Export Market Development Grants
(Australian Net Benefit Requirements)
Amendment Determination 2010 (No. 1)¹

Export Market Development Grants Act 1997

I, ANTHONY BYRNE, Parliamentary Secretary for Trade, make this Determination under section 10 of the Export Market Development Grants Act 1997.

Dated 26 May 2010

ANTHONY BYRNE
Parliamentary Secretary for Trade

1 Name of Determination
This Determination is the Export Market Development Grants (Australian Net Benefit Requirements) Amendment Determination 2010 (No. 1).

2 Commencement
This Determination commences on the day after it is registered.

Schedule 1 Amendment

(section 3)

[1] Section 4

substitute

4 Australian net benefit requirements

For section 10 of the Act, the specified requirement is that the applicant must demonstrate, to the reasonable satisfaction of the CEO, that:

(a) a commercial return:

(i) was received in the grant year; or
(ii) is receivable in respect of the grant year; or
(iii) can reasonably be expected to be received in the foreseeable future;

by the applicant as a result of the activities to which the claimed expenses relate and that, having regard to the length of the periods over which those activities have been undertaken, and the amounts expended on them, that commercial return:

(iv) was or would be reasonably commensurate with the quantum of those expenses; and

(v) of sufficient magnitude as to warrant further expenditure of public moneys by way of a further grant; and

(b) the financial position of the applicant’s business, including its reasonable prospects of gaining access to adequate levels of finance, is such that the applicant has reasonable prospects in the foreseeable future of achieving sustainable international business success; and

(c) the applicant’s international business activities do now, or are reasonably likely in the foreseeable future to, generate economic benefits to Australia in 2 or more of the following areas:

(i) employment in Australia;
(ii) new capital investment in Australia;
(iii) introduction of new technologies into Australia;
(iv) new value-added operations in Australia;

being benefits that are reasonably commensurate with the sum of any eligible expenses previously claimed by the applicant and the amount of the eligible expenses being claimed by the applicant in the application.
Note