Discovery Indigenous Funding Rules for funding commencing in 2013

Australian Research Council Act 2001

I, KIM CARR, Minister for Innovation, Industry, 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 8 December 2011

Kim Carr
Minister for Innovation, Industry, Science and Research
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Eligible Organisations
Key Dates

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</tr>
</thead>
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<tr>
<td>Closing time for submission of Proposals</td>
<td>5.00 pm (AEST) Thursday 12 April 2012</td>
</tr>
<tr>
<td>Deadline for Request Not to Assess Forms</td>
<td>5.00 pm (AEDT) Thursday 29 March 2012</td>
</tr>
</tbody>
</table>

Contacts

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

ARC Contacts:
by mail to:          by courier to:
_Discovery Indigenous_ Coordinator  _Discovery Indigenous_ Coordinator
Australian Research Council  Australian Research Council
GPO Box 2702  Level 2, 11 Lancaster Place, Majura Park
CANBERRA ACT 2601  CANBERRA ACT 2609

Email:  ARC-DiscoveryIndigenous@arc.gov.au
Phone:  02 6287 6600
Fax:    02 6287 6638
Web:    www.arc.gov.au

Appeals must be addressed and sent:
by mail to:          by courier to:
The Appeals Officer  The Appeals Officer
Australian Research Council  Australian Research Council
GPO Box 2702  Level 2, 11 Lancaster Place, Majura Park
CANBERRA ACT 2601  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 Discovery Indigenous Funding Rules for funding commencing in 2013.

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:

Adjunct or Emeritus Appointment or equivalent means that an Eligible Organisation has a formal agreement with a researcher which establishes an ongoing association with the Eligible Organisation, of the nature of an Emeritus or honorary academic or visiting fellow. The ARC may seek documentary evidence of such an association if it is considered necessary.

Administering Organisation means an Eligible Organisation which submits a Proposal for funding under the Discovery Indigenous scheme and which will be responsible for the administration of the funding if the Project is approved for funding.

ARC means the Australian Research Council, as established under the ARC Act.


ARC Award means Discovery Outstanding Researcher Award, Discovery Indigenous Award or Discovery Early Career Researcher Award.

ARC College means a body of scholars appointed to assist the ARC to identify research excellence, moderate external assessments and recommend fundable proposals.

ARC Fellowship means a named Fellowship position within any ARC scheme where the salary is funded wholly or partly by the ARC.

ARC Research Centres Program encompasses any research centre wholly or partly funded by the ARC and includes Centres of Excellence, Special Research Centres and Co-funded Centres.

Australian Laureate Fellow means a researcher who receives funding under the ARC Australian Laureate Fellowships scheme.

Award of PhD Date means the date of conferral of a PhD, not the date of submission of the thesis, nor the date on which the thesis was accepted by the examination board.

Centre Personnel means any of the following personnel in the ARC Research Centres Program: Centre Director, Research Director, Chief Operations Officer, Chief Investigators or Specified Personnel.
Chief Investigator (CI) means a researcher who satisfies the eligibility criteria for a Chief Investigator under these Funding Rules.

Collaborating Organisation means an Eligible Organisation which is identified in the Proposal as a contributor to the Project but is not the Administering Organisation.

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 Project.

Discovery Indigenous Award (DIA) means an Award available in conjunction with Discovery Indigenous that funds a CI’s salary.

Eligible Organisation means an organisation listed in Appendix A.

Federation Fellow means a researcher who receives funding under the ARC Federation Fellowships scheme.

Funding Agreement means the agreement entered into by the ARC and an Administering Organisation when a Proposal from that organisation is approved for funding.

Future Fellow means a researcher who receives funding under the ARC Future Fellowships scheme.

GST has the meaning as given in section 195-1 of the A New Tax System (Goods and Services Tax) Act 1999.

Host Organisation means an organisation at which a Discovery Indigenous Award recipient may undertake her/his research.

Indigenous Australian means an Australian of Australian Aboriginal or Torres Strait Islander descent who identifies as an Australian Aboriginal or Torres Strait Islander and is accepted as an Australian Aboriginal or Torres Strait Islander in the community in which he/she lives or has lived.

Medical and Dental Research means research and/or training which is primarily and substantially aimed at understanding or treating a human disease or human health condition.

Minister means the Minister from time to time responsible for the administration of the ARC Act, or the Minister’s delegate.

NCGP means the National Competitive Grants Program.

Other Organisation means an organisation which is identified in the Proposal as a contributor to the Project but is not an Eligible Organisation.
Project means a project approved by the Minister to receive funding from the ARC in accordance with the ARC Act and these Funding Rules.

Project Leader means the first named CI on a Proposal.

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

Research Environment means the laboratory, department, school, centre or institute within the Administering Organisation where the majority of the research will be undertaken and within the Host Organisation (if it is proposed that a DIA candidate spend a period at a Host Organisation).

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

RMS means the ARC’s online Research Management System.

4. Introduction

4.1 Overview

4.1.1 These Funding Rules are current as at December 2011 and have been prepared in accordance with the requirements of the ARC Act in force then.

4.1.2 The Discovery Indigenous scheme provides funding to Eligible Organisations to support research programs led by an Indigenous Australian researcher and build research capacity of higher degree research and early career researchers.

4.1.3 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 (innovative) applications’1.

4.2 Discovery Indigenous

The objectives of the Discovery Indigenous scheme are to:

a. develop the research expertise of Indigenous Australian researchers;
b. support fundamental research and research training by Indigenous Australian researchers as individuals and as teams;
c. support and retain established Indigenous Australian researchers in Australian higher education institutions; and
d. expand Australia’s knowledge base and research capability.

4.3 Selection Criteria

4.3.1 Proposals will be assessed and ranked using the following selection criteria:

---

a. Project Quality and Innovation 40%
   - Does the research address a significant problem?
   - Is the conceptual/theoretical framework innovative and original?
   - Will the aims, concepts, methods and results advance knowledge?

b. Investigator(s) 35%
   - Research opportunity and performance evidence (ROPE);
   - Capacity to undertake the proposed research;

c. Research Environment 15%
   - Is there an existing or developing, supportive and high quality Research Environment for the proposed Project?
   - Are the necessary facilities to complete the proposed Project available?
   - Are there adequate strategies to encourage dissemination, commercialisation, if appropriate, and promotion of research outcomes?
   - Are there strategies for enabling collaboration with Aboriginal and Torres Strait Islander communities where appropriate?

d. Feasibility and Benefit 10%
   - Are the design of the project and the expertise of the participants sufficient to ensure the project can be completed within the proposed budget and timeframe?
   - Will the completed project produce innovative economic, environmental, social and/or cultural benefit to the Australian and international community?

4.4 Organisational Statement in respect to the Research Environment

The Administering Organisation must provide a statement in relation to the Research Environment, approved by the Deputy Vice Chancellor (Research), Chief Executive Officer or equivalent, within the Proposal outlining the:

a. extent to which the proposed Project aligns with the existing and/or emerging research strengths of the Administering Organisation;

b. arrangements under which the proposed Project and investigators will be supported in a collaborative Research Environment; and

c. opportunities for the investigators to demonstrate the level of independence required to be competitive for research and, research and teaching pathways at the Administering Organisation during and after the Project.

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 The minimum level of funding provided for a Project by the ARC under the Discovery Indigenous scheme is $30,000 per year and the maximum is up to $300,000 per year.

Discovery Indigenous Funding Rules for funding commencing in 2013
5.1.3 A Project must be applied for and awarded funding for three consecutive years.

5.1.4 Funding for an approved Project will commence effective 1 January 2013, unless other arrangements are approved by the Minister.

5.2 Budget Items Supported

5.2.1 Budget items which directly support the research Project may be funded, including:

a. access to national and international research and infrastructure facilities, including specialist archives, collections and databases;

b. access to workshop services linked to and justified explicitly against the Project (for example, machine tools and qualified technicians);

c. equipment;

d. maintenance;

e. personnel: for example, research associates and assistants, technicians and laboratory attendants. Salary support must be requested at an appropriate salary level for the Administering Organisation, including 28 per cent on costs;

f. PhD stipends, at a minimum of $23,728 (2012$) per annum for up to two Indigenous Australian students, enrolled at the Administering Organisation or a Collaborating Organisation, per Proposal;

g. specialised computer equipment and software essential to the proposed Project;

h. stipends to support Indigenous Australian students (for example Honours or Masters by Research) subject to the policies of the Administering Organisation;

i. teaching relief may be requested on a Project up to $40,000 (2012$) per year. Teaching relief may be requested for DIA candidates, but will not be awarded to a DIA recipient; and

j. travel costs essential to the Project including, including economy domestic and/or international travel not exceeding $50,000 over the life of the Project. Funding is permitted only for travel costs for CIs, DIAs and research support personnel.

5.2.2 Publication and dissemination of Project outputs and outreach activity costs may be supported up to two (2) per cent of total ARC funding awarded to the Project. Publication and dissemination costs do not need to be separately itemised in the Proposal’s budget. The ARC strongly encourages publication in publicly accessible outlets and the depositing of data and any publications arising from a Project in an appropriate subject and/or institutional repository.

5.3 Budget Items Not Supported

5.3.1 Budget items which will not be supported by ARC funding are:

a. capital works and general infrastructure costs;

b. bench fees or similar laboratory access fees levied by the institution;

c. costs not directly related to research, for example, professional membership fees, fees for patent application and holding, visas, costs of dependants,
insurance, patent fees (application or holding), and mobile phones (purchase or call charges);

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

e. relocation costs; and

f. salaries and/or on-costs, in whole or in part, for CIs, excluding Discovery Indigenous Award recipients.

5.3.2 The following basic facilities must be provided and funded by the Administering Organisation:

a. access to a basic library collection;

b. access to film or music editing facilities;

c. accommodation (for example laboratory and office, suitably equipped and furnished);

d. bench fees;

e. provision of basic computing facilities such as desktop and portable computer devices, printers, word processing and other standard software;

f. standard reference materials or funds for abstracting services; and

g. use of photocopiers, telephones, mail, fax, email and internet services.

5.4 Research / Activities Not Supported

5.4.1 Except where such activities meet the definition of research at 4.1.3, the Discovery Indigenous scheme does not support production of:

a. descriptive data compilations, catalogues or bibliographies;

b. teaching materials; or

c. compilation of data, computer programs, research aids and tools.

5.4.2 Discovery Indigenous does not support Medical and Dental Research, defined as research and/or training primarily and substantially aimed at understanding or treating a human disease or health condition. This includes but is not limited to Projects which involve any of the following:

a. late pre-clinical or early human trials of a human therapeutic agent, material or diagnostic test or device; or other interventional research involving humans;

b. using material collected from human subjects for the primary purpose of studying the underlying causes, prevalence, epidemiology or mode of inheritance of a human disease or human condition; or

c. using established animal models or established cell lines for the purpose of studying the underlying causes, prevalence, epidemiology or mode of inheritance of a human disease or human health condition.

6. Organisational Types, Roles and Eligibility

6.1 Eligible Organisations

6.1.1 A Proposal may only be submitted by an Eligible Organisation listed at Appendix A.
6.1.2 The Eligible Organisation which submits the Proposal will be the Administering Organisation and must be a contributor to the Project. An Eligible Organisation listed on the Proposal as a contributor to the Project will be a Collaborating Organisation.

6.1.3 An organisation which is not an Eligible Organisation but which is listed on the Proposal as a contributor to the Project will be an Other Organisation.

6.2 Host Organisations

6.2.1 A Proposal may identify no more than two Australian or international Host Organisations, where a DIA candidate may, subject to the approval of the Administering Organisation, undertake research for twelve months in total, over the life of the Project.

6.2.2 The Proposal must describe:

a. the extent of the collaboration between the DIA candidate and the Host Organisation(s); and

b. how the Host Organisation(s) will provide a suitable Research Environment for the DIA candidate.

7. Roles and Eligibility for Researchers

7.1 Researcher Roles and General Eligibility

7.1.1 The only role that may be undertaken by a researcher is a Chief Investigator.

7.1.2 A Proposal must nominate at least one CI; the first named CI must be an Indigenous Australian researcher and will be the Project Leader.

7.1.3 At least one CI, who does not have to be an Indigenous Australian researcher, must have been awarded a PhD as at 1 March 2013.

7.1.4 At the time of the submission of a Proposal, all obligations regarding previously funded ARC projects involving the nominated CIs must have been fulfilled to the satisfaction of the ARC. Such obligations include the provision of satisfactory Final Reports.

7.2 Eligibility Criteria for a Chief Investigator

7.2.1 A researcher nominated on a Proposal as a CI must meet at least one of the following criteria as at 1 January 2013, and for the full term of her/his participation in the Project:

a. be an employee for at least half-time (50 per cent of Full Time Equivalent) at one Eligible Organisation; or

b. be a holder of an Emeritus, Adjunct or equivalent appointment at an Eligible Organisation listed in Appendix A and not have a substantive paid position at another organisation that:

   i. is outside the higher education sector, and

   ii. engages in research funded predominantly from state/territory or Commonwealth Government funding sources; or

   c. be a Federation Fellow; or

   d. be an Australian Laureate Fellow.
7.2.2 A CI must take significant intellectual responsibility for the conduct of the Project and for any strategic decisions called for in its pursuit and the communication of results. A CI must have the capacity to make a serious commitment to carrying out the Project and cannot assume the role of a supplier of resources for work that will largely be placed in the hands of others.

7.2.3 A CI must legally reside predominantly in Australia for the life of the Project.

7.2.4 A CI may seek approval from the Administering Organisation to undertake fieldwork, or study leave, directly related to the Project not exceeding eighteen months over the life of the Project.

7.2.5 A researcher who satisfies section 7.2.1, 7.2.2 and 7.2.3 is eligible to be a CI if:

a. he/she does not hold a PhD and is not undertaking a higher degree by research; or

b. he/she is undertaking a higher degree by research, but he/she will not be eligible if undertaking undergraduate studies or a postgraduate degree which involves only or largely coursework.

7.2.6 If a Proposal has been approved for funding and a CI is, at any time, no longer able to work as proposed on the Project, the Project may be continued provided that the Project still includes at least one CI who was named on the Proposal and any replacement CI is approved by the ARC and meets the CI eligibility criteria.

7.2.7 If a sole CI Proposal has been approved for funding and that CI is, at any time, unable to work as proposed on the Project, the Project must be terminated.

8. Discovery Indigenous Award

8.1 Eligibility Criteria for a Discovery Indigenous Award (DIA)

8.1.1 A DIA candidate must:

a. be an Indigenous Australian researcher, and

b. satisfy the eligibility criteria for a CI.

8.1.2 A CI cannot apply for DIA funding only.

8.1.3 A CI can only request one DIA under the Discovery Indigenous scheme for funding commencing 2013.

8.1.4 A CI holding an ARC Fellowship or ARC Award may apply for a DIA in the final year of Fellowship or ARC Award funding, but cannot hold an ARC Fellowship or an ARC Award and a DIA concurrently. A Fellowship or ARC Award is considered to be funded for the years set out in the Funding Agreement.

8.1.5 A DIA must hold an appointment at the Administering Organisation for the duration of the Award.

8.2 Level and Period of Funding for a Discovery Indigenous Award (DIA)

8.2.1 DIA funding may be requested at one of five salary levels (2012$), which is either equivalent to or higher than the salary level of the CI as at the closing date for submission.

<table>
<thead>
<tr>
<th>Discovery Indigenous Award Funding</th>
<th>Total (salary including 28% on-costs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DIA</td>
<td>$85,000</td>
</tr>
<tr>
<td>Level 1 (1.0 FTE)</td>
<td>DIA</td>
</tr>
<tr>
<td>------------------</td>
<td>-----</td>
</tr>
<tr>
<td>Level 2 (1.0 FTE)</td>
<td>DIA</td>
</tr>
<tr>
<td>Level 3 (1.0 FTE)</td>
<td>DIA</td>
</tr>
<tr>
<td>Level 4 (1.0 FTE)</td>
<td>DIA</td>
</tr>
</tbody>
</table>

8.2.2 A DIA can only be awarded for the same duration as the *Discovery Indigenous* Project.

8.2.3 A CI who has been awarded a DIA cannot commence another ARC Fellowship or ARC Award until the entire DIA component has been expended.

8.2.4 Notwithstanding 8.2.3, DIA funding may be used for other purposes to support the Project in exceptional or changed personal circumstances with the approval of the ARC without extension to the life of the Project.

8.2.5 The Administering Organisation must ensure a CI awarded a DIA has access to periods of up to 14 weeks paid maternity leave during the course of the Project. The ARC will provide up to 14 weeks additional funding for this purpose. The Administering Organisation must seek ARC approval for any extension to the duration of the Project exceeding the 14 weeks paid maternity leave.

9. **Number of Proposals, Funded Projects and Cross-Scheme Eligibility**

9.1 **Number of Proposals and Funded Projects**

9.1.1 A CI receiving funding under the *Discovery Projects*, *Discovery Indigenous Researchers Development* or *Discovery Indigenous* schemes, or Centre Personnel receiving funding under the ARC Research Centres Program may only be funded concurrently for a maximum of **two Projects** under these Schemes and Program combined. If both Projects are funded under the *Discovery Indigenous* scheme only one can be as sole CI.

9.1.2 A Fellow receiving funding under the *Future Fellowships* or *Australian Laureate Fellowships* schemes may only be funded concurrently for a maximum of **two Projects** under the following Schemes and Program combined: *Discovery Projects*, *Discovery Indigenous Researchers Development*, *Discovery Indigenous* or Centre Personnel receiving funding under the ARC Research Centres Program.

9.1.3 A **DIA** recipient may only be funded concurrently for **one additional Project** under the following Schemes and Program combined: *Discovery Projects*, *Discovery Indigenous Researchers Development*, *Discovery Indigenous* or Centre Personnel receiving funding under the ARC Research Centres Program.

9.1.4 Researchers will not be permitted to relinquish a CI, Fellow, Award or Centre Personnel role or existing ARC grants held on 1 January 2012, to circumvent the limits in 9.1.1, 9.1.2, and 9.1.3.

9.1.5 A researcher cannot be involved in more than the maximum number of Projects (including Awards and Fellowships) permitted in 2013. This number is calculated at the closing time of submission of Proposals by totalling the
number of Projects receiving funding in 2013 and the number of Proposals submitted for funding commencing in 2013. A Project is considered to be funded for the years set out in the Funding Agreement.

9.1.6 An ARC Fellow or Award recipient cannot concurrently hold more than one ARC Fellowship or Award. An ARC Fellow or Award recipient may only apply for another ARC Fellowship or Award in the final year of that Fellowship or Award. Some schemes have restrictions on the number of times applications that can be submitted.

9.1.7 An applicant for a *Discovery Indigenous Researcher Award* for funding commencing in 2013 cannot apply for another ARC Award or Fellowship commencing in 2013.

9.1.8 An ARC Fellow or Award recipient cannot concurrently hold a Fellowship from another Commonwealth funding agency. Commencement of ARC Fellowships and Awards cannot be deferred to allow the completion of another Commonwealth funded fellowship. The ARC will not accept applications for Fellowships or Awards where the candidate has applied, or intends to apply, for another Commonwealth-funded fellowship within the six months before or after the ARC closing date for proposals.

9.2 Duplication

9.2.1 A Proposal may be submitted only once in the same funding round to *Discovery Indigenous* regardless of any variation in the proposed research, the listed researchers and/or Administering Organisation.

9.2.2 The ARC will not duplicate funding for research, including infrastructure, funded as at 1 January 2013 by the Commonwealth.

9.2.3 A Proposal must list all current funding and requested funding, for each CI under any ARC scheme or any other Commonwealth funding scheme.

9.3 Proposal Eligibility

9.3.1 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.

9.3.2 A decision under subsection 9.3.1 may be made by the ARC at any stage during the assessment of a Proposal and may result in non-progression of the Proposal to the next level of assessment.

10. Submission of Proposals

10.1 Proposals

10.1.1 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.

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

10.2 Submission of Proposals in the RMS

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

10.2.2 All Proposals must meet the format and content requirements, including certification, as set out in the RMS form and the *Instructions to Applicants*.
10.3 Closing Time for Proposals

10.3.1 The online form completed within the RMS must be submitted by **5.00 pm (AEST) Thursday 12 April 2012**.

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

10.3.3 Proposals may be withdrawn up until **5.00 pm (AEST) Wednesday 8 August 2012**. To withdraw the Proposal, the Administering Organisation must notify the ARC in writing.

10.4 Certification in the RMS

10.4.1 The Administering Organisation must certify a Proposal online in the RMS. Research Offices should ensure that the Research Office delegate role is authorised in the RMS to certify and submit Proposals.

10.4.2 The ARC reserves the right at any point in the NCGP assessment process to seek evidence from the Administering Organisation to support the certification of Proposals.

10.5 Conflict of Interest

10.5.1 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.

10.5.2 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 Project. Such processes must comply with the NHMRC/ARC/UA *Australian Code for the Responsible Conduct of Research (2007)* and any relevant successor document.

11. Selection and Approval Process

11.1 Assessment and Selection Process

11.1.1 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. The ARC may recommend funding for a Project at a level which differs from that requested in the Proposal.

11.1.2 All Proposals will be considered against eligibility criteria and compliance with these Funding Rules.

11.1.3 All Proposals may be:

- a. assigned to independent assessors, from a range of organisations, who will assess and prepare a report, which may include written comments, on the Proposal against the selection criteria; and
- b. ranked and allocated a budget, relative to other Proposals, by the ARC College, on the basis of the Proposal, any assessors’ reports and any rejoinder.

11.1.4 Unsuccessful applicants may be provided with feedback on their Proposal, where available. The names of assessors will not be provided.
11.1.5 The ARC has procedures in place for managing organisational and personal Conflicts of Interest for assessors, members of ARC Committees and ARC staff.

11.2 Rejoinder
The Administering Organisation may be given the opportunity for a rejoinder to Assessors’ written comments, and to provide any additional information requested by the ARC. Names of assessors will not be provided.

11.3 Request Not to Assess
Administering Organisations may name any person or persons whom they do not wish to assess a Proposal on a ‘Request not to Assess’ form available from the ARC webpage. The notification must be sent to the email address advised under Contacts at the beginning of these Funding Rules and received by the ARC by the closing time for Proposals, 5:00 pm (AEDT) Thursday 29 March 2012. 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.

11.4 Recommendations and Offer of Funding
11.4.1 In accordance with the ARC Act, the CEO will submit funding recommendations to the Minister for consideration. The Minister will determine which Proposals will be approved and the amount and timing of funding to be paid to Administering Organisations for approved Proposals.

11.4.2 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.

11.4.3 Administering Organisations whose Proposals are 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.

11.4.4 The Minister may vary the funding approval if the ARC recommends that the particular circumstances of the Project warrant variation. Any variation or change will accord with the ARC Discovery Indigenous Funding Rules and Funding Agreement.

12. Appeals Process
12.1.1 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.

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

12.1.3 Appeals must be submitted by the Administering Organisation on the ARC Appeals Form (available from the ARC webpage), 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 (AEDT) of the due date for submission of the appeal specified in the ARC’s letter of notification.

12.1.4 Appeals must be addressed and sent to the address advised under ‘Contacts’ at the beginning of these Funding Rules. The ARC will accept both electronic and hard copy appeal submissions.
12.1.5 Applicants for funding may at any time seek to appeal ARC decisions using available external appeal options.

13. **Reporting Requirements**

13.1 **Progress Reports**

13.1.1 Years 1 and 2: Report by Exception. A report must only be submitted if significant issues are affecting the progress of the Project. The report must specify the actions being taken to address the issues.

13.1.2 When required, Progress Reports must be submitted by 31 March in the year following each full calendar year for which the funding was awarded as directed by the ARC.

13.2 **End of Year Reports**

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 in accordance with the instructions to be provided by the ARC each year.

13.3 **Final Report**

13.3.1 A Final Report must be submitted for the Project within twelve months of the final payment or within twelve months of the final approved carryover of Funds.

13.3.2 The Final Report must justify why any publications from a Project have not been deposited in appropriate repositories within 12 months of publication. The Final Report must outline how data arising from the Project has been made publicly accessible where appropriate.

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

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

13.4 **Audited Financial Statement**

13.4.1 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.

13.4.2 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.

14. **Fundamental Principles of Conducting Research**

14.1 **Ethics and Research Practices**

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

a. NHMRC/ARC/UA Australian Code for the Responsible Conduct of Research (2007);

b. as applicable, the NHMRC/ARC/AVCC National Statement on Ethical Conduct in Human Research (2007); and

c. as applicable, codes on animal research promulgated by the NHMRC.
14.1.2 If there is any conflict between a successor document and its predecessor, then the successor document prevails to the extent of any inconsistency.

14.2 **Applicable Law**

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

14.3 **Confidentiality**

14.3.1 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 ARC personnel to enable effective management or auditing of the *Discovery Indigenous* 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; or

g. in the public domain.

14.3.2 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.

14.3.3 Notwithstanding the above, and in addition to the exemptions listed at 14.3.1, the ARC may publicise and report offers or awards of funding, including information about the proposed research; the CIs and DIA recipients; the name of the Administering Organisation and any other parties involved in or associated with the Project; the title and summary descriptions of the Project and its intended outcomes (including the national/community benefits that are expected to arise from the research); and the level and nature of funding from the ARC. Administering Organisations should ensure that information contained in the title and summaries of the proposed Project would not, if released, compromise their own requirements for confidentiality (such as future protection of intellectual property).

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

14.4 **Intellectual Property**

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

14.4.2 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.

14.5 **Incomplete or Misleading Information**

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

14.5.2 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.

14.5.3 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 RMS 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/Project (such as any affiliations or financial interest in any organisation that has a direct interest in the matter or outputs of the project).
Appendix A

Eligible Organisations

The organisations listed below are eligible to apply for and receive 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
Deakin University
La Trobe University
Melbourne College 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
The Flinders University of South Australia
The University of Adelaide
University of South Australia

Tasmania
University of Tasmania

*Discovery Indigenous* Funding Rules for funding commencing in 2013
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)

Multi-State
  Australian Catholic University