Special Research Initiative in Synchrotron Science - Funding Rules for funding commencing in 2012

Australian Research Council Act 2001

I, CHRIS EVANS, Minister for Tertiary Education, Skills, Science and Research, having satisfied myself of the matters set out in section 59 of the Australian Research Council Act 2001, approve these Funding Rules under section 60 of that Act.

Dated 2012

Chris Evans
Minister for Tertiary Education, Skills, Science and Research
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Key Dates

| Closing time for submission of Proposals | 5.00 pm (AEST) Friday, 18 May 2012 |
| Deadline for Request not to Assess       | 5.00 pm (AEST) Friday, 18 May 2012 |

Contacts

Researchers should direct requests for information to the Research Office within their organisation.

ARC Contacts:

By mail to:  
Special Research Initiatives Coordinator  
Australian Research Council  
GPO Box 2702  
CANBERRA ACT 2601

Or by courier to:  
Special Research Initiatives Coordinator  
Australian Research Council  
Level 2, 11 Lancaster Place, Majura Park  
CANBERRA ACT 2609

Email:  sri@arc.gov.au  
Phone:  02 6287 6600  
Fax:  02 6287 6638  
ARC website:  www.arc.gov.au

Appeals must be addressed and sent:

by mail to:  
The Appeals Officer  
Australian Research Council  
GPO Box 2702  
CANBERRA ACT 2601

or by courier to:  
The Appeals Officer  
Australian Research Council  
Level 2, 11 Lancaster Place, Majura Park  
CANBERRA ACT 2609

Or by email to:  
appeals@arc.gov.au

RMS Helpdesk:
Email:  rms@arc.gov.au  
Phone:  02 6287 6789
1. **Name of Funding Rules**

These Funding Rules are the Australian Research Council *Special Research Initiative in Synchrotron Science* Funding Rules for funding commencing in 2012.

2. **Commencement**

These Funding Rules shall take effect upon registration on the Federal Register of Legislative Instruments.

3. **Definitions**

In these Funding Rules, unless the contrary intention appears:

- **Administering Organisation** means an Eligible Organisation which submits a Proposal for funding under the Program and which will be responsible for the administration of the funding if the proposed Program is approved for funding.
- **ARC** means the Australian Research Council, as established under the ARC Act.
- **ARC Act** means the *Australian Research Council Act 2001*.
- **Cash Contribution** means the cash funding from an organisation which is transferred to and managed by the Administering Organisation for the Program.
- **Chief Investigator (CI)** means a researcher who satisfies the eligibility criteria for a Chief Investigator under these Funding Rules.
- **Chief Operations Officer** means the person nominated on the Proposal who is responsible for the day to day activities and operations of the Program.
- **Commonwealth** means the Commonwealth of Australia.
- **Conflict of Interest** means any conflict of interest, any risk of a conflict of interest and any apparent conflict of interest arising through a party engaging in any activity, participating in any association, holding any membership or obtaining any interest that is likely to conflict with or restrict that party participating in the Program.
- **Eligible Organisation** means an organisation listed at Appendix A.
- **Funding Agreement** means the agreement entered into by the ARC and an Administering Organisation when a Proposal from that organisation is approved for funding.
- **GST** has the meaning as given in section 195-1 of the *A New Tax System (Goods and Services Tax) Act 1999*.
- **Infrastructure** means assets, facilities and services which directly support research across the innovation system and which maintain the capacity of researchers to undertake excellent research and deliver innovation outcomes.
- **In-kind Contributions** means a contribution of goods, services, materials or time to the Program from an individual, business or organisation. These are calculated based on the current market rates/valuations/rentals/charges (that is in the financial year of the date of the Proposal’s submission) of the costs of labour,
work spaces, equipment and databases. The calculations covering time and costs should be documented by the Administering Organisation in the Proposal. The ARC may require these calculations to be audited from time-to-time.

**Minister** means the Minister responsible for the administration of the ARC Act, or the Minister’s delegate.

**NCGP** means the *National Competitive Grants Program*.

**NHMRC** means the *National Health and Medical Research Council*

**Other Eligible Organisation** means an Eligible Organisation listed on the Proposal which is not the Administering Organisation.

**Partner Investigator (PI)** means a researcher who satisfies the eligibility criteria for a Partner Investigator under these Funding Rules.

**Partner Organisation** means a national or international organisation, other than an Eligible Organisation, which is to be a cash or in-kind contributor to the Program and satisfies the eligibility requirements for a Partner Organisation.

**Program** means a Proposal approved by the Minister to receive funding from the ARC in accordance with these Funding Rules.

**Program Director** means the first-named CI on a Proposal.

**Program Manager** means the person nominated on the Proposal who is responsible for oversight of the administration of the Program.

**Proposal** means a request to the ARC for the provision of funding which is submitted in accordance with these Funding Rules.

**Research Office** means a business unit within an Eligible Organisation that is responsible for administrative contact with the ARC regarding Proposals and any subsequent Program.

**RMS** means the ARC’s online Research Management System.

**Selection Advisory Committee** means a group of experts appointed by the ARC who will review and evaluate each Proposal and provide a recommendation for funding to the ARC.

**Special Condition** means a special condition specified in a Funding Agreement which governs the use of the funding provided by the ARC.

**Specified Personnel** means those persons named on a Proposal, and may include the Program Director, Chief Operations Officer or Program Manager, Chief Investigators and Partner Investigators.

4. **Introduction**

4.1 **Overview**

4.1.1 These Funding Rules are current as at April 2012 and have been prepared in accordance with the requirements of the ARC Act in force then.

4.1.2 *Special Research Initiatives* are established to address specific research priorities and/or to build capacity in strategically important areas.
4.1.3 The Special Research Initiative in Synchrotron Science will provide funding to an Eligible Organisation to coordinate, manage and fund researcher access to the Australian Synchrotron facilities.

4.1.4 For the purposes of these Funding Rules, research is defined as the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative.

This definition of research is consistent with a broad notion of research and experimental development (R&D) as comprising ‘creative work undertaken on a systematic basis in order to increase the stock of knowledge, including knowledge of man [human-kind], culture and society, and the use of this stock of knowledge to devise new applications’.

4.2 Program of Synchrotron Science

4.2.1 The Program will be a large-scale cooperative initiative between higher education organisations. The Program will be led by experienced researchers and support staff, who will manage a program of access for researchers to the Australian Synchrotron.

4.2.2 The objectives of the Special Research Initiative in Synchrotron Science are to:
   a. deliver a national Program of competitive funding to enable researcher access to the Australian Synchrotron (including health and medical research);
   b. support excellent basic and applied research by individuals and teams; and
   c. enhance international collaboration in synchrotron science.

4.3 Selection Criteria

All Proposals that meet the eligibility criteria will be assessed and merit ranked using the following selection criteria:

a. Program (20 %)
   i. the method and approach proposed addresses the objectives of the SRI in Synchrotron Science; and
   ii. the Program provides for enhancement and support for areas of existing and/or emerging research strength.

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b. **Governance and Management** *(40 %)*

i. the Administering Organisation and the Program Leader has the capacity and experience to oversee:

   a) effective management of a national access program, including proven capability to manage the allocation of resources and compliance with reporting requirements; and
   
   b) manage a merit-based competitive peer-reviewed selection process, for access to the Australian Synchrotron.


c. **Nature of the alliance and organisational commitment** *(20 %)*

i. relevance of the research to the strategic priorities of the organisations; and

ii. evidence that each of the organisations is genuinely committed to, and prepared to collaborate in the Program.


d. **Research Team** *(20 %)*

i. the capacity of the Program Director and the Chief Investigators to provide scientific leadership of synchrotron science;

ii. an appropriate representation of research disciplines within the team;

iii. evidence of strong research performance of the team; and

iv. evidence for postdoctoral supervision and mentoring and support of early-career researchers.

5. **Funding**

5.1 **Level and Period of Funding**

5.1.1 All amounts referred to in these Funding Rules are to be read as exclusive of GST (if any), unless expressly stated otherwise.

5.1.2 Total funds of up to $30 million may be awarded over four years (which includes $5 million from NHMRC), subject to Parliamentary appropriations.

5.1.3 Funding for a Program may only be carried forward for a maximum of two years from the date funding ends, except under exceptional circumstances and with the approval of the ARC.

5.1.4 Funding for the approved Program will commence with effect as at 29 June 2012, unless other arrangements are approved by the Minister. Any funding awarded will be subject to sufficient funds being available for the Program, the provisions of the ARC Act, and continued satisfactory progress of the Program.

5.1.5 The ARC reserves the right to recommend levels of funding for a Program at levels that may differ from those requested in the Proposal.
5.2 **Budget Items Supported**

5.2.1 Budget items that directly support Synchrotron access for Australian and international researchers may be funded, including:

a. the cost of researcher access to new and existing beamlines at the Australian Synchrotron;

b. the cost for Australian researchers to access overseas beamlines where the equivalent capability is not available at the Australian Synchrotron;

c. reasonable travel costs associated with the use of the Australian Synchrotron; and

d. reasonable travel costs for Australian researchers associated with the use of overseas synchrotrons.

5.2.2 Budget items essential to the operations of the Program may be included, including:

a. Personnel (salaries and on-costs) for the Program Director and a Chief Operations Officer or Program Manager. Salary support must be requested at an appropriate salary level, including 28 per cent on-costs, for the Administering Organisation.

5.2.3 All eligible direct costs must be justified in the Proposal to the satisfaction of the ARC.

5.3 **Budget Items Not Supported**

5.3.1 Budget items that will not be supported by Program funding include:

a. basic facilities that should normally be funded by an Administering Organisation;

b. capital works and general infrastructure, in whole or in part;

c. teaching and/or teaching relief;

d. fees for international students or the Higher Education Contribution Scheme (HECS) and Higher Education Loan Program (HELP) liabilities for students;

e. rental of accommodation;

f. salaries and/or on costs, in whole or in part, for CIs or PIs with the exception of the Program Director and Chief Operations Officer or Program Manager; and

g. salaries and/or on costs for members of advisory committees associated with the Program.

5.4 **Research/Activities Not Supported**

Except where such activities meet the definition of research at 4.1.4, activities which will not be supported by the Program, are:

a. public relations and marketing initiatives, including the production of materials for outreach programs and teaching materials; and

b. costs not directly related to research, for example, professional membership fees, fees for patent application and holding, insurance, and mobile phones (purchase or call charges).
6. **Organisational Types, Roles and Eligibility**

6.1 **Eligible Organisation Requirements**

6.1.1 Proposals for the *Special Research Initiative in Synchrotron Science* may be submitted only when invited by the ARC and must be at the specified dates. The ARC may invite Proposals from one or more Eligible Organisations.

6.1.2 A Proposal may be submitted only by an Eligible Organisation listed at Appendix A.

6.1.3 The Eligible Organisation which submits the Proposal will be the Administering Organisation. All other Eligible Organisations listed on the Proposal will be Other Eligible Organisations.

6.1.4 An Eligible Organisation must demonstrate a significant Cash Contribution having regard to the total cost of the Program and the anticipated usage of the facility by the Eligible Organisation.

6.1.5 To ensure a national approach, the Program must include at least five Other Eligible Organisations, based in at least three different states or territories, in addition to the Administering Organisation.

6.1.6 The Administering Organisation will be responsible for ensuring that researchers funded under the *Special Research Initiative in Synchrotron Science* Program meet all the conditions of these Funding Rules.

6.2 **Partner Organisations**

6.2.1 Organisations that are not Eligible Organisations but are listed on the Proposal will be Partner Organisations.

6.2.2 A Partner Organisation must demonstrate a significant Cash Contribution to the Program having regard to the total cost of the Program and the anticipated usage of the facility by the Partner Organisation.

6.2.3 A submitted Proposal must include a letter of support (of no more than two A4 pages) from each Partner Organisation on its letterhead signed by the Chief Executive Officer, or delegate, including a brief profile of the organisation and details of the Cash Contributions.

6.2.4 Each Partner Organisation must certify in the letter of support that the organisation understands that they will have to meet the requirements outlined in a standard Funding Agreement.

6.3 **Collaborative Arrangements**

6.3.1 A Proposal should include the details of the collaborative arrangements proposed, including how each Organisation is involved in the Program, how the Program fits into each Organisation’s overall strategic plan and how the Program is of value to each of the Organisations involved.
6.4 Contribution Requirements

6.4.1 Cash Contributions from Eligible Organisations and Partner Organisation(s), must be specific to the Program and must not be part of a broader contribution to an Administering Organisation.

6.4.2 The combined Cash Contributions (i.e., the total of the Cash Contributions of the Eligible and Partner Organisations) must be at least 50 per cent of the funding requested from the ARC.

6.4.3 The ARC reserves the right to determine the levels of Eligible Organisations and Partner Organisation contributions and may determine contributions to be at levels which may differ from those submitted in a Proposal.

7. Roles and Eligibility for Researchers

7.1 Researcher Roles and General Eligibility

7.1.1 The following roles must be nominated in a Proposal:

a. the first-named CI from the Administering Organisation will be the Program Director;

b. a Chief Operations Officer or Program Manager from the Administering Organisation;

c. at least one CI from each Other Eligible Organisation;

d. at least one CI from each discipline of research with a significant interest in the Australian Synchrotron; and

e. one PI from each Partner Organisation may also be nominated on a Proposal.

7.1.2 A researcher nominated as a Program Director, CI or a PI must take significant intellectual responsibility for the proposed Program, its conception, and any strategic decisions called for in its pursuit and the communication of results. The researcher must have the time and capacity to make a serious commitment to the Program and cannot assume the role of a supplier of resources for work that will largely be placed in the hands of others. The ARC reserves the right to determine whether a person has the requisite capacity to perform the role.

7.1.3 A researcher undertaking undergraduate or higher degree by research is not eligible to be a Program Director, CI or PI for the Synchrotron Program.

7.2 Eligibility Criteria for a Program Director

7.2.1 The Program Director will be responsible for implementing the strategies and managing the research Program and the coordination of merit-based access to the Synchrotron. The Program Director must also coordinate the administrative and reporting structures across Eligible and Partner Organisations.

7.2.2 The Program Director must be a full-time employee at the Administering Organisation as at the commencement date for funding of the Program, and for the full term of their participation in the Program.

7.2.3 The Program Director must reside predominantly in Australia for the life of the Program. The Program Director must seek approval from the Administering Organisation to undertake fieldwork, or study leave, directly related to the
Program. Such absences must not total more than 12 months of the Program funding period.

7.2.4 If a Proposal has been approved for funding and the Program Director is at any time during the Program no longer able to undertake this role, the Program may be continued under a replacement Program Director provided that:
   a. approval is obtained from the ARC for the change in Program Director; and
   b. a replacement Program Director meets the eligibility criteria for a Program Director and those for a CI at the time of their nomination and for the full term of their participation in the Program.

7.2.5 At the time of the submission of a Proposal, all obligations regarding previously funded projects involving the Program Director on the Proposal must have been fulfilled to the satisfaction of the ARC. Such obligations include the provision of satisfactory Progress and Final Reports.

7.3 Eligibility Criteria for Chief Investigators

7.3.1 A researcher nominated on a Proposal as a CI must be an employee for at least half-time (50 per cent of Full Time Equivalent) at one Eligible Organisation as at the commencement date for funding of the Program, and for the full term of their participation in the Program.

7.3.2 If a Proposal has been approved for funding and a CI is, at any time, no longer able to work as proposed on the Program, the Program may be continued provided that any replacement CI is approved by the ARC and meets the CI eligibility criteria.

7.4 Eligibility Criteria for Partner Investigators (PI)

7.4.1 A researcher nominated as a PI on a Proposal must not:
   a. meet the eligibility criteria for a CI; and/or
   b. be an employee of the Administering Organisation.

7.4.2 Notwithstanding 7.4.1.b a researcher who is an employee of an Eligible Organisation listed at Appendix A who does not reside predominantly in Australia may be a PI.

7.4.3 If a Proposal has been approved for funding and a PI is, at any time, no longer able to work as proposed on the Program, the Program may be continued provided that any replacement PI is approved by the ARC and meets the PI eligibility criteria.

8. Governance Structure and Arrangements

8.1.1 Administrative operations of the Program must be established within the academic, administrative and financial governance structures of the Administering Organisation.

8.1.2 The Program must implement appropriate governance structures to support strategic alliances and collaboration with researchers, contributors and stakeholders.

8.1.3 The Program must have an expert advisory committee to provide advice and strategic focus on the research program(s) and provide independent oversight of
the selection process for researcher access. The terms of reference must be approved by the ARC in consultation with the NHMRC.

8.1.4 Governance arrangements under section 8 must be finalised within three months of execution of the Funding Agreement.

9. Selection of researchers awarded access under the Special Research Initiative in Synchrotron Science

9.1.1 Once a successful Proposal for the Special Research Initiative in Synchrotron Science has been approved and announced, the successful Administering Organisation must undertake a process of competitive selection for the provision of access to the Australian Synchrotron. This must include a transparent system of allocation based on principles that include consideration of:

a. research quality;
b. appropriate levels of access by researchers from Eligible Organisations;
c. access by other NHMRC-funded and ARC-funded researchers;
d. reasonableness of the level of resources requested; and
e. development of collaborative international linkages, and where applicable international access arrangements.

9.1.2 Details of the selection process and outcomes must be made available on request to the ARC and the NHMRC for periodic audit purposes.

9.1.3 An open selection round must be initiated and advertised within six months of commencement of funding.

10. Number of Proposals and Cross-Scheme Eligibility

10.1 Number of Proposals and Cross-Scheme Eligibility

10.1.1 An Eligible Organisation may submit only one Proposal.

10.1.2 Applicants should note the eligibility criteria for access to other funding schemes, as expressed in the funding rules for those schemes. The ARC reserves the right to change these criteria in future funding rounds. Funding Rules for all ARC schemes are available on the ARC website at www.arc.gov.au.

10.2 Proposal Eligibility and Duplication

10.2.1 The ARC and NHMRC will not duplicate funding for research, including infrastructure, funded by the Commonwealth as at 29 June 2012.

10.2.2 The Proposal must list all current funding and requested funding for the nominated Program Director and the Chief Operating Officer or Program Manager under any ARC scheme or any other Commonwealth funding scheme.

10.2.3 The ARC will assess whether a Proposal meets the eligibility requirements in these Funding Rules and may recommend that a Proposal that does not meet the requirements be deemed ineligible.

10.2.4 A decision under clause 10.2.3 may be made by the ARC at any stage during assessment of the Proposal and may result in non-progression of the Proposal to the next level of assessment.
11. Submission of Proposals

11.1 Proposals

11.1.1 The Proposal must contain all the information necessary for its assessment without the need for further written or oral explanation, or reference to additional documentation, unless requested by the ARC.

11.1.2 All details in the Proposal must be current at the time of submission.

11.2 Submission of Proposals

11.2.1 Administering Organisations must submit Proposals through the RMS unless otherwise advised by the ARC.

11.2.2 All Proposals must meet the format and content requirements, including certification, as set out in the RMS form and the Instructions to Applicants.

11.3 Closing Time for Proposals

11.3.1 The online form must be completed within the RMS and submitted by 5.00pm (AEST) Friday, 18 May 2012.

11.3.2 Additions, deletions and modifications will not be accepted after submission, unless invited by the ARC.

11.4 Conflict of Interest

11.4.1 All parties involved in or associated with a Proposal must disclose at the date of submission any Conflict of Interest that exists or is likely to arise in relation to any aspect of the Proposal.

11.4.2 If a Conflict of Interest exists or arises, the Administering Organisation must have documented processes in place for managing the Conflict of Interest for the duration of the Program. Such processes must comply with the Australian Code for the Responsible Conduct of Research (2007) and any relevant successor document.

11.4.3 A researcher cannot participate as a CI or Program Director on a Proposal if they hold a position as a Director, Board member or has a financial interest (salary, contract or equity) in a proposed Partner Organisation for a Proposal.

12. Selection and Approval Process

12.1 Assessment and Selection Process

12.1.1 Assessment of Proposals is undertaken by the ARC, which has the right to make recommendations for funding to the Minister, based on any number of assessments or solely on the basis of its expertise.

12.1.2 All Proposals will be considered against eligibility criteria and compliance with the Funding Rules.

12.1.3 Proposals may be:

a. assigned to independent assessors, from a range of organisations, who will assess and report, which may include written comments, on the Proposal against the selection criteria; and
b. ranked relative to other Proposals and allocated a budget by an ARC Selection Advisory Committee (SAC), on the basis of the Proposal and any assessors’ reports.

12.1.4 The ARC has procedures in place for managing organisational and personal Conflicts of Interest for assessors, members of the SAC, members of other ARC committees and ARC staff.

12.2 Request Not to Assess

12.2.1 Administering Organisations may name any person or persons whom they do not wish to assess a Proposal on a Request not to Assess form. The notification must be sent to the email address advised under Contacts on page 4 of these Funding Rules and received by the ARC by the closing time for Proposals. The ARC will consider the justification put forward to exclude any person as an assessor, but may choose not to give effect to such a request.

12.3 Recommendations and Offer of Funding

12.3.1 In accordance with the ARC Act, the CEO will submit a funding recommendation to the Minister for consideration. The Minister will determine which Proposal will be approved and the amount and timing of funding to be paid to the Administering Organisation for the approved Proposal.

12.3.2 Under the ARC Act, the Minister must not approve for funding any Proposal that fails to meet the eligibility criteria set out in these Funding Rules.

12.3.3 The Administering Organisation whose Proposal is approved will be notified in a letter of offer that will indicate the funding being offered and will also be provided with a copy of a Funding Agreement for signing. Outcomes of the selection process will also be made available on the ARC website.

12.3.4 The Minister may vary the funding approval if the ARC recommends that the particular circumstances of the Program warrant variation. Any variation or change will accord with the Special Research Initiative in Synchrotron Science Funding Rules for funding commencing in 2012 and Funding Agreement.

13. Appeals Process

13.1.1 Applicants for funding under the schemes of the NCGP are able to submit an appeal against administrative process issues. The appeals process is designed to ensure that the applicant has been treated fairly and consistently in the context of the selection procedures.

13.1.2 Appeals will be considered only against administrative process issues and not against committee recommendations, assessor ratings and comments or the assessment outcome.

13.1.3 Appeals must be submitted by the Administering Organisation on the ARC Appeals Form, authorised by a Deputy Vice Chancellor (Research), Chief Executive Officer or equivalent. Appeals must be received within 28 days of the date of the notification to the Administering Organisation of the outcome of Proposals. The ARC will not accept appeals later than 5pm (AEST) of the date of submission of the appeal.
13.1.4 Appeals must be addressed and sent to the address advised under Contacts on page 4 of these Funding Rules. The ARC will accept both electronic and hard copy appeal submissions.

13.1.5 Applicants for funding may at any time seek to appeal ARC decisions using available external appeal options.

14. Reporting Requirements

14.1 Progress Reports

14.1.1 An annual Progress Report must be submitted in accordance with the instructions to be provided by the ARC each year.

14.1.2 If the ARC is not satisfied with the progress of the Program, further payment of funds will not be made until satisfactory progress has been made on the Program. If satisfactory progress is still not achieved within a reasonable period of time, the funding may be terminated and all outstanding monies will be recovered by the ARC.

14.1.3 When required, Progress Reports must be submitted in accordance with the ARC’s instructions by 31 March in the year following each full calendar year for which the funding was awarded or as otherwise determined by the ARC.

14.2 End of Year Reports

14.2.1 The Administering Organisation must submit an End of Year Report by 31 March in the year following each full calendar year for which the funding was awarded.

14.3 Final Report

14.3.1 A Final Report must be submitted for the Program within twelve months of the final payment or within twelve months of the final approved carryover of funds or as otherwise determined by the ARC.

14.3.2 The Final Report must include any publications from the Program and, as required, justify why they have not been deposited in appropriate repositories. The Final Report must outline how data arising from the Program have been made publicly accessible where appropriate.

14.3.3 If any reports are not submitted or are not satisfactory to the ARC this will be noted against future Proposals submitted by all participants.

14.3.4 The ARC may also seek additional information about subsequent publications after submission of the Final Report.

14.4 Audited Financial Statement

14.4.1 In accordance with section 58 of the ARC Act, the Administering Organisation must submit an Audited Financial Statement by 30 June for each year following each calendar year for which the funding was awarded.

14.4.2 In completing the Audited Financial Statement, the Administering Organisation must ensure that the amount shown in that statement as ‘approved carry forward funds’ is the same as the amount (if any) for which approval was given by the ARC to carry over in the End of Year Report.
15. Fundamental Principles of Conducting Research

15.1 Ethics and Research Practices

15.1.1 All Proposals and ARC-funded research projects and Programs must conform to the principles outlined in the following and their successor documents:

a. *Australian Code for the Responsible Conduct of Research* (2007);

b. as applicable, the *National Statement on Ethical Conduct in Human Research* (2007); and

c. as applicable, codes on animal research promulgated by the NHMRC.

15.1.2 If there is any conflict between a successor document and its predecessor, then the successor document prevails to the extent of any inconsistency.

15.2 Applicable Law

15.2.1 The ARC is required to comply with the requirements of the *Privacy Act 1988* and the *Freedom of Information Act 1982*.

15.3 Confidentiality

15.3.1 The ARC will treat information contained in a Proposal as confidential. However, the ARC may disclose information contained in a Proposal, or otherwise provided to the ARC, to the extent that the information is:

a. disclosed by the ARC to its advisers (including external assessors), officers, employees or other third parties in order to assess, evaluate or verify the accuracy or completeness of a Proposal;

b. disclosed to the ARC’s personnel to enable effective management or auditing of the *Special Research Initiatives* scheme or any Funding Agreement;

c. disclosed by the ARC to the Minister;

d. shared by the ARC within the ARC’s organisation, or with another Commonwealth Department or agency, where this serves the Commonwealth’s legitimate interests;

e. authorised or required by law to be disclosed;

f. disclosed in accordance with any other provision of these Funding Rules or the Funding Agreement; and/or

g. in the public domain.

15.3.2 Where information contained in a Proposal is made available to third parties for evaluation or assessment purposes the ARC will require the third parties to maintain the confidentiality of the material.

15.3.3 Notwithstanding the above, and in addition to the exemptions listed at clause 15.3.1, the ARC may publicise and report offers or awards of funding, including information about the proposed research; the name of the investigators nominated in funded Proposal and their organisations; the name of the Administering Organisation and any other parties involved in or associated with the Program; the title and summary descriptions of the Program and its intended outcomes (including the national/community benefits that are expected to arise from the research); and the level and nature of financial assistance from the

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ARC. Administering Organisations should ensure that information contained in the title and summaries of the proposed Program would not, if released, compromise their own requirements for confidentiality (such as future protection of intellectual property).

15.3.4 In making public information about a Proposal which has been approved for funding, the ARC may use a Program description, including title and summary, which may differ from that provided in the Proposal.

15.4 Intellectual Property

15.4.1 The ARC does not claim ownership of any intellectual property in a Proposal or in any research arising from an approved Proposal.

15.4.2 The Administering Organisation must adhere to an Intellectual Property policy, approved by the Administering Organisation’s governing body, which has as one of its aims the maximisation of benefits arising from research. Unless otherwise approved by the Commonwealth, the Administering Organisation’s Intellectual Property policy must comply with the National Principles of Intellectual Property Management for Publicly Funded Research as amended from time to time.

15.5 Incomplete or Misleading Information

15.5.1 It is a serious offence to provide false or misleading information to the Commonwealth.

15.5.2 If the ARC considers that a Proposal is incomplete, inaccurate or contains false or misleading information, the ARC may in its absolute discretion decide to recommend that the Proposal not be approved for funding.

15.5.3 Examples of misleading information and misconduct include:

a. providing fictitious research opportunity and performance evidence;

b. plagiarism;

c. making false claims in publications records (such as describing a paper as accepted for publication when it has only been submitted);

d. making false claims in relation to qualifications and/or appointments;

e. making false certifications in the Proposal certification; or

f. failing to disclose to the ARC the existence, and nature, of actual or potential Conflicts of Interest of any of the parties involved in the Proposal/Program (such as any affiliations or financial interest in any organisation that has a direct interest in the matter or outputs of the Program).
Appendix A  Eligible Organisations

The organisations listed below are eligible to apply for funding under these Funding Rules.

**New South Wales**
- Charles Sturt University
- Macquarie University
- Southern Cross University
- The University of New England
- The University of New South Wales
- The University of Newcastle
- The University of Sydney
- University of Technology, Sydney
- University of Western Sydney
- University of Wollongong

**Victoria**
- Australian Catholic University
- Deakin University
- La Trobe University
- MCD University of Divinity
- Monash University
- Royal Melbourne Institute of Technology (RMIT University)
- Swinburne University of Technology
- The University of Melbourne
- University of Ballarat
- Victoria University

**Queensland**
- Bond University
- Central Queensland University
- Griffith University
- James Cook University
- Queensland University of Technology
- The University of Queensland
- The University of the Sunshine Coast
- University of Southern Queensland

**Western Australia**
- Curtin University of Technology
- Edith Cowan University
- Murdoch University
- The University of Notre Dame Australia
- The University of Western Australia

**South Australia**
- Flinders University
- The University of Adelaide
- University of South Australia
Tasmania
   University of Tasmania

Northern Territory
   Charles Darwin University
   Batchelor Institute of Indigenous Tertiary Education

Australian Capital Territory
   The Australian National University
   University of Canberra
   Australian Institute of Aboriginal and Torres Strait Islander Studies
      (AIATSIS)