Statutory Rules 1981 No. 1

Export Expansion Grants Regulations
(Amendment)

1. THE ADMINISTRATOR of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulation under the Export Expansion Grants Act 1978.


STANLEY BURBURY
Administrator

By His Excellency's Command,

Sg'd Ian Sinclair
(Ian Sinclair)
Minister of State for Communications
for and on behalf of
the Minister of State for Trade and Resources

The Export Expansion Grants Regulations are amended by adding at the end thereof the following regulation:

Adjustment of export earnings increment as a consequence of loss of export earnings

"7. (1) In this regulation, a reference to export earnings lost by a person is a reference to export earnings in relation to which the Board is satisfied on an application made in accordance with this regulation that that person, under the terms of a firm contract entered into before 23 May 1980, would have had in a grant year commencing on 1 July 1979 or 1980 but, as a consequence of the operation of regulation 6(b) of the Customs (Prohibited Exports) Regulations, did not have.

"(2) A person may make application to the Board in accordance with sub-regulation (3) for the purposes of sub-regulation (1).

"(3) An application under sub-regulation (2) shall set out all material by which the applicant seeks to prove the existence of the contract referred to in sub-regulation (1)."
“(4) For the purposes of sub-section 7(1) of the Act, the export earnings increments of persons in relation to a grant year commencing on 1 July 1979 or 1980 are to be calculated as if the export earnings of persons—

(a) where a person had export earnings in each of the 3 immediately preceding years—during those years;

(b) where a person had export earnings in only 2 of the 3 immediately preceding years—during those 2 years; or

(c) where a person had export earnings in only one of the 3 immediately preceding years—during that year,

had been lower, than they actually were by—

(d) an amount calculated in the manner specified in sub-regulation (5); or

(e) an amount that is 1 dollar less than those export earnings, whichever is the lesser.

“(5) For the purposes of sub-regulation (4), the amount by which the export earnings of a person are, under that sub-regulation, to be reduced is to be calculated by ascertaining the amount of export earnings lost by that person.”.