



Industry Research and Development (Growing Australia's Cyber Skills Program) Instrument 2021

I, Christian Porter, Minister for Industry, Science and Technology, make the following instrument.

Dated 29 April 2021

Christian Porter
Minister for Industry, Science and Technology

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1 Name

This instrument is the *Industry Research and Development (Growing Australia's Cyber Skills 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.	5 May 2021

Note: This table relates only to the provisions of this instrument as originally made.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

Convention on the Elimination of All Forms of Discrimination Against Women means the Convention of that name done at New York on 18 December 1979, as in force for Australia from time to time.

Note: The Convention is in Australian Treaty Series 1983 No. 9 ([1983] ATS 9) and could in 2021 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

Convention on the Rights of the Child means the Convention of that name done at New York on 20 November 1989, as in force for Australia from time to time.

Note: The Convention is in Australian Treaty Series 1991 No. 4 ([1991] ATS 4) and could in 2021 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

International Covenant on Economic, Social and Cultural Rights means the Covenant of that name done at New York on 16 December 1966, as in force for Australia from time to time.

Section 5

Note: The Covenant is in Australian Treaty Series 1976 No. 5 ([1976] ATS 5) and could in 2021 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

International Labour Organization's Convention concerning Employment Policy means the Convention of that name done at Geneva on 9 July 1964, as in force for Australia from time to time.

Note: The Convention is in Australian Treaty Series 1970 No. 17 ([1970] ATS 17) and could in 2021 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

International Labour Organization's Convention concerning Vocational Guidance and Vocational Training in the Development of Human Resources means the Convention of that name done at Geneva on 23 June 1975, as in force for Australia from time to time.

Note: The Convention is in Australian Treaty Series 1986 No. 2 ([1986] ATS 2) and could in 2021 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

program: see subsection 5(1).

5 Prescribed program

- (1) For the purposes of subsection 33(1) of the Act, the Growing Australia's Cyber Skills Program (the ***program***) is prescribed.
- (2) The program provides funding for the development of cyber security skills, including through:
 - (a) the establishment and operation of the Cyber Security Skills Partnership Innovation Fund; and
 - (b) programs run by Questacon—The National Science and Technology Centre to prepare primary, secondary and tertiary students for a career in cyber security.
- (3) The purpose of the program is to contribute to the development of a skilled cyber security workforce, in order to increase the quantity and quality of cyber security professionals for Australian government and industry.

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) postal, telegraphic, telephonic and other like services (within the meaning of paragraph 51(v) of the Constitution);
- (b) the provision of benefits to students (within the meaning of paragraph 51(xxiiiA) of the Constitution);
- (c) external affairs (within the meaning of paragraph 51(xxix) of the Constitution), as it relates to measures to give effect to Australia's obligations under one or more of the following:
 - (i) the Convention on the Elimination of All Forms of Discrimination against Women, particularly Articles 1, 2, 3, 10 and 11;

- (ii) the Convention on the Rights of the Child, particularly Article 29(1)(a);
- (iii) the International Labour Organization's Convention concerning Employment Policy, particularly Article 1(1);
- (iv) the International Labour Organization's Convention concerning Vocational Guidance and Vocational Training in the Development of Human Resources, particularly Articles 1(1), 2 and 4;
- (v) the International Covenant on Economic, Social and Cultural Rights, particularly Article 6(2);
- (d) enterprises and activities that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation (see paragraph 51(xxxix) and section 61 of the Constitution);
- (e) the government of a Territory (within the meaning of section 122 of the Constitution).