



A Ministerial Determination was registered on 20 December 2011 amending the Export Market Development Grants (Associate and Fit and Proper Person) Guidelines 2004, to be complied with by Austrade in determining whether a person is not a fit and proper person to receive a grant or whether the person has an associate who is not a fit and proper person to receive a grant.

Section 3.6 of the 2004 Guidelines previously stated that Austrade must have regard to any matter, not mentioned in section 3.2, 3.3, 3.4 or 3.5, that it considers relevant to the personal, commercial, financial or professional status or reputation of the person or associate.

The Guidelines were amended by adding the word 'character' after the word 'professional'.

This amendment was made to clarify the position with respect to how matters not in the public domain could be considered for 'not fit and proper person' purposes.

This amendment is relevant where Austrade has evidence of false or misleading information, or statements by an applicant or by its associate in the course of the application for a grant, (including in some circumstances admissions of this conduct by the applicant and or its associate).

The amended instrument enables Austrade to take account of material that is relevant to determining the professional character of the applicant or its associate, in addition to their status or reputation, for the purposes of making determinations under section 87AA of the EMDG Act.

Michael Vickers
National Manager, Policy & Scheme Development
EMDG