



Industry Research and Development (Accelerate Adoption of Wood Processing Innovation Program) Instrument 2022

I, Murray Watt, as delegate of the Minister for Industry and Science, make the following instrument.

Dated 30 November 2022

Murray Watt
Murray Watt
Minister for Agriculture, Fisheries and Forestry

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1 Name

This instrument is the *Industry Research and Development (Accelerate Adoption of Wood Processing Innovation 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Note: This table relates only to the provisions of this instrument as originally made.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*.

commercial wood processing facility means a wood processing facility that:

- (a) is located in an Australian state or territory; and
- (b) is not a State Forestry wood processing facility or a Commonwealth wood processing facility;
- (c) is owned by an Australian entity.

Commonwealth wood processing facility means a wood processing facility that is owned or operated by the Commonwealth government, or by a statutory authority established under a law of the Commonwealth.

State Forestry wood processing facility means a wood processing facility that is owned or operated by a State or Territory government, or by a statutory authority established under a law of a State or Territory.

Kyoto Protocol means the Kyoto Protocol to the United Nations Framework Convention on Climate Change, done at Kyoto on 11 December 1997, as in force for Australia from time to time.

Note: The Protocol is in Australian Treaty Series 2008 No. 2 ([2008] ATS 2) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

Paris Agreement means the Paris Agreement, done at Paris on 12 December 2015, as in force for Australia from time to time.

Note: The Agreement is in Australian Treaty Series 2016 No. 24 ([2016] ATS 24) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

program: see subsection 5(1).

State Forestry wood processing facility means a wood processing facility that is owned or operated by a State or Territory government, or by a statutory authority established under a law of a State or Territory.

United Nations Framework Convention on Climate Change means the United Nations Framework Convention on Climate Change, done at New York on 9 May 1992, as in force for Australia from time to time.

Note: The Convention is in Australian Treaty Series 1994 No. 2 ([1994] ATS 2) and could in 2022 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

wood includes timber, pulp and wood fibre.

wood product means a product containing wood.

5 Prescribed program

- (1) For the purposes of subsection 33(1) of the Act, the Accelerate Adoption of Wood Processing Innovation Program (the ***program***) is prescribed.
- (2) The program provides funding to commercial wood processing facilities to enable innovation in wood processing, including developing new wood processing lines and improving wood processing capability and capacity.
- (3) The purpose of the program is to support commercial wood processing facilities to undertake one or more of the following in order to boost participation in the domestic and international timber market:
 - (a) develop new wood products;
 - (b) improve the capacity of the facility to make existing products;
 - (c) increase the utilisation of wood supply;
 - (d) improve the sustainability of wood processing by reducing carbon emissions.

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), as it relates to measures that would assist Australia to meet its obligations under one or more of the following:
 - (i) the Kyoto Protocol, particularly Article 10;
 - (ii) the Paris Agreement, particularly Article 4;
 - (iii) the United Nations Framework Convention on Climate Change, particularly Article 4;
- (d) the government of a Territory (within the meaning of section 122 of the Constitution).