



Industry Research and Development (Australian Centre for Quantum Growth Program and Critical Technologies Challenge Program) Instrument 2023

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

Dated: 15 November 2023

Ed Husic
Minister for Industry and Science

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1 Name

This instrument is the *Industry Research and Development (Australian Centre for Quantum Growth Program and Critical Technologies Challenge 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Note: This table relates only to the provisions of this instrument as originally made.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*.

ACQG program: see subsection 5(1).

communications service means a service referred to in paragraph 51(v) of the Constitution.

constitutional trade or 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.

Convention on the Elimination of all forms of Discrimination Against Women means the Convention of that name done at New York on 18 December 1979, as in force for Australia from time to time.

Note: The Convention is in Australian Treaty Series 1983 No. 9 ([1983] ATS 9) and could in 2023 be viewed in the Australian Treaties Library on the AustLII website (<http://www.austlii.eud.au>).

CTC program: see subsection 5(1).

5 Prescribed programs

- (1) For the purposes of subsection 33(1) of the Act, the following programs are prescribed:
 - (a) the Australian Centre for Quantum Growth program (the ***ACQG program***);
 - (b) the Critical Technologies Challenge program (the ***CTC program***).
- (2) The CTC program provides funding for grants to undertake research and development into the use of either or both quantum technology and other advanced technologies to solve problems of national significance.
- (3) The ACQG program provides funding for a grant to operate the Australian Centre for Quantum Growth, which is to have the following objectives; and engage in activities consistent with those objectives:
 - (a) to contribute to the growth of the Australian quantum industry by fostering and encouraging constitutional trade or commerce in quantum technology;
 - (b) to facilitate, and improve coordination of, research and development in the field of quantum technology with a focus on industry-led solutions;
 - (c) to increase awareness of, and educate industry and other current or potential users about, the benefits of quantum technology and its applications;
 - (d) to promote the ethical and secure adoption and development of quantum technology by:
 - (i) addressing any potential risks posed by quantum technology to the security of communications services;
 - (ii) collecting and disseminating information about quantum technology;
 - (iii) promoting the development and adoption of consistent national ethical or security standards relating to quantum technology;
 - (iv) addressing any other ethical or security issues arising from quantum technology that are likely to have significant national or international implications;
 - (e) to collaborate and build relationships with international participants in the quantum industry;
 - (f) to facilitate the equal participation of women and First Nations Peoples in the quantum industry.

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:

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- (a) trade and commerce with other countries, and amongst the States (within the meaning of paragraph 51(i) of the Constitution);
 - (b) postal, telegraphic, telephonic and other like services (within the meaning of paragraph 51(v) of the Constitution);
 - (c) the people of any race for whom it is deemed necessary to make special laws (within the meaning of paragraph 51(xxvi) of the Constitution);
 - (d) external affairs (within the meaning of paragraph 51(xxix) of the Constitution), including as it relates to measures that would assist Australia to meet its obligation under Convention on the Elimination of all forms of Discrimination Against Women, particularly Articles 2, 3 and 11;
 - (e) enterprises and activities that are peculiarly adapted to the government of a nation and cannot otherwise be carried on for the benefit of the nation (see paragraph 51(xxxix) and section 61 of the Constitution);
 - (f) the government of a Territory (within the meaning of section 122 of the Constitution).