



Australian Government

Australian Research Council

Linkage Infrastructure, Equipment and Facilities
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

Table of Contents

Key Dates	3
Contacts.....	3
1. Name of Funding Rules.....	4
2. Commencement	4
3. Definitions	4
4. Introduction	5
4.1 Overview	5
4.2 Linkage Infrastructure, Equipment and Facilities	6
4.3 Selection Criteria	6
5. Funding.....	7
5.1 Level and Period of Funding	7
5.2 Budget Items Supported	8
5.3 Budget Items Not Supported	8
5.4 Research / Activities Not Supported	9
6. Organisational Types, Roles and Eligibility.....	9
6.1 Eligible Organisations	9
6.2 Partner Organisations	9
6.3 Collaboration	10
7. Roles and Eligibility for Researchers.....	10
7.1 Researcher Roles and General Eligibility	10
7.2 Eligibility Criteria for Chief Investigators	11
7.3 Eligibility Criteria for Partner Investigators	11
8. Number of Proposals, Funded Projects and Cross-Scheme Eligibility.....	12
8.1 Number of Proposals and Funded Projects	12
8.2 Proposal Eligibility	12
9. Submission of Proposals.....	12
9.1 Proposals	12
9.2 Submission of Proposals in the RMS	12
9.3 Closing Time for Proposals	12
9.4 Certification in the RMS	13
9.5 Conflict of Interest	13
10. Selection and Approval Process	13
10.1 Assessment and Selection Process	13
10.2 Rejoinder	14
10.3 Request Not to Assess	14
10.4 Recommendations and Offer of Funding	14
11. Appeals Process	14
12. Reporting Requirements.....	15
12.1 Progress Reports for Projects funded beyond one year	15
12.2 End of Year Reports	15
12.3 Final Report	15
12.4 Audited Financial Statement	15
13. Fundamental Principles of Conducting Research	16
13.1 Ethics and Research Practices	16
13.2 Applicable Law	16
13.3 Confidentiality	16
13.4 Intellectual Property	17
13.5 Incomplete or Misleading Information	17
Appendix A	18

Key Dates

Closing time for submission of Proposals	5.00 pm (AEST) Wednesday 18 April 2012
Deadline for Request Not to Assess	5.00 pm (AEST) Wednesday 18 April 2012

Contacts

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

ARC Contacts:

by mail to:

LIEF Coordinator
Australian Research Council
GPO Box 2702
CANBERRA ACT 2601

or by courier to:

LIEF Coordinator
Australian Research Council
Level 2, 11 Lancaster Place,
Majura Park
CANBERRA ACT 2609

Email: arc-lief@arc.gov.au

Phone: 02 6287 6600

Fax: 02 6287 6638

ARC website: www.arc.gov.au

Appeals must be addressed and sent:

by mail to:

The Appeals Officer
Australian Research Council
GPO Box 2702
CANBERRA ACT 2601

or by courier to:

The Appeals Officer
Australian Research Council
Level 2, 11 Lancaster Place,
Majura Park
CANBERRA ACT 2609

Or by email to:

appeals@arc.gov.au

RMS Helpdesk:

Email: rms@arc.gov.au

Phone: 02 6287 6789

1. Name of Funding Rules

These Funding Rules are the *Linkage Infrastructure, Equipment and Facilities* Funding Rules for funding commencing in 2013.

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

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

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

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.

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

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

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.

Eligible Organisation means an organisation listed at 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.

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

Infrastructure means assets, facilities and services which directly support research across the innovation system and which maintain the capacity of researchers to undertake excellent research and deliver innovation outcomes.

In-Kind Contribution means a non-cash contribution which is made by the participating organisations for use in support of the Project and which contribution is valued at market rates.

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*.

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 and satisfies the eligibility requirements for a Partner Organisation.

Project means a Proposal approved by the Minister to receive funding from the ARC.

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 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.
- Linkage Infrastructure, Equipment and Facilities Funding Rules*
for funding commencing 2013

4.1.2 The *Linkage Infrastructure, Equipment and Facilities* scheme (*LIEF*) provides funding for research infrastructure, equipment and facilities to Eligible Organisations to support research. Funding under *LIEF* required to support research infrastructure will vary between elements, including capital cost and skilled technical support but only to the extent to which it involves the construction, installation and/or creation of the infrastructure.

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 [innovative] applications’¹.

4.2 Linkage Infrastructure, Equipment and Facilities

4.2.1 The objectives of the *Linkage Infrastructure, Equipment and Facilities* (*LIEF*) scheme are to:

- a. encourage Eligible Organisations to develop collaborative arrangements with other Eligible Organisations, higher education institutions and/or their Partner Organisations to develop and support research infrastructure;
- b. support large-scale cooperative initiatives thereby allowing expensive infrastructure, equipment and facilities to be shared and/or accessed; and
- c. support areas of existing and/or emerging research strength.

4.3 Selection Criteria

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

- 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 and facilities to the needs of ARC and other competitively funded research projects/programs; and
 - iii. enhancement of support for areas of existing and/or emerging research strength.
- b. Need and use of the proposed infrastructure, equipment and facilities: 30%
 - i. availability of and access to similar infrastructure, equipment and facilities at organisational, regional, national and/or international level;
 - ii. demonstrated needs (including level of demand) from the researchers and/or research projects that will utilise the proposed research infrastructure, equipment and facilities;

¹ OECD (2002), *Frascati Manual: Proposed Standard Practice for Surveys on Research and Experimental Development*, Paris.
Linkage Infrastructure, Equipment and Facilities Funding Rules for funding commencing 2013

- iii. value for money and budget justification for cash and in-kind contributions, and the expected rate of use of the proposed infrastructure, equipment and facilities;
 - iv. planned use of the proposed infrastructure, equipment or facilities and the alignment of this planned use with other similar existing facilities within Australia and/or internationally; and
 - v. national benefit of the proposed research infrastructure, equipment and facilities to the research community.
- c. Nature of the alliance and commitment between the organisations named on the Proposal 30%
- i. relevance of the research to the strategic priorities of the organisations;
 - ii. evidence that each of the organisations is genuinely committed to, and prepared to collaborate in the Project;
 - iii. existing or planned strategic research alliances between the higher education organisation(s) and other organisation(s); and
 - iv. effectiveness of cooperative arrangements for the management and sharing of the proposed infrastructure, equipment and facilities.
- d. Investigator(s) 20%
- i. research opportunity and performance evidence (ROPE); and
 - ii. for CIs who will manage the purchase, design, manufacture, installation, maintenance and coordination of access to the proposed infrastructure, equipment and facilities, a demonstrated record in these activities.

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 by the ARC for a Project under *LIEF* is \$150,000 per year.
- 5.1.3 The maximum level of funding provided by the ARC for a Project under *LIEF* is up to 75 per cent of the total direct cost of the infrastructure, equipment and facilities.
- 5.1.4 A Project may be applied for and awarded funding for one year, or, for subscriptions and/or membership costs for coordinated access to major national and/or international facilities or consortia, up to five years.
- 5.1.5 Funding for a Project may only be carried forward for a maximum of two years from the date funding commences, except under exceptional circumstances and with the approval of the ARC.
- 5.1.6 Funding for approved projects will commence effective 1 January 2013, unless other arrangements are approved by the ARC.

5.2 Budget Items Supported

Budget items which directly support provision of infrastructure, equipment and facilities for use in research projects may be funded, including:

- a. animal houses, herbaria, experimental farms;
- b. integrated research facilities consisting of multiple components which can be used either simultaneously or serially for research projects (where each of these research projects is integrated by having a single research aim or theme);
- c. international facilities, consortium membership or subscription costs, approved by the ARC under an international agreement including costs associated with the establishment, upgrading, and/or operation appropriate to Australia's participation in the use of the facility;
- d. major national research facilities, consortium membership or subscription costs, including reasonable operational costs directly relevant to the research program (where subscriptions cover such costs or where membership of a major national facility incurs an obligation that cannot be funded by other means);
- e. library and research information infrastructure (non-capital aspects only) to support specific research projects/programs which may also include salaries and minor pieces of equipment to build an integrated facility;
- f. purchase, upgrade, construction, transportation of, installation of, maintenance of and/or management of access to the infrastructure, equipment and facilities, including salaries and/or on costs directly associated with these activities; and
- g. data compilations, catalogues or bibliographies directly linked to the needs of competitively funded projects/programs.

5.3 Budget Items Not Supported

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

- a. basic facilities that should normally be funded by an Administering Organisation, Eligible Organisation and/or Partner Organisation;
- b. capital works and general infrastructure costs;
- c. teaching and/or teaching relief;
- d. fees for international students or the Higher Education Contribution Scheme (HECS) and Higher Education Loan Program (HELP) liabilities for students;
- e. rental of accommodation;
- f. salaries and/or on costs, in whole or in part, for CIs or PIs; and
- g. travel costs associated with use of the proposed infrastructure, equipment and facilities.

5.4 Research / Activities Not Supported

- 5.4.1 Except where such activities meet the definition of research at 4.1.3 the *LIEF* scheme does not support infrastructure, equipment and facilities for production of:
- a. teaching materials; and/or
 - b. descriptive compilations not linked to the needs of competitively funded projects/programs.
- 5.4.2 The *LIEF* scheme does not support Medical and Dental Research, defined as research and/or training primarily which is substantially aimed at understanding or treating a human disease or health condition. This includes but is not limited to Projects that 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 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 be submitted only by an Eligible Organisation listed at Appendix A.
- 6.1.2 The Eligible Organisation which submits the Proposal will be the Administering Organisation.
- 6.1.3 The Administering Organisation must demonstrate a significant contribution of cash and/or in kind resources to the Project. An Eligible Organisation named on the Proposal or which has a CI named on a Proposal must also demonstrate a significant contribution of cash and/or in-kind resources to the Project.
- 6.1.4 A Proposal must involve two or more Eligible Organisations unless it can be demonstrated that:
- a. collaborative use of the proposed infrastructure, equipment and facilities by another Eligible Organisation is not practicable; and
 - b. similar infrastructure, equipment and facilities are not available at another Eligible Organisation where collaborative arrangements would be practicable.

6.2 Partner Organisations

- 6.2.1 Partner Organisations named on a Proposal must participate for the duration of the Project unless otherwise approved by the ARC.
- 6.2.2 A Partner Organisation must demonstrate a significant contribution of cash and/or in kind resources to the Project having regard to the total cost of the Project and the relative contribution of each PI, if any.

- 6.2.3 A Partner Organisation contribution must be specified in Australian dollars and, subject to these Funding Rules, contributed at the specified level regardless of currency fluctuations.

6.3 Collaboration

- 6.3.1 The infrastructure, equipment and facilities, where appropriate, will be located at the Administering Organisation and be listed in its assets register, unless otherwise approved by the ARC.
- 6.3.2 The Proposal must set out, as agreed by each organisation named on the Proposal:
- a. the terms and conditions of access; and
 - b. details of the arrangements and costs of managing the infrastructure, equipment and facilities (including any recurrent expenditure) and how any costs will be distributed.
- 6.3.3 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 facilities are genuinely integrated and collaborative;
 - b. the items of infrastructure, equipment and facilities are complementary; and
 - c. the overall research outcomes will be enhanced.

7. Roles and Eligibility for Researchers

7.1 Researcher Roles and General Eligibility

- 7.1.1 Roles that may be undertaken by researchers are:
- a. Chief Investigator (CI); or
 - b. Partner Investigator (PI).
- 7.1.2 A Proposal must nominate at least one CI; the first-named CI from the Administering Organisation will be the Project Leader and must have a demonstrated high capacity to manage the Project.
- 7.1.3 A Proposal may nominate no more than a total of 30 CIs and PIs. No more than five CIs from each Eligible Organisation or five PIs from each Partner Organisation may be nominated on a Proposal.
- 7.1.4 A CI or PI 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. The CI or PI 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.
- 7.1.5 A CI or PI must be a significant and regular user of the infrastructure, equipment and facilities, on average, for a minimum of four hours per week (full time equivalent) by the CI or PI and/or their working group.
- 7.1.6 At the time of the submission of a Proposal, all obligations regarding previously funded LIEF 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 Final Reports.

7.2 Eligibility Criteria for Chief Investigators

- 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% of Full Time Equivalent) at **one** Eligible Organisation;
 - b. be a holder of an Emeritus, Adjunct or equivalent appointment at an Eligible Organisation 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 researcher undertaking undergraduate or postgraduate studies is not eligible to be a CI.
- 7.2.3 Each Eligible Organisation must identify a maximum of one CI who has a demonstrated record relative to opportunity in managing the proposed research infrastructure, equipment and facilities.
- 7.2.4 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.

7.3 Eligibility Criteria for Partner Investigators

- 7.3.1 A researcher nominated on a Proposal as a PI must:
- a. not meet the eligibility criteria for a CI; and
 - b. secure a significant cash or in-kind contribution or other resources from their own organisation for the Project (having regard to the total cost of the Project and the relative contribution of other investigators).
- 7.3.2 Each Partner Organisation may identify a maximum of one PI who has a demonstrated record relative to opportunity in managing the proposed research infrastructure, equipment and facilities.
- 7.3.3 If a Proposal has been approved for funding and a PI is, at any time, no longer able to work as proposed on the Project, the Project may be continued provided that the relevant Partner Organisation continues its involvement with the Project, and any replacement PI is approved by the ARC and meets the PI eligibility criteria.

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

8.1 Number of Proposals and Funded Projects

A researcher must not be nominated as a CI or as a PI on more than two *LIEF* Proposals in the same funding round.

8.2 Proposal Eligibility

8.2.1 A Proposal may only be submitted once in the same funding round to *LIEF* regardless of any variation in the proposed infrastructure, equipment and facilities, the proposed research, the listed researchers and/or Administering Organisation.

8.2.2 The ARC will not duplicate funding for infrastructure, equipment and facilities funded by the Commonwealth as at 1 January 2013. No part of the cash contribution by an organisation named on the Proposal can be from Commonwealth financial assistance for projects funded or likely to be funded for the same infrastructure, equipment and facilities.

8.2.3 The Proposal must list, in the manner required by the Instructions to Applicants, all current funding and requested funding for each CI and PI under any ARC scheme or any other Commonwealth funding scheme relevant to the proposed infrastructure, equipment and facilities.

8.2.4 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.

8.2.5 A decision under subsection 8.2.4 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.

9. Submission of Proposals

9.1 Proposals

9.1.1 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.

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

9.2 Submission of Proposals in the RMS

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

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

9.3 Closing Time for Proposals

9.3.1 The online form completed within the RMS must be submitted by **5.00 pm (AEST) Wednesday 18 April 2012**.

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

9.3.3 Proposals may be withdrawn up until **5.00pm (AEST) Wednesday 8 August 2012** by the Administering Organisation by notice in writing to the ARC.

9.4 Certification in the RMS

9.4.1 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.

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

9.5 Conflict of Interest

9.5.1 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.

9.5.2 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.

10. Selection and Approval Process

10.1 Assessment and Selection Process

10.1.1 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 reserves the right to recommend a level of funding for a Project that may differ from that requested in the Proposal.

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

10.1.3 All Proposals may be:

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

10.1.4 Unsuccessful applicants may be provided with feedback on their Proposal, where available. The names of assessors will not be provided.

10.1.5 The ARC has procedures in place for managing organisational and personal Conflicts of Interest for assessors, members of the Selection Advisory Committee, members of other ARC Committees and ARC staff.

10.2 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.

10.3 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 (AEST) Wednesday 4 April 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.

10.4 Recommendations and Offer of Funding

- 10.4.1 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.
- 10.4.2 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.
- 10.4.3 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.
- 10.4.4 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 *LIEF* Funding Rules and Funding Agreement.

11. Appeals Process

- 11.1.1 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.
- 11.1.2 Appeals will be considered only against administrative process issues and not against committee decisions, assessor ratings and comments or the assessment outcome.
- 11.1.3 Appeals must be submitted by the Administering Organisation on a completed ARC Appeals Form (available from the ARC webpage), which has been 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) on the due date for submission of the appeal advised by the ARC.
- 11.1.4 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.

- 11.1.5 At any time applicants for funding may seek to appeal ARC decisions using available external appeal options.

12. Reporting Requirements

12.1 Progress Reports for Projects funded beyond one year

- 12.1.1 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.
- 12.1.2 Year 2 of a 4 Year Project and Year 3 of a 5 Year Project: A Progress Report must be submitted in accordance with the instructions to be provided by the ARC each year.
- 12.1.3 If the ARC is not satisfied with the progress of any Project, further payment of Funds will not be made until satisfactory progress has been made on the Project. If satisfactory progress is still not achieved within a reasonable period of time, the funding may be terminated and all outstanding monies will be recovered by the ARC.
- 12.1.4 When required, Progress Reports must be submitted in accordance with the ARC's instructions by 31 March in the year following each full calendar year for which the funding was awarded or as otherwise determined by the ARC. If a Project has been completed in the first calendar year of funding no Progress Report is required.

12.2 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.

12.3 Final Report

- 12.3.1 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 or as otherwise determined by the ARC.
- 12.3.2 The Final Report must include any publications from the Project and, as required, justify why they have not been deposited in appropriate repositories. The Final Report must outline how data arising from the Project have been made publicly accessible where appropriate.
- 12.3.3 If any reports are not submitted or are not satisfactory to the ARC this will be noted against future Proposals submitted by all participants.
- 12.3.4 The ARC may also seek additional information about subsequent publications after submission of the Final Report.

12.4 Audited Financial Statement

- 12.4.1 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.
- 12.4.2 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.

13. Fundamental Principles of Conducting Research

13.1 Ethics and Research Practices

- 13.1.1 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.
- 13.1.2 If there is any conflict between a successor document and its predecessor, then the successor document prevails to the extent of any inconsistency.

13.2 Applicable Law

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

13.3 Confidentiality

- 13.3.1 The ARC will treat information contained in a Proposal as confidential. However, the ARC may disclose information contained in a Proposal, or otherwise provided to the ARC, to the extent that the information is:
- a. disclosed by the ARC to its advisers (including external assessors), officers, employees or other third parties in order to assess, evaluate or verify the accuracy or completeness of a Proposal;
 - b. disclosed to the ARC's personnel to enable effective management or auditing of the LIEF scheme or any Funding Agreement;
 - c. disclosed by the ARC to the Minister;
 - d. shared by the ARC within the ARC's organisation, or with another Commonwealth Department or agency, where this serves the Commonwealth's legitimate interests;
 - e. authorised or required by law to be disclosed;
 - f. disclosed in accordance with any other provision of these Funding Rules or the Funding Agreement; and/or
 - g. in the public domain.
- 13.3.2 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.
- 13.3.3 Notwithstanding the above, and in addition to the exemptions listed at clause 13.3.1, the ARC may publicise and report offers or awards of funding, including information about the proposed research; the name of the investigators nominated in funded 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).

- 13.3.4 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.

13.4 Intellectual Property

- 13.4.1 The ARC does not claim ownership of any intellectual property in a Proposal or in any research arising from an approved Proposal.
- 13.4.2 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.

13.5 Incomplete or Misleading Information

- 13.5.1 It is a serious offence to provide false or misleading information to the Commonwealth.
- 13.5.2 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.
- 13.5.3 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).

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

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