



Industry Research and Development (Industry Growth Program) Instrument 2023

I, Ed Husic, Minister for Industry and Science, make the following instrument.

Dated 26 October 2023

Ed Husic
Minister for Industry and Science

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1 Name

This instrument is the *Industry Research and Development (Industry Growth 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Note: This table relates only to the provisions of this instrument as originally made.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*.

constitutional trade and commerce means trade or commerce:

- (a) between Australia and a place outside Australia; or
- (b) among the States; or
- (c) between a State and a Territory; or
- (d) between 2 Territories; or
- (e) within a Territory.

priority area of the Australian economy has the same meaning as in section 6 of the *National Reconstruction Fund Corporation Act 2023*.

program: see subsection 5(1).

5 Prescribed program

- (1) For the purposes of subsection 33(1) of the Act, the Industry Growth Program (the *program*) is prescribed.
- (2) The program provides funding for advisory services and financial assistance to small and medium enterprises, including new enterprises, to undertake the following:
 - (a) activities to commercialise novel products or services for use in constitutional trade and commerce;
 - (b) activities to improve the ability of the enterprise to undertake constitutional trade and commerce;
 - (c) activities to grow the business of the enterprise with the aim of undertaking constitutional trade and commerce in the future.
- (3) An activity described in paragraph 5(2)(a), (b) or (c) must be in a priority area of the Australian economy.

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) the government of a Territory (within the meaning of section 122 of the Constitution).