



## **Industry Research and Development (Moon to Mars Program) Instrument 2020**

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I, Karen Andrews, Minister for Industry, Science and Technology, make the following instrument.

Dated 7 December 2020

Karen Andrews  
Minister for Industry, Science and Technology

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## 1 Name

This instrument is the *Industry Research and Development (Moon to Mars 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. | 11 December 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Note: This table relates only to the provisions of this instrument as originally made.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*.

*international space supply chains and markets*:

- (a) means international supply chains and markets for products, capabilities or services that are needed for exploring, understanding, managing or utilising space; and
- (b) includes international supply chains and markets for products, capabilities or services that rely on infrastructure in space.

*NASA* means the National Aeronautics and Space Administration of the United States of America.

*organisation* includes research institutions and universities.

*program*: see subsection 5(1).

## 5 Prescribed program

- (1) For the purposes of subsection 33(1) of the Act, the Moon to Mars Program (the *program*) is prescribed.
- (2) The purpose of the program is to increase participation by Australian businesses and organisations in international space supply chains and markets, including by facilitating contributions by Australian businesses and organisations to NASA exploration programs to the Moon, Mars or other celestial bodies.
- (3) The program provides the following:
  - (a) funding to Australian businesses and organisations for the development or enhancement of products, capabilities or services that have the capacity to contribute to NASA exploration programs to the Moon, Mars or other celestial bodies;
  - (b) funding to Australian businesses and organisations for the development or enhancement of:
    - (i) products, capabilities or services that could be sold into international space supply chains and markets; and
    - (ii) prototypes of products, capabilities or services that could be sold into international space supply chains and markets if successfully commercialised;
  - (c) funding to Australian businesses and organisations, or foreign businesses or organisations, or both, to be used by those businesses and organisations in ways that will facilitate participation by Australian businesses and organisations in international space supply chains and markets;
  - (d) funding for other initiatives to facilitate participation by Australian businesses and organisations in international space supply chains and markets.

## 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) foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth (within the meaning of paragraph 51(xx) of the Constitution);
- (c) external affairs (within the meaning of paragraph 51(xxix) of the Constitution);
- (d) measures that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation.