) of the Constitution); or
- (d) to give effect to Australia's obligations under one or more of the following:
- (i) the International Covenant on Economic, Social and Cultural Rights, particularly Articles 2 and 6;
 - (ii) the International Labour Organization's Convention concerning Employment Policy, particularly Article 1;
 - (iii) the International Labour Organization's Convention concerning the Organisation of the Employment Service, particularly Article 1;
 - (iv) the International Labour Organization's Convention concerning Vocational Guidance and Vocational Training in the Development of Human Resources, particularly Articles 1 to 4; or
- (e) that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation; or
- (f) undertaken in, or in relation to, a Territory.

3 In the appropriate position in Part 4 of Schedule 1AB (table)

Insert:

446	Extended New Enterprise Incentive Scheme— COVID-19 response	<p>To provide self-employed micro-business owners with small business training, mentoring and other support to assist them to retain their employment as self-employed micro-business owners, to give effect to Australia's obligations under one or more of the following:</p> <ul style="list-style-type: none"> (a) the International Covenant on Economic, Social and Cultural Rights, particularly Articles 2, 6 and 13; (b) the International Labour Organization's Convention concerning Employment Policy, particularly Articles 1 and 2; (c) the International Labour Organization's Convention concerning Vocational Guidance and Vocational Training in the Development of Human Resources, particularly Articles 1 to 4. <p>This objective also has the effect it would have if it were limited to measures dealing with the economic effects of the coronavirus known as COVID-19, being measures that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation.</p>
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