



Industry Research and Development (Resources Sector Methane Abatement Technology Development Program) Instrument 2023

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

Dated: 22 June 2023

Madeleine King
Minister for Resources

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1 Name

This instrument is the *Industry Research and Development (Resources Sector Methane Abatement Technology Development Program) Instrument 2023*.

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Note: This table relates only to the provisions of this instrument as originally made.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

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 2023 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 2023 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

program: see subsection 5(1).

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 2023 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.edu.au>).

5 Prescribed program

- (1) For the purposes of subsection 33(1) of the Act, the Resources Sector Methane Abatement Technology Development Program (the ***program***) is prescribed.
- (2) The program provides funding for research and development into technologies that will:
 - (a) alone, or when used in combination with other technologies, abate methane emissions in the resources sector; or
 - (b) support other technologies that abate methane emissions in the resources sector.

6 Specified legislative power

For the purposes of subsection 33(3) of the Act, the power of the Parliament to make laws with respect to 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, is specified:

- (a) the Kyoto Protocol, particularly Article 10;
- (b) the Paris Agreement, particularly Article 4;
- (c) the United Nations Framework Convention on Climate Change, particularly Article 4.