Australian Trade Commission Regulations


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Governor-General

By His Excellency's Command,

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Minister of State for Trade

Citation
1. These Regulations may be cited as the Australian Trade Commission Regulations.

Interpretation
2. In these Regulations, "the Act" means the Australian Trade Commission Act 1985.

Allowances—appointed member of the Board
3. For the purposes of sub-section 15 (2) of the Act, the following allowances are prescribed in relation to an appointed member who performs duties outside Australia, namely, the allowances that are payable in similar circumstances to the Secretary of a Department of the Australian Public Service.

Allowances—Managing Director, &c.
4. For the purposes of sub-section 54 (2) of the Act, the following allowances are prescribed, namely, the allowances payable to the Secretary of a Department of the Australian Public Service.
Maximum contingent liability—Division 2 of Part V of the Act

5. (1) For the purposes of paragraph 86 (1) (a) of the Act, the amount of $1,780,000,000 is prescribed.

(2) For the purposes of paragraph 86 (1) (a) of the Act—

(a) the contingent liability of the Commission under a contract of insurance or a contract of indemnity entered into, or a guarantee given, by the Commission under Division 2 of Part V of the Act, being a contract or guarantee (other than a contract or guarantee in relation to which paragraph (b) applies) entered into or given in accordance with an approval given by the Minister under sub-section 44 (3) of the Act or a direction given by the Minister under sub-section 44 (5) of the Act, shall not be taken into account; and

(b) the contingent liability of the Commission under a contract of insurance or a contract of indemnity entered into, or a guarantee given, by the Commission under Division 2 of Part V of the Act, being a contract or guarantee—

(i) entered into or given in accordance with an approval given by the Minister under sub-section 44 (3) of the Act or a direction given by the Minister under sub-section 44 (5) of the Act; and

(ii) in respect of which the Commission has, by notice in writing under sub-section 44 (8) of the Act, informed the Minister that the Commission will bear such a proportion of the liability of the Commission under the contract or guarantee as is specified in the notice,

shall be taken into account only to such extent as corresponds to the extent of the liability of the Commission under the contract or guarantee.

Maximum contingent liability—Division 3 of Part V of the Act

6. (1) For the purposes of paragraph 86 (1) (b) of the Act, the amount of $200,000,000 is prescribed.

(2) For the purposes of paragraph 86 (1) (b) of the Act—

(a) the contingent liability of the Commission under a contract of insurance entered into by the Commission under Division 3 of Part V of the Act, being a contract (other than a contract in relation to which paragraph (b) applies) entered into in accordance with an approval given by the Minister under sub-section 48 (3) of the Act or a direction given by the Minister under sub-section 48 (5) of the Act, shall not be taken into account; and

(b) the contingent liability of the Commission under a contract of insurance entered into by the Commission under Division 3 of Part V of the Act, being a contract—

(i) entered into in accordance with an approval given by the Minister under sub-section 48 (3) of the Act or a direction given by the Minister under sub-section 48 (5) of the Act; and
(ii) in respect of which the Commission has, by notice in writing under sub-section 48 (9) of the Act, informed the Minister that the Commission will bear such a proportion of the liability of the Commission under the contract as is specified in the notice,

shall be taken into account only to such extent as corresponds to the extent of the liability of the Commission under the contract.

Maximum amount of loans given by Commission

7. (1) For the purposes of sub-section 87 (1) of the Act, the amount of $1,000,000,000 is prescribed.

(2) For the purposes of sub-section 87 (1) of the Act—

(a) a loan (other than a loan in relation to which paragraph (b) applies) made by the Commission in accordance with an approval given by the Minister under sub-section 50 (3) of the Act or a direction given by the Minister under sub-section 50 (5) of the Act shall not be taken into account; and

(b) a loan made by the Commission in accordance with an approval given by the Minister under sub-section 50 (3) of the Act or a direction given by the Minister under sub-section 50 (5) of the Act, being a loan in respect of which the Commission has, by notice in writing under sub-section 50 (10) of the Act, informed the Minister that the Commission proposes to provide, from sources other than the Commonwealth, such proportion of the money to be lent as is specified in the notice, shall be taken into account only to the extent that the Commission has, in accordance with the notice, provided the money to be lent.

(3) In calculating, for the purposes of section 87 of the Act, the total amount of money lent by the Commission under Part V and not repaid or written off, the amount that is to be taken into account in respect of a loan denominated in a foreign currency made by the Commission under that Part is such amount as is the equivalent in Australian currency of that amount at the rate of exchange prevailing on the date on which the loan was made.

Prescribed amount for purposes of sub-section 88 (2) of the Act

8. For the purposes of sub-section 88 (2) of the Act, the prescribed amount is $250,000,000.

NOTE