



Industry Research and Development (Supporting Critical Transmission Infrastructure Program) Instrument 2021

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

Dated 20 September 2021

Angus Taylor
Minister for Energy and Emissions Reduction

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1 Name

This instrument is the *Industry Research and Development (Supporting Critical Transmission Infrastructure 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.	23 September 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Note: This table relates only to the provisions of this instrument as originally made.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*.

program: see subsection 5(1).

5 Prescribed program

- (1) For the purposes of subsection 33(1) of the Act, the Supporting Critical Transmission Infrastructure Program (the *program*) is prescribed.
- (2) The program provides direct and indirect financial support for electricity transmission projects that have potential electricity price, reliability or security benefits.

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:

Section 7

- (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) matters in respect of which the Constitution makes provision until the Parliament otherwise provides (within the meaning of paragraph 51(xxxvi) of the Constitution), together with section 96 of the Constitution (financial assistance to States);
- (e) the government of a Territory (within the meaning of section 122 of the Constitution).

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 at least one of the following is satisfied:

- (a) the project relates to the development of an electricity interconnector;
- (b) the applicant is a corporation to which paragraph 51(xx) of the Constitution applies, or is owned or controlled by such a corporation;
- (c) the project relates to the development of electricity transmission infrastructure outside the geographical limits of Australia;
- (d) the support is provided through a grant of financial assistance to a State;
- (e) the project is located in a Territory.