



# **Industry Research and Development (Portland Aluminium Smelter Program) Instrument 2021**

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I, Angus Taylor, Minister for Energy and Emissions Reduction, make the following instrument.

Dated 17 March 2021

Angus Taylor  
Minister for Energy and Emissions Reduction

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## 1 Name

This instrument is the *Industry Research and Development (Portland Aluminium Smelter Program) Instrument 2021*.

## 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.	

Note: This table relates only to the provisions of this instrument as originally made.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*.

*program*: see subsection 5(1).

## 5 Prescribed program

- (1) For the purposes of subsection 33(1) of the Act, the Portland Aluminium Smelter Program (the *program*) is prescribed.
- (2) The program provides funding to underwrite the Portland aluminium smelter's participation in the Reliability and Emergency Reserve Trader mechanism operated by the Australian Energy Market Operator.
- (3) The purpose of the program is to:
- ensure the smelter can provide grid reliability services to the national electricity market; and
  - contribute to the reliability and security of the national electricity market.

## **6 Specified legislative power**

For the purposes of subsection 33(3) of the Act, the powers of the Parliament under paragraph 51(xx) of the Constitution to make laws with respect to foreign corporations and trading or financial corporations formed within the limits of the Commonwealth are specified.

## **7 Eligibility criteria relating to program**

For the purposes of subsection 33(4) of the Act, the eligibility criteria relating to the program include the requirement that applicants must be trading or financial corporations to which paragraph 51(xx) of the Constitution applies.