



Linkage Infrastructure, Equipment and Facilities Funding Rules for funding commencing in 2011 Variation (No. 1)

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* (the Act), approve, in accordance with section 61 of the Act, variation of the ARC *Linkage Infrastructure, Equipment and Facilities* Funding Rules for funding commencing in 2011 in the manner set out in the attached Schedule.

Dated 19 July 2010

Kim Carr
Minister for Innovation, Industry, Science and Research

Schedule

The *Linkage Infrastructure, Equipment and Facilities Funding Rules* for funding commencing in 2011 are varied in the manner set out below:

1. Throughout entire document replace '12 May 2010' with '26 May 2010' (page 5 and subsections 11.5.1 and 12.1.4).

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Acronyms

The following acronyms are used in these ARC Funding Rules*.

AEST	Australian Eastern Standard Time
ARC	Australian Research Council
AVCC	Australian Vice-Chancellors' Committee
CI	Chief Investigator
GST	Goods and Services Tax
<i>LIEF</i>	<i>ARC Linkage Infrastructure, Equipment and Facilities</i>
NCGP	National Competitive Grants Program
NHMRC	National Health and Medical Research Council
PI	Partner Investigator
RMS	ARC Research Management System
UA	Universities Australia

* Italics signify ARC Grant Scheme

Key Dates

Closing time for Eligibility Exemption Requests	Not applicable for the <i>LIEF</i> scheme
Closing time for submission of Proposals	5.00 pm (AEST) Wednesday 26 May 2010
Deadline for letters requesting non-use of an assessor	5.00 pm (AEST) Wednesday 26 May 2010

Contacts

The ARC deals with thousands of Proposals each year. Researchers should, therefore, direct requests for information to the Research Office within their organisation.

Enquiries must be directed:

by mail to:

LIEF Coordinator
Australian Research Council
GPO Box 2702
CANBERRA ACT 2601

or by courier to:

LIEF Coordinator
Australian Research Council
1st Floor, 8 Brindabella Circuit
CANBERRA AIRPORT ACT 2609

Enquiries may also be made to:

Email: arc-lief@arc.gov.au
Phone: 02 6287 6600
Fax: 02 6287 6638
ARC website:

Enquiries concerning ARC online application system (RMS) User Ids:

Email rms@arc.gov.au
or
RMS Help Desk: 02 6287 6789
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
1st Floor, 8 Brindabella Circuit
CANBERRA AIRPORT ACT 2609

1. Name of Funding Rules

These Funding Rules are the Australian Research Council *Linkage Infrastructure, Equipment and Facilities (LIEF)* Funding Rules for funding commencing in 2011.

2. Commencement

The 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 *LIEF* and which will be responsible for the administration of the funding if the proposed Project is approved for funding.

Applicant means the Administering Organisation. Funding under *LIEF* is provided to Administering Organisations, not to individual researchers.

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

ARC Act means the *Australian Research Council Act 2001*.

ARC Fellow means the holder of an ARC Fellowship

ARC Fellowship means a position held by a researcher where the salary is funded wholly or partly by the ARC and where the researcher has been nominated in a Proposal to hold a Fellowship. An ARC Fellowship may be awarded at a number of levels and in various ARC schemes. ARC Fellowship includes Australian Postdoctoral Fellowship (APD), Australian Research Fellowship (ARF), Queen Elizabeth II Fellowship (QEII), Australian Professorial Fellowship (APF), Australian Postdoctoral Fellowship (Industry) (APDI), Linkage Industry Fellowship (LIF), ARC Centre Fellowship, ARC International Fellowship (ARCIF), Federation Fellowship, Future Fellowship, Australian Laureate Fellowship, Australian Research Fellowship - Indigenous (ARF-I), Indigenous Researcher Fellowship (IRF) and Super Science Fellowship.

Australian Laureate Fellow means a researcher whose salary is funded under the ARC *Australian Laureate Fellowships* scheme.

ARC website is www.arc.gov.au

Chief Investigator (CI) means a researcher who satisfies the eligibility criteria for a Chief Investigator.

Collaborating Organisation means any organisation which is identified in the Proposal as a contributor to the proposed Project. For the avoidance of doubt, the term Collaborating Organisation includes but is not limited to Partner Organisations.

Commonwealth means the Commonwealth of Australia.

Conflict of Interest means an actual or perceived conflict between a person's public duty and their private or personal interest.

Eligible Organisation means an organisation as specified in Section 7.1, which is eligible to apply for and receive funding under the *LIEF* Funding Rules.

Federation Fellow means a researcher whose salary is funded under the ARC *Federation Fellowship* scheme.

Full Time Equivalent means the period of service of a person employed on a full-time basis.

Funding Agreement means the agreement entered into between the ARC and the Administering Organisation if the Administering Organisation's Proposal is approved for funding. This Agreement sets out the terms and conditions under which the Commonwealth is to provide funding and under which the Administering Organisation is to be responsible for administration of the funding and the conduct of the Project.

Funding Rules means this document.

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

LIEF Coordinator means the occupant, from time to time, of the position of Scheme Coordinator *LIEF* in the ARC, or any other person to whom the administration of the ARC *LIEF* scheme may be allocated.

Medical and Dental Research means research and/or training which, in the opinion of the ARC, has a significant focus on clinical medical (including dental) outcomes as defined at the ARC website.

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

National Innovation Priority means an national innovation priority accessible via the ARC website.

National Research Priority means a national research priority accessible via the ARC website.

Partner Investigator (PI) means a researcher who satisfies the eligibility criteria for a Partner Investigator.

Partner Organisation means an organisation, other than an Eligible Organisation, which is to be a contributor to the Project if approved, and which meets the requirements specified in Sections 7.2, 7.3 and Appendix D.

Peak Body means an organisation which is recognised as effectively representing a significant grouping or section of the higher education community.

Project means a research program approved by the Minister for funding in accordance with the ARC Act.

Project Leader means the first-named researcher nominated on a Proposal who is a Chief Investigator and who will lead the proposed research program, if approved.

Proposal means a request to the ARC for the provision of financial assistance for a proposed research program which is submitted in accordance with Funding Rules approved by the Minister.

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

Single-Organisation Proposal means a Proposal in which only one Eligible Organisation is involved.

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

4. Introduction

4.1 Overview and NCGP objectives

- 4.1.1 This document sets out the Funding Rules for *LIEF*, a scheme funded under the ARC National Competitive Grants Program (NCGP), which comply with the requirements of the ARC Act.
- 4.1.2 All parties involved in Proposals should read and understand the Funding Rules and the ARC standard *LIEF* Funding Agreement which are available at the ARC website (www.arc.gov.au/ncgp/lief/lief_default.htm) before submitting a Proposal to the ARC. Applicants are responsible for ensuring that their Proposals are complete and accurate.
- 4.1.3 Funding under *LIEF* is provided to Administering Organisations, not to researchers. That is, the ARC will accept a Proposal only from an Eligible Organisation and not from any individual researcher or researchers.
- 4.1.4 These Funding Rules are current as at March 2010 and have been prepared in accordance with the requirements of the ARC Act in force then. These Funding Rules are subject to change at any time, for reasons including any subsequent amendment to, replacement or supplementation of the ARC Act.
- 4.1.5 The ARC is an Australian Government statutory authority established under the ARC Act. The primary functions of the ARC, as specified by the ARC Act, are to make recommendations regarding the funding of research programs, to administer funding to support research programs, and to provide policy advice related to research.
- 4.1.6 The ARC has established a range of competitive funding schemes for the support of research and research training under the framework of the NCGP. A list of current NCGP funding schemes is available at the ARC website (www.arc.gov.au/ncgp).
- 4.1.7 By the operation of a range of funding schemes under the NCGP, the ARC aims to:
- a. maintain and build on existing research and research training;
 - b. build the scale and focus of research and research training;
 - c. encourage cross-disciplinary approaches to research and research training;
 - d. facilitate collaborative approaches to research and research training; and
 - e. support research and research training of national benefit, including in the following National Research Priorities:
 - i. An Environmentally Sustainable Australia;
 - ii. Promoting and Maintaining Good Health;
 - iii. Frontier Technologies for Building and Transforming Australian Industries; and
 - iv. Safeguarding Australia.
 - f. support the development of the National Innovation System by promoting the National Innovation Priorities relevant for NCGP.

Descriptions of the National Innovation Priorities can be accessed via the ARC website at:

www.arc.gov.au/applicants/md_research.htm.

- 4.1.8 Descriptions of these National Research Priorities and their associated Priority Goals can be accessed via the ARC website at:
www.arc.gov.au/applicants/default.htm.

4.2 Linkage Infrastructure, Equipment and Facilities

- 4.2.1 *LIEF* provides funding to Eligible Organisations for research infrastructure, equipment and facilities that will be used to support high-quality research Projects.

- 4.2.2 The objectives of *LIEF* are to:

- a. encourage Eligible Organisations to develop collaborative arrangements in the higher education sector and with other organisations outside the sector in order to develop research infrastructure;
- b. support large-scale cooperative initiatives thereby allowing expensive infrastructure, equipment and facilities to be shared;
- c. enhance support for areas of research strength; and
- d. ensure that researchers in fields of recognised research potential have access to the support necessary to carry out high-quality research.

- 4.2.3 *LIEF* supports access to resources essential for mounting high-quality research Projects particularly those funded via Australian Government competitive schemes.

4.3 Selection criteria

All *LIEF* Proposals which meet the eligibility criteria will be assessed and merit ranked by using the following selection criteria, which are weighted for the purpose of selection as shown:

- a. Significance of research to be supported with the proposed infrastructure, equipment and facilities: (20%)
 - i. nature of the research, including aims and significance;
 - ii. relevance of the proposed infrastructure, equipment or facility to research and innovation needs; and
 - iii. enhancement of support for areas of existing or potential research strength.
- b. Need for excellent Australian researchers to access the proposed infrastructure, equipment and facilities: (30%)
 - i. availability of and access to similar infrastructure, equipment or facility at organisational, regional or national level;
 - ii. national benefit of the research infrastructure, equipment or facility to the research community; and
 - iii. value for money and budget justification, including where appropriate any cash and/or in-kind financial contributions to

be made from non-ARC sources, and the expected rate of use of the infrastructure, equipment and facilities.

- c. Strength and benefits of collaboration between Eligible Organisations and/or other organisations: (30%)
 - i. commitment of the Administering Organisation and Collaborating Organisations. The Proposal must provide clear justification for the extent of financial and other support of these organisations, and must be consistent with the organisations' research management plans;
 - ii. effectiveness of cooperative arrangements between both CIs and PIs and/or organisations, including access and resource sharing; and
 - iii. past collaborative performance and/or engagement.

(Note: If the Proposal is a Single-Organisation Proposal, justification must be provided why broader collaboration is not appropriate (see sub-section 7.1.2).
- d. Investigator(s): (20%)
 - i. for CIs and PIs who are to be significant and regular users of the proposed infrastructure, equipment and facilities, research opportunity and performance evidence, and
 - ii. for CIs who fulfil the criteria at 4.3.d.i above and who also are to manage the purchase, upgrading, construction, transportation, installation, access to and/or maintenance of the proposed infrastructure, equipment and facilities, a demonstrated record relative to opportunity in the activities described in this subsection 4.3.d.ii.

4.4 Conflict of Interest

- 4.4.1 All parties involved in or associated with Proposals and Projects are required to disclose to the ARC, and the other parties involved in the Proposal or Project (including all Collaborating Organisations), any Conflict of Interest which has the potential to influence, or appear to influence, the request for funding, or the research and activities, publications and media reports related to the Proposal or Project. Such conflicts must be disclosed to the ARC at the time of the submission of a Proposal, and in reporting on ARC-funded Projects, and notified to the other parties as soon as practicable after the Conflict of Interest is identified.
- 4.4.2 If, in the opinion of the ARC, any party involved in or associated with a Proposal has failed to disclose any such Conflict of Interest, the ARC may in its absolute discretion to recommend any or all Proposals involving that party not be funded.
- 4.4.3 If a Conflict of Interest exists or arises, the Administering Organisation must have processes in place (and those processes documented) 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 Practice (2007) and any relevant

successor document. In the event of any inconsistency between the original and any successor document, the latter document is to apply.

5. Changes from last year

5.1 A number of clarifications and revisions have been made in these Funding Rules. Significant changes from the 2010 *LIEF* Funding Rules include:

- a. The limit on the minimum level of funding that may be provided by the ARC has been increased (subsection 6.1.2);
- b. Limits have been imposed on the total number of investigators who may be nominated on a Proposal as well as on the number of CIs who may be nominated from each Eligible Organisation on a Proposal (subsections 8.1.2, 8.1.5 and 8.1.6);
- c. The definition of medical and dental research has been clarified and elaborated and is available at the ARC website at www.arc.gov.au/applicants/md_research.htm while the circumstances under which a Proposal may be ineligible because of involvement with medical and dental research have been clarified (subsection 9.3.5);
- d. The Administering Organisation is now required to assess the Proposal as to whether it is near-term clinical medical (including dental) research as defined at the ARC website, and that it does not overlap with research which is to be funded or is funded by the NHMRC. When submitting the Proposal, the Administering Organisation will certify that the Proposal is not research that has near-term clinical medical (including dental) outcomes and does not overlap with medical and dental research funded by or to be funded by the NHMRC (subsection 11.6.2);
- e. An item has been added to the 'Restrictions on budget items'. (subsection 6.4.2.h);
- f. The seven National Innovation Priorities have been incorporated into the NCGP objectives (subsection 4.1.7.f);
- g. The certification requirements for Proposals have been simplified (Sections 10.2 and 11.6);
- h. Researchers who have been proposed to participate as investigators on a Proposal are advised that before agreeing to participate on a Proposal in the ARC online system (RMS), investigators should ensure that they are familiar with the *LIEF* Funding Rules (subsection 11.6.5); and
- i. a number of minor changes have been made in various sections for the purpose of clarification.

5.2 The list of changes above is not comprehensive. Applicants and other parties involved in Proposals should read and understand the entire Funding Rules and standard Funding Agreement before a Proposal is submitted to the ARC.

6. Funding

6.1 Level of funding

- 6.1.1 All amounts referred to in these Funding Rules are to be read as exclusive of GST (if any), unless expressly stated otherwise.
- 6.1.2 The minimum level of funding which will be provided by the ARC for a Project under this *LIEF* funding round is a total of \$150,000 per calendar year for all items requested in each calendar year.
- 6.1.3 If a Proposal requests less than \$150,000 for any year the ARC may in its absolute discretion decide not to recommend the Proposal for approval.
- 6.1.4 Subject to Sections 6.3, 6.4 and 6.5, the maximum level of funding which will be provided by the ARC for a Project is 75 per cent of the total direct cost of the purchase, upgrading, construction, transportation and installation of and/or management of access to the infrastructure, equipment or facility for which funding is being requested or in the case of major international facilities only, 75 per cent of the total cost of subscriptions for membership of the facility and other permissible costs being requested. If the amount of funding being requested from the ARC exceeds this amount, the ARC may at its absolute discretion decide not to recommend the Proposal for approval.
- 6.1.5 The ARC reserves the right to recommend funding for a Project at levels which may differ from those requested in the Proposal.

6.2 Period of funding

- 6.2.1 Funding may be payable under these Funding Rules for *LIEF* Projects in respect of the financial year 2010-11 and any subsequent years to which the ARC Act applies. Funding for Projects will commence with effect 1 January 2011, unless other arrangements are approved by the Minister.
- 6.2.2 Projects are funded for one year only, except in the case of subscriptions or other payments in respect of major international research facilities where up to five years of funding may be provided.
- 6.2.3 Projects may be funded: subject to sufficient funding being available for *LIEF*, the provisions of the ARC Act, and continued satisfactory progress of the Project.
- 6.2.4 The ARC may recommend funding for a Project for a duration which is different from that requested in the Proposal.

6.3 Types of research infrastructure, equipment and facilities supported

- 6.3.1 Subject to Sections 6.4 and 6.5, *LIEF* supports the purchase, upgrading, construction, transportation and installation of and/or management of access to major research infrastructure, equipment and facilities, including:
- a. major computing/data facilities, animal houses, herbaria, experimental farms;
 - b. salaries if these are directly associated with purchasing, upgrading, construction, transportation, installation and maintenance of and/or

management of access to the research infrastructure, equipment and/or facility;

- c. international facility or consortium membership costs, including travel to the research facility, costs associated with establishment or upgrading of the facility, reasonable operational costs including salaries (where subscriptions cover such costs or where membership of a major international facility incurs an obligation that cannot be funded by other means) and secretariat costs in the case of Australia's participation in the use of major international research facilities; and
- d. library and research information infrastructure (non-capital aspects only) to support specific research Projects which may also include salaries and minor pieces of equipment to build an integrated facility if the entire Proposal is a cohesive attempt to provide infrastructure support for research.

6.3.2 **International research facilities**

Funding for subscriptions or other payments in respect of major international research facilities would normally occur under an international agreement that is approved by the ARC. The ARC will approve such agreements only if there are significant benefits to Australia by way of access to a facility not otherwise available to Australian researchers.

6.3.3 **Integrated research facilities**

LIEF supports major research facilities and equipment. Minor items of equipment are the responsibility of Eligible Organisations. However, there may be special circumstances in which a case can be made for an integrated research facility consisting of a number of small items. If a Proposal requests funding for a number of small items and it does not contain justification to the satisfaction of the ARC that the items form part of an integrated research facility and are necessary to support research activities, the ARC may in its absolute discretion decide not to recommend the Proposal for approval.

6.4 **Restrictions on budget items**

6.4.1 *LIEF* funds only costs which directly support provision of infrastructure, equipment and facilities for use in research Projects. The ARC may in its absolute discretion determine whether any proposed costs meet this requirement.

6.4.2 *LIEF* has restrictions on the following budget items:

- a. construction or refurbishment of general purpose buildings;
- b. rental of accommodation;
- c. operational costs, including salaries of staff engaged in teaching and research, outreach, community relations, and in research only (including the cost of 'buying time' to free such staff to do more research). Exemptions to this subsection apply to certain costs for international facilities and consortia as well as for integrated facilities (see subsections 6.3.1.c and 6.3.1.d);

- d. salaries of staff supporting research at the organisational level (for example, Deputy or Pro Vice-Chancellor Research, Research Grants Officer);
- e. stipends of postgraduate research students;
- f. travel costs directly associated with individual Projects with the exception of travel costs to an international facility and/or consortia;
- g. minor equipment that should be normally funded by Eligible Organisations (such as personal computers), unless otherwise approved by the ARC; and
- h. costs not directly related to a Project will not be funded, for example, costs of a personal nature.

6.4.3 If a Proposal requests salary funding for a CI or PI, other than in relation to salary costs permitted under subsections 6.3.1.b, 6.3.1.c and/or 6.3.1.d the Proposal will not be recommended or approved for funding.

6.5 Areas of investigation/work not supported

6.5.1 *LIEF* does not support:

- a. infrastructure, equipment or facilities which, in the opinion of the ARC, are to be used predominantly in pursuit of near-term clinical medical (including dental) outcomes (see Section 9.3);
- b. activities leading solely to the creation or performance of a work of art, including visual art, musical compositions, drama, dance, film, broadcasts, designs and literary works;
- c. projects such as uncritical compilations and purely descriptive catalogues or editions that do not involve original research;
- d. production of teaching materials, even though some research may be involved in their production;
- e. compilation of data, unless this is an integral part of the Project which is judged to be necessary, in which case the Proposal must include a statement indicating the research objectives to which the data would contribute; and/or
- f. development of research aids and tools (including computer programs), unless they form an integral part of the Proposal, in which case the Proposal must include a statement indicating the research objectives to which these activities would contribute.

6.5.2 If the ARC considers that the Proposal seeks funding for any of the items not permitted under Sections 6.4 or 6.5, then to that extent part or all of the Proposal will not be recommended or approved for funding. However, subject to subsection 6.4.3, if the ARC considers that other parts of the Proposal remain worthy of support, the ARC may recommend that a reduced amount of funding be approved for the Proposal.

6.6 Number of Proposals and funded Projects

A researcher may not be nominated as a CI on more than two *LIEF* Proposals in the same funding round. For the purposes of applying this limit, the number of Proposals on which the researcher is nominated is evaluated as at the closing time for the submission of Proposals. Submitting Proposals that exceed this limit may result in all Proposals involving the relevant researcher(s) being recommended not to be approved for funding.

6.7 Duplicate Proposals

Only one Proposal may be submitted to *LIEF* in respect of a particular proposed Project in the same funding round, regardless of any variation in the listed researchers and/or Administering Organisation. If the ARC decides that a Project described in a Proposal is the same as, or similar (in whole or in part) to a Project described in another Proposal, that is submitted in the same funding round, the ARC may in its absolute discretion decide to recommend any or all of those Proposals, not be approved or may decide to recommend that a reduced amount of funding be provided for that or any similar Proposal. The ARC reserves the right to determine whether Proposals are duplicates or sufficiently similar to warrant one or more Proposals being recommended not to be approved, or to be funded at a reduced level.

6.8 Ownership and location of infrastructure, equipment and facilities

6.8.1 All the organisations involved in a Proposal must reach agreement on time-sharing and access to the infrastructure, equipment and facilities before the Proposal is submitted. Details of time-sharing and access arrangements must be included in the Proposal. If the Proposal is approved for funding, the Administering Organisation must, prior to expending ARC funding for the Project, execute a written agreement with the Collaborating Organisations which accords with the arrangements outlined in the Proposal and which specifies:

- a. the location of the infrastructure, equipment or facilities;
- b. the terms and conditions of access for the parties listed on the Proposal; and
- c. details of the arrangements and costs of managing the infrastructure, equipment or facilities (including any recurrent expenditure) and how any costs will be distributed across the users of the infrastructure, equipment or facilities.

6.8.2 Unless otherwise approved by the ARC (for example in the case of major international research facilities), ownership of shared infrastructure, facilities and equipment funded under *LIEF* is to be vested in the Administering Organisation and listed in its assets register. If ownership is to be vested in any other entity, the Proposal must provide justification to the satisfaction of the ARC of the proposed ownership arrangements.

6.8.3 Unless otherwise approved by the ARC (for example in the case of major international research facilities located overseas or cases where the research specifically needs to be conducted elsewhere) the infrastructure,

equipment and facilities must be located on the Administering Organisation's premises. If infrastructure, equipment and facilities are not going to be located on the Administering Organisation's premises, the Proposal must provide justification to the satisfaction of the ARC of the proposed location arrangements.

- 6.8.4 If a Proposal is required to address any of the matters specified in subsections 6.8.2 or 6.8.3, and it fails to do so, the ARC may in its absolute discretion decide to not recommend the Proposal for approval.

7. Organisational types, roles and eligibility

7.1 Eligible Organisations

- 7.1.1 A Proposal may be submitted only by an Eligible Organisation. Appendix C specifies Eligible Organisations for *LIEF*.
- 7.1.2 Each Proposal must identify an Administering Organisation. A Proposal must involve two or more Eligible Organisations unless it demonstrates that:
- a. collaborative use of the proposed infrastructure, equipment and facility by other Eligible Organisations is not practicable; and
 - b. the proposed Project does not duplicate similar infrastructure, equipment or facilities at another Eligible Organisation where collaborative arrangements would be practicable. If similar infrastructure, equipment or facilities are available at another Eligible Organisation, the Proposal must provide justification to the satisfaction of the ARC as to why the collaborative use is not practicable.
- 7.1.3 If a Proposal identifies two or more Organisations (an Administering Organisation and one or more Collaborating Organisations) to be involved in the proposed Project, the Proposal must indicate agreed contributions from the Administering Organisation and all Collaborating Organisations which meet the requirements specified in Appendix D.
- 7.1.4 A Proposal may be submitted by a Peak Body if the Proposal is for international subscriptions or other payments in respect of participation in and use of international research facilities (including international facilities located within Australia). A Proposal submitted by a Peak Body must include at least one of the Eligible Organisations listed in Appendix C subsection C1 or C2 as a Collaborating Organisation, and must also meet the requirements specified in Appendix D.
- 7.1.5 Proposals in which two or more organisations are involved must identify the mechanism for accountability and achievement of the research program outcomes between the organisations involved.
- 7.1.6 If a Proposal is required to address any of the matters specified in subsections 7.1.2 - 7.1.5, and it fails to do so, the ARC may in its absolute discretion decide to not recommend the Proposal for approval.

7.2 Collaborating Organisations

- 7.2.1 Administering Organisations determine, in collaboration with the Collaborating Organisations, which type of resources are appropriate and necessary for the Project they wish to undertake (if approved). Proposals and Projects must relate to high-quality research activity and must be broadly in line with the research directions of the organisation(s) involved.
- 7.2.2 Contributions from each Collaborating Organisation must meet the requirements specified in Appendix D.
- 7.2.3 Collaboration will typically involve the shared use of infrastructure, equipment and facilities on different Projects and/or collaborative Projects. Where the infrastructure, equipment and facilities requested is proposed to be located in more than one Organisation, the Proposal must demonstrate clearly that:
- a. the facility is genuinely integrated and collaborative;
 - b. the items of infrastructure, equipment and facilities are complementary; and
 - c. overall research outcomes will be enhanced.

If such a Proposal fails to address any of the matters specified in this subsection, the ARC may in its absolute discretion decide to not recommend the Proposal for approval.

7.3 Partner Organisations

Proposals involving one or more Partner Organisation(s), such as government research organisations and businesses, must demonstrate a significant contribution of cash and/or in-kind resources from the Partner Organisation(s) (having regard to the total cost of the Project, if approved, and the relative contribution of each PI).

8. Roles and eligibility for researchers

8.1 Researcher roles and general eligibility

- 8.1.1 Roles that may be undertaken by researchers under *LIEF* are:
- a. Chief Investigator (CI); or
 - b. Partner Investigator (PI).
- 8.1.2 A Proposal must nominate at least one CI and may nominate no more than a total of 30 CIs and PIs.
- 8.1.3 If an investigator has been nominated for a role for which she/he does not satisfy the eligibility criteria, the Proposal may be funded only if, upon request by the ARC, the Administering Organisation provides the ARC with relevant certifications from the investigator, and satisfactory evidence that she/he satisfies the eligibility criteria, for the role she/he is to perform.

- 8.1.4 The first-named investigator listed on a Proposal must be a CI and will be considered the ‘Project Leader’ and must have a demonstrated high capacity to manage the purchase, upgrading, construction, transportation, installation and maintenance of and/or manage access to research infrastructure, equipment and/or facilities which may be funded by *LIEF*. Other than in the case of major international research facilities, this investigator must lead the management of the infrastructure, equipment and facilities.
- 8.1.5 Subject to 8.1.2 no more than five CIs from each Eligible Organisation may be nominated on a Proposal.
- 8.1.6 One of the (up to five) CIs from each Eligible Organisation nominated in accordance with subsection 8.1.5 above must:
- a. be identified on the Proposal as the CI from that organisation who is to manage the purchase, upgrading, construction, transportation, installation and maintenance of and/or manage access to research infrastructure, equipment and/or facilities; and
 - b. have a demonstrated record relative to opportunity in managing the purchase, upgrading, construction, transportation, installation and maintenance of and/or managing access to research infrastructure, equipment and/or facilities.
- 8.1.7 A researcher nominated as a CI or PI must:
- a. take significant intellectual responsibility for the Project;
 - b. make any strategic decisions called for in the pursuit of the Project and the communication of results;
 - c. have the capacity to make a serious commitment to the Project (including as detailed in section 8.1.10 below) and a demonstrable need for access to the proposed infrastructure, equipment and facilities to undertake high quality research; and
 - d. satisfy the eligibility criteria for the role they are to perform, as specified in Section 8 of these Funding Rules.
- The ARC reserves the right to determine whether a nominated investigator has the requisite capacity to perform the role.
- 8.1.8 At the time of the submission of a Proposal all obligations regarding previously funded Projects involving all the nominated CIs and PIs on the Proposal must have been fulfilled to the satisfaction of the ARC. Such obligations include the provision of satisfactory progress and final reports.
- 8.1.9 Subject to subsection 8.1.3 if the ARC considers that a researcher nominated in a Proposal as a CI or PI does not meet the eligibility criteria in this Section 8 for the role which that researcher is to perform, the Proposal will not be recommended or approved for funding.
- 8.1.10 To be eligible as CIs or PIs, all nominated investigators must be significant and regular users of the proposed infrastructure, equipment and facilities. For most facilities usage would be expected to be a minimum of half a day per week by the investigator and/or their working group (i.e. 4 hours per week). Regardless of whether they satisfy this subsection or subsections 8.1.6 for CIs and 8.1.7 for CIs and PIs, investigators are not

eligible to be CIs or PIs if they are to be casual, intermittent and/or occasional users of the proposed infrastructure, equipment and facilities.

8.2 Eligibility criteria for Chief Investigators

- 8.2.1 A researcher nominated on a Proposal as a CI must satisfy the requirements for CIs in subsection 8.1 above for the role they are to perform. A researcher nominated on a Proposal as a CI must meet at least one of the following criteria at 1 January 2011, and for the full term of her/his participation in the Project:
- a. be an employee of an Eligible Organisation listed in Appendix C subsections C1 or C2 for at least 50% (0.5 Full Time Equivalent) of his or her time;
 - b. be a holder of an Emeritus, Adjunct or equivalent appointment at an Eligible Organisation listed in Appendix C subsections C1 or C2 who does not have a substantive position or paid appointment elsewhere;
 - c. be a Federation Fellow;
 - d. be an Australian Laureate Fellow at an Eligible Organisation listed in Appendix C subsections C1 or C2; or
 - e. if a Peak Body is the Administering Organisation, meet one of the above criteria in subsection 8.2.1 or be a member or officeholder of the Peak Body.
- 8.2.2 A researchers nominated as a CI must reside predominantly in Australia for the full term of her/his participation in the Project. If the investigator does not have permanent resident status she/he must obtain temporary or permanent resident status from the Department of Immigration and Citizenship before she/he may commence on a Project.
- 8.2.3 Notwithstanding a researcher's eligibility under the criteria in this Section, a researcher undertaking undergraduate or postgraduate studies is not eligible to be a CI.

8.3 Eligibility criteria for Partner Investigators

To be eligible to be nominated as a PI on a Proposal, a researcher must:

- a. not meet the eligibility criteria specified in Section 8.2 for a CI;
- b. secure a significant contribution of cash, and/or in-kind or other resources from the researcher's organisation for the proposed Project (having regard to the total cost of the Project proposed and the relative contribution of other investigators); and
- c. satisfy the requirements outlined in subsections 8.1.3, 8.1.7, 8.1.8, 8.1.9 and 8.1.10.

9. Cross-scheme issues

9.1 Cross-scheme eligibility

9.1.1 If a researcher nominated as a CI or a PI on a *LIEF* Proposal submitted under these Funding Rules is named in different funding requests for research Projects that have been submitted or approved under this or any other ARC scheme or to any other Commonwealth funding body, then the *LIEF* Proposal submitted under these Rules must contain details of these other requests or approved requests only if they:

- a. could reasonably be expected to be undertaken on the infrastructure, equipment and facilities being sought in the *LIEF* Proposal; and/or
- b. are in fields of research closely related to the research proposed to be conducted on the infrastructure, equipment and facilities sought in the *LIEF* Proposal.

9.1.2 If the processes described in subsection 9.1.1 are not observed, or the ARC determines that incomplete, misleading or inaccurate details were included in the Proposal, the ARC may in its absolute discretion decide to not recommend the *LIEF* Proposal for approval.

9.1.3 The ARC may liaise with other funding agencies to discuss any overlap between proposed or existing research Projects (including fellowships) in order to avoid duplication of funding. The ARC may for this purpose disclose to that agency any information in a Proposal.

9.1.4 The Administering Organisation must promptly advise the ARC if a funding request submitted to another Commonwealth funding source, for any similar proposed infrastructure, equipment or facility, is successful subsequent to the submission of the *LIEF* Proposal to the ARC.

9.2 Non-duplication of funding and cross-scheme funding

The ARC will not duplicate financial assistance for research infrastructure, equipment and facilities or research already funded by the Commonwealth or which is likely to be funded from other Commonwealth funding sources (including under other ARC funding schemes). The ARC reserves the right to determine if a Proposal duplicates or is likely to duplicate research infrastructure, equipment and facilities being funded by another Commonwealth source. In such circumstances the ARC may in its absolute discretion decide to not recommend the Proposal for approval. However, if the ARC considers that parts of the Proposal remain worthy of support, the ARC may assess the Proposal in the usual way and the ARC may instead recommend that a reduced amount of funding be approved for the Proposal.

9.3 Funding of Medical and Dental Research

9.3.1 Pursuant to Section 9.3 and subsections 6.5.1.a and 6.5.2, the ARC does not fund infrastructure, equipment and facilities which are to be used predominantly in pursuit of near-term clinical medical (including dental) outcomes as described on the ARC's website at (www.arc.gov.au/applicants/md_research.htm). The ARC reserves the

right to determine conclusively whether the proposed infrastructure, equipment and facilities would be used predominantly for Medical and Dental Research.

- 9.3.2 The NHMRC funds a range of medical and dental research. The Administering Organisation must assess whether the Proposal constitutes near-term clinical medical (including dental) outcomes. If it does, the Proposal cannot be submitted to the ARC.
- 9.3.3 The Administering Organisation must certify that the Proposal does not request infrastructure, equipment and facilities which would be used predominantly for Medical and Dental Research as defined in these Funding Rules.
- 9.3.4 The ARC reserves the right to determine at its absolute discretion conclusively whether:
- a. proposed research involves Medical and Dental Research; and
 - b. the expected outcomes of a Proposal are likely to have significant relevance or application beyond the Medical and Dental context.
- 9.3.5 A Proposal may be ineligible if it requests infrastructure, equipment and facilities to be used substantially in any of the following areas of research:
- a. Using human subjects to test the clinical efficacy of a diagnostic or therapeutic agent or medically applicable device or material;
 - b. Using material collected from human subjects for the purpose of studying disease prevalence, epidemiology or mode of inheritance;
 - c. Observation or treatment of human patients for clinical medical or dental purposes; and/or
 - d. Prevention of disease by medical and/or dental intervention in human subjects.
- 9.3.6 If the Administering Organisation submits, or is intending to submit, Proposals to the ARC and the NHMRC for similar research it must cross-reference the Proposals and must declare the dual submission on the ARC application form.
- 9.3.7 In all cases whether or not the above process is observed, the ARC may at its absolute discretion decide whether the proposed infrastructure, equipment and facilities, or elements of the same, could be used substantially for medical and dental research.

10. Application process

10.1 Eligibility exemption

This item is not relevant to *LIEF* as formal eligibility exemption request processes do not operate in this scheme.

10.2 Proposals

- 10.2.1 A Proposal should be submitted as a mature research plan ready for implementation. 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, including its College of Experts or Selection Advisory Committee.
- 10.2.2 All details in the Proposal must be current at the time of submission.
- 10.2.3 In submitting a Proposal, the Administering Organisation and the CIs and PIs nominated in the Proposal are consenting to the Proposal being assessed under the ARC peer assessment procedures and agree to the release of the Proposal to third parties for assessment purposes.

11 Submission of Proposals

11.1 Submission of Proposals

Administering Organisations must submit Proposals through the ARC online application system unless otherwise advised.

11.2 Proposal content

- 11.2.1 Proposals consist of an on-line form which must be completed and submitted in the ARC online application system accessible via the ARC website (www.arc.gov.au/default.htm). The online form may include the following additional information in the Proposal which if required by the “*LIEF* Instructions to Applicants” document at the ARC website (www.arc.gov.au/ncgp/lief/lief_instructions.htm) must be attached in PDF format to the online Proposal:

- i. “an Investigator Summary showing nominated managers”;
- ii. “a Project Description” which includes a statement addressing selection criteria, infrastructure, equipment and facilities arrangements, role of personnel and references;
- iii. “a Justification of funding requested from the ARC”;
- iv. “Details of non ARC contributions”;
- v. “a Summary of quotes”;
- vi. “Curriculum Vitae(s)”;
- vii. “Statements on Progress of ARC-funded *LIEF* Projects” (if applicable).

11.3 Format

- 11.3.1 All documents must be written in English and must comply strictly with the format, content and submission requirements as specified in these Funding Rules and the *LIEF* Instructions to Applicants for funding commencing in 2011 document which will be made available at the ARC website (www.arc.gov.au/ncgp/lief/lief_instructions.htm). If a Proposal fails to meet any format, content or submission requirements, the ARC may in its absolute discretion decide to not recommend the Proposal for approval.

11.3.2 All pages of additional text must be uploaded in PDF format. Text must be in black type, use a single column and 12-point font size on white A4 paper, with all margins being at least 0.5 cm. A highly legible font type must be used, preferably 12-point Times New Roman or else Arial, Courier, Palatino, and Helvetica subject to them being an equivalent sized font to Times new Roman 12-point font . Variants such as mathematical typesetting fonts may also be used. References may be reproduced in 10-point font size. Colour graphs or colour photographs should not be included. Researchers should note that for some administrative purposes Proposals may be reproduced in black and white and the reproduction quality may not be optimal. Finely detailed graphics and grey scale may also not be precisely reproduced. Additional text attachments may appear slightly reduced in size because the ARC online application system may re-format the attachments to include page numbers. Attached PDFs should be directly generated rather than scanned to maximise the quality of reproduction. The ARC reserves the right to seek an original electronic copy of the Proposal to determine that the text meets the requirements stipulated.

11.4 How to complete and submit a Proposal

- 11.4.1 Administering Organisations must use the ARC's on-line form in the ARC online application system (RMS) which is accessible via the ARC website (www.arc.gov.au/default.htm).
- 11.4.2 A *LIEF* Instructions to Applicants for Funding Commencing in 2011 document will be available from the ARC website (www.arc.gov.au/ncgp/lief/lief_instructions.htm). This document specifies a range of requirements for Proposals and also assists parties in preparing Proposals.
- 11.4.3 Research Offices have access to the ARC online application system and, along with the ARC, will approve User Account requests made by investigators/clients. The ARC will confirm User Account requests via an email sent to the User's email address (as provided to the ARC online application system by the user in their original request). Following this confirmation email, Users will be able to access the ARC online application system and prepare Proposals.
- 11.4.4 If an investigator does not have a Research Office or equivalent unit, she/he should email rms@arc.gov.au at the ARC for assistance.
- 11.4.5 If an Eligible Organisation does not have a Research Office unit, staff from the organisation should email rms@arc.gov.au for assistance.

11.5 Closing time for Proposals

- 11.5.1 The on-line form must be submitted, by **5.00 pm (AEST) Wednesday 26 May 2010**.
- 11.5.2 Proposals may be withdrawn but additions, deletions and modifications will not be accepted after submission, unless invited by the ARC.
- 11.5.3 Investigators should note that Administering Organisations may have internal closing times which precede the ARC closing time.

11.6 Certification of Proposals

- 11.6.1 The Administering Organisation must certify Proposals in the ARC online application system. Research Offices or their equivalents should ensure that the Research Office delegate role is authorised in the ARC online application system to certify and submit proposals for their organisation.
- 11.6.2 The Administering Organisation's certification in the ARC online application system includes, but is not limited to, statements that:
- a. the Proposal does not constitute medical and dental research as defined at the ARC website (subsections 9.3.3 and 9.3.4); and
 - b. the Administering Organisation has the signed certifications of all investigators and all organisations necessary to allow the Proposal to proceed, excepting the certification of the employing organisations' of overseas PIs (unless the overseas PIs are employees of the Administering Organisation).
- 11.6.3 The ARC reserves the right at any time to seek evidence from the Administering Organisation which supports the certification contained in a Proposal submitted to the ARC. Where such evidence is not provided by the Administering Organisation or where the evidence is deemed by the ARC to be inadequate, false or misleading the ARC may, at its complete discretion, decide to recommend that the Proposal not be approved for funding.
- 11.6.4 A Proposal must be submitted by the Administering Organisation's Research Office or its equivalent. If a Proposal has either not been submitted by the Research Office or equivalent, or has not been certified by the Administering Organisation's Research Office/Chief Executive Officer (as appropriate), the Proposal will not be recommended or approved for funding.
- 11.6.5 Before agreeing to participate on a Proposal in the ARC online system (RMS), investigators should ensure that they are familiar with the LIEF Funding Rules including but not limited to those sections concerning eligibility. By giving their consent to their participation on a Proposal in the ARC online application system, investigators are making a commitment to the project described in the Proposal in the event that it proceeds.

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 solely on the basis of its expertise, and which may:
- a. consider if a Proposal satisfies the eligibility criteria set out in these Funding Rules;
 - b. identify and consider any other matters contained in these Funding Rules which may result in the ARC recommending that a Proposal not be approved for funding;

- c. assign assessors to review Proposals;
 - d. seek comments on assessors' reports from the parties involved in the Proposal;
 - e. rank each Proposal relative to the others on the basis of the Proposal, any assessors' reports, and any response to those assessment reports;
 - f. assess and recommend the amount of funding to be made available for a Proposal; and/or
 - g. prepare funding recommendations.
- 12.1.2 ARC selection advisory committees assist with the assessment of Proposals. The ARC has procedures for managing organisational and personal Conflicts of Interest experienced by members of selection advisory committees, members of other ARC Committees, ARC staff, and other assessors, and for enabling individuals to withdraw from the assessment process for particular Proposals where any actual or perceived conflict may exist.
- 12.1.3 In addition to assessment by the ARC, a Proposal may at the ARC's absolute discretion be assessed by external assessors. Assessors may be drawn from a range of organisations to reduce the potential for conflicts of interest. Proposals will be assessed against the criteria set out in these Funding Rules and the reports by the assessors may include written comment.
- 12.1.4 The ARC reserves the right to make recommendations for funding to the Minister based on any number of assessments or solely on the assessment of the ARC.
- 12.1.5 Administering Organisations may provide written notification to the ARC naming any person or persons whom they do not wish to assess a Proposal on a "Request not to Assess" form available from the ARC website (www.arc.gov.au/applicants/request_notassesform.htm). Such notifications must contain detailed justification and be submitted using the "Request not to Assess" form through the Administering Organisation's Research Office. The notification must be sent to the 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 (AEST) Wednesday 26 May 2010**.
- 12.1.6 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.

12.2 Rejoinder

LIEF does not provide assessors' written comments if obtained, to be provided to applicants to allow the opportunity for a rejoinder by applicants.

12.3 Recommendations and offer of funding

- 12.3.1 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 financial assistance to be paid to Administering Organisations for approved Proposals.
- 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 Administering Organisations whose Proposals are approved will be notified in a letter that will indicate the financial assistance to be offered and will be provided with a copy of a Funding Agreement for signing.

12.4 Exclusion of Proposals

- 12.4.1 The ARC will not recommend for approval, and the Minister will not approve for funding, any Proposal that fails to satisfy the “eligibility criteria” set out in these Funding Rules, including:
- a. if the Proposal seeks funding for any of the items not permitted under Sections 6.4 or 6.5 and the ARC considers no other part of the proposed Project remains worthy of support (subsection 6.5.2);
 - b. if the Proposal seeks salary funding for a CI or PI, other than in relation to salary costs permitted under subsections 6.3.1.b, 6.3.1.c, and/or 6.3.1.d (subsection 6.4.3);
 - c. if the Proposal is not submitted by an Eligible Organisation (Section 7.1);
 - d. if the Proposal does not nominate at least one CI candidate or nominates more than 30 investigators (subsection 8.1.2);
 - e. if the ARC considers that a researcher nominated in the Proposal as CI or PI does not satisfy the eligibility criteria as specified in Section 8 for the role which that researcher is to perform (subsection 8.1.8);
 - f. if, in the opinion of the ARC, the equipment, infrastructure or facilities is to be used predominantly in pursuit of near-term clinical medical (including dental) outcomes (Section 9.3 and subsection 6.5.1.a);
 - g. if a Proposal has either not been submitted by the Administering Organisation’s Research Office (or equivalent), or has not been certified by the Administering Organisation’s Research Office/Chief Executive Officer (subsection 11.6.4.);
 - h. if the Proposal is not for a program of research, or a program that supports the conduct of a program of research; and/or
 - i. if the Proposal does not meet the requirement for contributions from the Administering Organisation and/or Collaborating Organisation(s) (Sections 7.1.3, 7.2.2, 7.3 and Appendix D).

- 12.4.2 The ARC may at its absolute discretion decide to recommend that a Proposal not be approved for funding if:
- a. in the opinion of the ARC, any researcher nominated in the Proposal as a CI or PI has caused or has significantly contributed to the failure of an organisation to meet its obligations under any current or previous Funding Agreement with the ARC, or all obligations regarding previously funded Projects involving the candidate have not been fulfilled to the satisfaction of the ARC or NHMRC;
 - b. in the opinion of the ARC, any party involved in or associated with the Proposal or an ARC-funded research Project has failed to disclose any Conflict of Interest which has the potential to influence, or appear to influence, the research and activities, publications and media reports, or requests for funding related to the Proposal (subsection 4.4.2);
 - c. the Proposal requests funding which is less than the minimum amount or more than the maximum amount of funding allowed (subsections 6.1.3 and 6.1.4);
 - d. the ARC considers that the Project described in the Proposal is the same as or similar (in whole or in part) to a Project described in another Proposal that is submitted in the same funding round (subsection 6.7);
 - e. in the opinion of the ARC, the Proposal duplicates or is likely to duplicate infrastructure, equipment and facilities or to duplicate research already being funded, or which is likely to be funded, by the Commonwealth (Section 9.2);
 - f. where required the Proposal does not include details of other funding or funding requests (subsections 9.1.1 and 9.1.2);
 - g. the ARC considers incomplete, inaccurate, or misleading material has been provided in relation to the Proposal or if the Administering Organisation and/or researchers nominated in the Proposal have provided the ARC with incomplete, inaccurate or misleading information in relation to the provision of advice relating to, or in the reporting of progress of, a Project (subsections 9.1.2, 9.1.4, 9.3.3, 9.3.6, 9.3.7, 11.6.2, 11.6.3 and Appendix A subsections A8.2 and A8.3);
 - h. when requested, the Administering Organisation fails to provide evidence which supports the certification contained in a Proposal submitted to the ARC and/or where such evidence is provided it is deemed by the ARC to be inadequate (subsection 11.6.3);
 - i. the Proposal fails to meet any format and other submission requirements (Section 11 with the exception of subsection 11.6.4);
 - j. the online Proposal is not submitted and is not received by the ARC, by the closing time (subsection 11.5.1);
 - k. the Proposal requests funding for a number of small items and, taking into account any justification provided in the Proposal, the ARC is not satisfied that the items form part of an integrated

facility and are necessary to support research activities (subsection 6.3.3);

- l. the Proposal is required to address any of the matters specified in subsections 6.8.2 or 6.8.3 concerning ownership and location and it has failed to do so (subsection 6.8.4);
- m. the Proposal is required to address any of the matters concerning organisations specified in subsections 7.1.2 - 7.1.5 and Appendix D and it has failed to do so (subsection 7.1.6);
- n. the Proposal is required to demonstrate those matters specified including sharing, collaborative use and complementary nature of the proposed infrastructure, equipment and facilities, and it has failed to do so (subsection 7.2.3);
- o. the limit on the number of Proposals permissible is exceeded (subsection 6.6);
- p. if the Proposal nominates more than five CIs from any of the Eligible Organisations named on the Proposal (subsection 8.1.5); and/or
- q. if the Proposal nominates more than one CI from any of the Eligible Organisations named on the Proposal, as a CI who is to manage the purchase, upgrading, construction, transportation, installation and maintenance of and/or manage access to research infrastructure, equipment and/or facilities (subsection 8.1.6).

13. Appeals process

- 13.1 Appeals will be considered only against administrative process issues and not, for example, against committee recommendations or assessor ratings and comments.
- 13.2 Appeals must be made on the appeals form available from the ARC website (www.arc.gov.au/applicants/appeals.htm). The form must be lodged by the Administering Organisation and must be authorised by a Deputy Vice Chancellor (Research), Chief Executive Officer or equivalent. Appeals must be received within 28 days of the date on the letter notifying the outcome of Proposals.
- 13.3 Appeals must be addressed and sent to the address advised under 'Contacts' at the beginning of these Funding Rules.

Fundamental principles and requirements

A1 Ethics and research practices

- A1.1 The NHMRC web site, www.nhmrc.gov.au, provides a series of publications which outline principles of ethical conduct in research. All Proposals and ARC-funded research Projects must, unless otherwise approved by the ARC, 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.
- A1.2 If there is any conflict between a successor document and its predecessor, then the successor document prevails to the extent of any inconsistency.

A2 Acknowledging ARC support

- A2.1 The Funding Agreement requires that any ARC contribution to research and other activities funded by the ARC be appropriately acknowledged. When, at any time during or after completion of a Project, the researcher or any other party publishes or produces material such as books, articles, newsletters or other literary or artistic works which relate to the research Project, the Administering Organisation must ensure (wherever possible) that the ARC's contribution and support of the Project is acknowledged in a prominent place and in an appropriate form. This acknowledgement should include the mention of the ARC as a funding body. Similar efforts should be made to acknowledge ARC support when participating in television and radio programs, when interviewed by the print media and when otherwise speaking publicly about the Project.
- A2.2 Advice on acceptable forms of acknowledgement and use of the ARC logo is provided at the ARC website (www.arc.gov.au/about_arc/acknowledgementform.htm).

A3 Dissemination of research outputs

- A3.1 The Australian Government makes a major investment in research to support its essential role in improving the wellbeing of our society. To maximise the benefits from research, findings need to be disseminated as broadly as possible to allow access by other researchers and the wider community.
- A3.2 The ARC acknowledges that researchers take into account a wide range of factors in deciding on the best outlets for publications arising from their research. Such considerations include the status and reputation of a journal or publisher, the peer review process of evaluating their research outputs, access by other stakeholders to their work, the likely impact of their work on users of research and the further dissemination and production of

knowledge. Taking heed of these considerations, the ARC endeavours to ensure the widest possible dissemination of the research supported under its funding, in the most effective manner and at the earliest opportunity.

A3.3 The ARC therefore encourages researchers to consider the benefits of depositing their data and any publications arising from a research Project in an appropriate subject and/or institutional repository. If a researcher is not intending to deposit the data from a Project in a repository within six months of the completion of the research, she/he should include the reasons in the Project's Final Report. Any research outputs that have been or will be deposited in appropriate repositories should be identified in the Final Report.

A4 Applicable law

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

A5 Confidentiality

A5.1 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 the Minister;
- b. authorised or required by law to be disclosed;
- c. disclosed in accordance with any other provision of these Funding Rules or the Funding Agreement;
- d. 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;
- e. shared by the ARC within the ARC's organisation, or with another Commonwealth Department or agency, where this serves the Commonwealth's legitimate interests;
- f. disclosed to the ARC's personnel to enable effective management or auditing of the *LIEF* scheme or any Funding Agreement; and/or
- g. in the public domain otherwise than due to a breach by the ARC of any obligation of confidence.

A5.2 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.

A5.3 Notwithstanding the above, and in addition to the exemptions listed at Appendix A subsection A5.1, 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 *LIEF* Proposals and their organisations; 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 financial assistance 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).

A6 Project description

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.

A7 Intellectual property

- A7.1 The ARC does not claim ownership of any intellectual property in a Proposal or which is created or developed from the conduct of a Project funded under *LIEF* scheme.
- A7.2 However, all Proposals become the property of the ARC on submission. Administering Organisations submit their Proposals on the basis that the ARC may copy, modify and otherwise deal with information contained in a Proposal (and allow any external assessor or other third party to do the same) for any purpose related to:
- a. the evaluation and assessment of Proposals;
 - b. verifying the accuracy, consistency and adequacy of information contained in a Proposal, or otherwise provided to the ARC;
 - c. the preparation and management of any Funding Agreement; and/or
 - d. the administration or management of the NCGP.
- A7.3 If a Proposal contains information belonging to a third party, the Administering Organisation must ensure that it has in place all necessary consents to allow the ARC to deal with that information in accordance with these Funding Rules, prior to the Administering Organisation submitting its Proposal.
- A7.4 Except with written approval from the ARC, all Proposals and ARC-funded research Projects must comply with the *National Principles of Intellectual Property Management for Publicly Funded Research* available at the ARC website (www.arc.gov.au/about_arc/policy.htm) and accord with any intellectual property policies of the researcher's organisations.
- ## **A8 Incomplete or misleading information**
- A8.1 It is a serious offence to provide false or misleading information to the Commonwealth.
- A8.2 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.
- A8.3 If an Administering Organisation and/or the researcher nominated in a Proposal has provided the ARC with incomplete, inaccurate or misleading information in relation to any Proposal for, or in the provision of advice relating to, or reporting of progress of, a Project funded by the Commonwealth, the ARC may in its absolute discretion decide to

recommend that the Proposal not be approved for funding and/or terminate Projects involving that organisation/person if funded and require the Administering Organisation to repay some or all of the funding.

A8.4 If the ARC considers that omissions, or inclusion of misleading information, are intentional, or if there is evidence of misconduct, the ARC may refer the matter for investigation with a view to prosecution under Commonwealth criminal law. The Commonwealth is committed to protecting its revenue, expenditure and property from any attempt, by members of the public, contractors, sub-contractors, agents, intermediaries or its own employees, to gain financial or other benefits by deceit.

A8.5 Examples of misleading information and misconduct are, but are not restricted to:

- a. providing fictitious research records;
- b. making false claims in publications records (such as describing a paper as accepted for publication when it has only been submitted);
- c. 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); or
- d. making false certifications in the ARC online application system certification.

A9 Insurance and liabilities

Administering Organisations are subject to the liability, indemnity and insurance provisions of the Funding Agreement.

Administration of funding

B1 Funding Agreement

- B1.1 All parties involved in a Proposal should familiarise themselves with the standard Funding Agreement, but only the Administering Organisation and the ARC will be parties to the Funding Agreement. Parties involved in a Project must accept the terms of the Funding Agreement and the Administering Organisation must sign the Funding Agreement before the ARC will commence payments.
- B1.2 Projects must commence as required by the Funding Agreement. Failure to do so may result in termination of the Funding Agreement.
- B1.3 Administering Organisations should note that the Funding Agreement covers the post-award management, including reporting requirements and financial management. The standard Funding Agreement can be viewed at the ARC website (www.arc.gov.au/ncgp/lief/lief_fundingagreement.htm).
- B1.4 Organisations of overseas PIs do not need to provide signed certifications to the Administering Organisation unless the overseas PIs are employed by the Administering Organisation.

B2 Varying the Funding Agreement

Requests to vary the Funding Agreement must be forwarded in writing by the Administering Organisation's Research Office to the *LIEF* Coordinator. Forms are available at the ARC website (www.arc.gov.au/applicants/variation.htm). Amendment of any clauses of the Funding Agreement will be at the ARC's absolute discretion.

B3 Varying the funding approval

- B3.1 Requests to vary the funding approval must be forwarded in writing by the Administering Organisation's Research Office to the *LIEF* Coordinator.
- B3.2 Circumstances under which the funding approval may be varied include, but are not limited to:
- a. the involvement of the Administering Organisation, Collaborating Organisation(s) and/or Partner Organisation(s) with the Project ends or substantially changes;
 - b. changes to the approved funding period, financial assistance, and/or period of financial assistance;
 - c. the name of the organisation receiving financial assistance changes;
 - d. the Project changes in such a way so that it is no longer consistent with the description in the approved Proposal; and/or
 - e. the name and title of the person leading the Project changes.

B4 Reports

Administering Organisations are required to submit reports to the ARC concerning Projects, in the format and by the due dates detailed in the Funding Agreement.

Eligible Organisations

C1 Higher education organisations eligible to submit Proposals

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

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

Multi-State

Australian Catholic University

C2 Other organisations eligible to submit Proposals

- a. Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)
- b. Museums and herbaria which are Australian publicly funded organisations not directly funded to carry out research, but with research-related purposes and objectives

C3 Peak Bodies

Proposals submitted by Peak Bodies must contain a request for funding which is only for subscriptions or other payments in respect of participation in and use of international research facilities (including international facilities located within Australia). If a Peak Body submits such a Proposal, the Proposal must identify at least one Collaborating Organisation from the list of Eligible Organisations in Appendix C1 or C2.

Contributions by organisations

1. Subject to Sections 6.4, 6.5 and 6.7, *LIEF* may fund up to 75% of the total direct cost of the purchase, upgrading, construction, transportation and installation of and/or accessing the infrastructure, equipment or facility for which funding is being requested. The cost of creating, purchasing and/or accessing infrastructure, equipment or facilities must be justified in the Proposal.
2. The Proposal must specify in the proposed budget, cash and/or in-kind contributions by the Administering Organisation and, where such other organisations are identified in a Proposal, by each of the Collaborating Organisations.
3. Cash contributions from Collaborating Organisations must be paid to the Administering Organisation by 31 October 2011, unless otherwise approved by the ARC.
4. Only costs directly relevant to the Project described in the Proposal are taken into account as eligible contributions. The contributions from each of the Administering Organisation and any Collaborating Organisations must be specific to the Project described in the Proposal and, in the case of Collaborating Organisations, not part of a broader contribution to an Eligible Organisation.
5. The ARC may examine the proposed level of an organisation's cash and in-kind financial support carefully and may, in its absolute discretion, make any adjustments it considers appropriate to reflect what it considers to be the true value of the contribution. The ARC reserves the right to determine the levels of Administering Organisation's and Collaborating Organisations' contributions which are taken into account as eligible contributions and may determine contributions to be at levels which may differ from those submitted in a Proposal.
6. Salaries of support or academic staff and the cost of buildings or other infrastructure may not be counted as cash contributions. Such items may be included only as in-kind contributions.
7. If applicable, supplier discounts on infrastructure, equipment or facilities must be detailed in the Proposal. Supplier discounts may not be identified as cash or in-kind contributions.
8. If a vendor or supplier of an item of equipment, infrastructure or facility which is the subject of the Proposal is nominated as a Partner Organisation in the Proposal, the cash contribution of that Partner Organisation will be considered as a discount towards the infrastructure, equipment or facility, unless otherwise approved by the ARC upon the provision of sufficient justification.
9. The Minister may approve a lesser amount of funding than that sought by an Administering Organisation. In such cases, unless otherwise approved by the ARC upon the provision of sufficient justification, the Administering Organisation and each Collaborating Organisation are nonetheless required to contribute at least pro rata to the Project at the rate identified in the Proposal, irrespective of where those items are to be located.

If the Administering Organisation or any Collaborating Organisation fails to make its required contribution, the ARC may recover all or part of the funding provided to the Administering Organisation.

10. The ARC will not duplicate financial assistance for research infrastructure, equipment and facilities or research already funded by the Commonwealth or which is likely to be funded from other Commonwealth funding sources including under other ARC funding schemes (Section 9.2). Accordingly no part of the cash contributions by organisations for infrastructure, equipment and facilities requested under *LIEF* can be from Commonwealth financial assistance funded or likely to be funded for the same infrastructure, equipment and facilities.