



Industry Research and Development (Critical Minerals Development Program) Instrument 2022

I, Madeleine King, Minister for Resources and Minister for Northern Australia, make the following instrument.

Dated: 27 October 2022

Madeleine King
Minister for Resources and Minister for Northern Australia

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1 Name

This instrument is the *Industry Research and Development (Critical Minerals Development Program) Instrument 2022*.

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Note: This table relates only to the provisions of this instrument as originally made.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 Critical Minerals Development Program (the *program*) is prescribed.
- (2) The program provides funding, in the form of grants, to:
- assist early to mid-stage critical minerals projects of strategic significance to overcome technical and market barriers; and
 - support those projects through various points in the development process until the projects are sufficiently advanced to seek financing; and
 - support project activities that may occur between completion of exploration and the final investment decision, including studies and design work, as

well as contributions towards the capital costs of pilots and demonstration projects.

- (3) The purpose of the program is to build alternative, competitive and reliable end-to-end critical minerals supply chains with Australia's allies and partners.

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 foreign corporations, and trading or financial corporations formed within the limits of the Commonwealth (within the meaning of paragraph 51(xx) of the Constitution) 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 for grants must be trading or financial corporations to which paragraph 51(xx) of the Constitution applies.