



Other Grants Guidelines (Research) 2012

Higher Education Support Act 2003

I, CHRIS EVANS, Minister for Tertiary Education, Skills, Science and Research, pursuant to section 238-10 of the *Higher Education Support Act 2003* ("*the Act*"), revoke the *Other Grants Guidelines (Research) 2010*, dated 10 November 2010 and make the attached *Other Grants Guidelines (Research) 2012* for the purposes of section 41-5 of *the Act*.

Dated 24/9/12

CHRIS EVANS

Senator the Hon Chris Evans

Minister for Tertiary Education, Skills, Science and Research

Part 1 **Preliminary**

1 **Name of Guidelines**

These *Guidelines* may be cited as the *Other Grants Guidelines (Research) 2012*.

2 **Commencement**

These *Guidelines* commence on the day after they are registered.

3 **Authority**

These *Guidelines* are made under section 238-10 of the *Higher Education Support Act 2003* for the purposes of items 7, 8, 10 and 11(b) of the table in subsection 41-10(1).

4 **Revocation**

The *Other Grants Guidelines (Research) 2010*, dated 10 November 2010 (F2010L03010), are revoked.

5 **Transitional Arrangements**

The revocation of the *Other Grants Guidelines (Research) 2010*, dated 10 November 2010, does not affect the validity of a payment or decision made under those guidelines.

A decision made under those guidelines is taken to continue to have effect as if it were made under these *Guidelines*.

Part 2 Other Grants Guidelines (Research) 2012

COMMONWEALTH OF AUSTRALIA

Higher Education Support Act 2003

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CHAPTER i INTRODUCTION

i.i PURPOSE

The purpose of these *Guidelines* is to provide for Other Grants under Part 2-3 of the *Higher Education Support Act 2003 (the Act)*.

i.v INTERPRETATION

i.v.i Unless the contrary intention appears, the terms used within the *Other Grants Guidelines (Research) 2010* have the same meaning as in *the Act*.

i.v.ii The following terms are defined specifically for these *Guidelines*:

<i>the Act</i>	means the <i>Higher Education Support Act 2003</i>
<i>AAH</i>	Australian Academy of the Humanities
<i>AAS</i>	Australian Academy of Science
<i>AATSE</i>	Australian Academy of Technological Science and Engineering
<i>ACCP</i>	Australian Centre for Child Protection
<i>ACGR</i>	Australian Competitive Grants Register
<i>ACoLA</i>	Australian Council of Learned Academies
<i>ANZAAS</i>	Australian and New Zealand Association for the Advancement of Science
<i>APA</i>	Australian Postgraduate Awards
<i>ASCED</i>	Australian Standard Classification of Education
<i>ASHER</i>	Australian Scheme for Higher Education Repositories
<i>ASSA</i>	Academy of Social Sciences of Australia
<i>CHASS</i>	Council for the Humanities, Arts and Social Sciences
<i>CRIS</i>	Collaborative Research Infrastructure Scheme
<i>CTS</i>	Commercialisation Training Scheme
<i>DEEWR</i>	means the Australian Government Department of Education, Employment and Workplace Relations
<i>DIISRTE or Innovation</i>	means the Australian Government Department of Industry, Innovation, Science, Research and Tertiary Education

<i>ERA</i>	Excellence in Research for Australia, a process for determining the quality of research in higher education providers that is administered by the Australian Research Council.
<i>FASTS</i>	Federation Australian Scientific and Technological Societies Incorporated
<i>Grant Year</i>	means the year in respect of which the grant is made, and of which <i>DIISRTE</i> has notified the relevant <i>HEP</i>
<i>Guidelines</i>	means these <i>Other Grant Guidelines (Research) 2012</i>
<i>HDR</i>	means a higher degree by research which is a Research Doctorate or Research Masters course for which at least two-thirds of the student load for the course is required as research work
<i>HEP</i>	means a higher education provider as specified in section 16-15 of <i>the Act</i> (Table A Providers) or section 16-20 of <i>the Act</i> (Table B Providers)
<i>HERDC</i>	is the Higher Education Research Data Collection which is managed by <i>DIISRTE</i>
<i>HERP</i>	Higher Education Research Promotion
<i>HESDC</i>	is the Higher Education Student Data Collection which is managed by DEEWR
<i>IAP</i>	Implementation Assistance Program
<i>JRE</i>	Joint Research Engagement
<i>Research Doctorate</i>	has the meaning as described in the Australian Qualifications Framework
<i>Research Masters</i>	has the meaning as described in the Australian Qualifications Framework
<i>RIBG</i>	Research Infrastructure Block Grants
<i>RTS</i>	Research Training Scheme
<i>RPF</i>	Regional Protection Fund
<i>SRE</i>	Sustainable Research Excellence (in Universities)
<i>the Minister</i>	means the Minister for Tertiary Education, Skills, Science and Research

i.v.iii Unless stated otherwise, references to paragraphs refer to paragraphs in these *Guidelines*.

i.x OTHER GRANT FUNDING APPROPRIATION AND PAYMENTS

i.x.i The funding for the other grants (research) grants are appropriated on a financial year basis but calculated and paid on a calendar year basis.

CHAPTER 1 GRANTS TO SUPPORT RESEARCH BY, AND THE RESEARCH CAPABILITY OF, HIGHER EDUCATION PROVIDERS

INTRODUCTION

1.1 Purpose

1.1.1 The purpose of this chapter is to specify:

- (1) In accordance with section 41-15(1) of *the Act* for the purpose described at Item 7 of the table in section 41-10 of *the Act*:
 - (a) Research Infrastructure Block Grants (*RIBG*);
 - (b) Joint Research Engagement (*JRE*);
 - (c) Sustainable Research Excellence (*SRE*) in Universities; and
 - (d) Collaborative Research Infrastructure Scheme (*CRIS*).
- (2) Under section 41-15(2) of *the Act*, some other matters relevant to the grants to support research by, and the research capability of, *HEPs* listed in paragraph 1.1.1(1) above.

RESEARCH INFRASTRUCTURE BLOCK GRANTS

1.10 RIBG Description

1.10.1 The *RIBG* scheme provides block grants, on a calendar year basis, to eligible *HEPs* to maintain and strengthen Australia's knowledge base and research capabilities by developing an effective research and research training system.

1.12 RIBG Objectives

1.12.1 The objectives of the *RIBG* scheme are to:

- (1) Remedy deficiencies in current research infrastructure;
- (2) Enhance support for areas of research strength; and
- (3) Ensure that areas of recognised research potential, in which institutions have taken steps to initiate high quality research activity, have access to the support necessary for development.

1.14 Conditions that Apply to RIBG Scheme Grants

1.14.1 Conditions that apply to *RIBG* scheme grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*. The latest version of the Conditions of Grant for the *RIBG* scheme is linked from the *RIBG* page on the Innovation Internet's "Research Block Grants" web site.

1.16 Extra Conditions of Eligibility for RIBG Grants

1.16.1 Before the end of the year immediately preceding any particular *Grant Year*, *DIISRTE* will contact all *HEPs* to seek written confirmation of their intention to comply with the requirements set out in these *Guidelines* for the *RIBG* for the *Grant Year*. The process for seeking confirmation and its timing will be determined by *DIISRTE* and provided annually to *HEPs*.

1.16.2 Only *HEPs* that confirm their intent will be eligible for *RIBG* funding in respect of the *Grant Year*.

1.18 RIBG Scheme Grant Amounts

1.18.1 The *RIBG* scheme grant amounts will be determined in writing by *the Minister*, or his or her delegate, under section 41-30(b) of *the Act*.

1.18.2 Grants made through the *RIBG* scheme are indexed in accordance with Part 5-6 of *the Act*.

JOINT RESEARCH ENGAGEMENT

1.30 JRE Description

1.30.1 The *JRE* scheme provides block grants, on a calendar year basis, to eligible *HEPs* and has replaced the *IGS* from 1 January 2010. The *JRE* scheme gives greater emphasis to end-user research by encouraging and supporting collaborative research activities between universities, industry and end-users, beyond those specifically supported by competitive grants.

1.32 JRE Objectives

1.32.1 The objectives of the *JRE* scheme are to:

- (1) Continue to support soft infrastructure;
- (2) Continue to support the maintenance of capital items (not capital purchases); and
- (3) Change the way that the level of funding for each university is calculated.

1.34 Conditions that Apply to JRE Grants

1.34.1 Conditions that apply to *JRE* grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*. The latest version of the Conditions of Grant for the *JRE* scheme is linked from the “*JRE*” page on the Innovation Internet’s “Research Block Grants” web site.

1.36 JRE Grant Amounts

1.36.1 The *JRE* grant amounts will be determined in writing by *the Minister*, or his or her delegate, under section 41-30(b) of *the Act*.

1.36.2 Grants made through the *JRE* scheme are indexed in accordance with Part 5-6 of *the Act*.

SUSTAINABLE RESEARCH EXCELLENCE (IN UNIVERSITIES)

1.50 SRE Description

1.50.1 The *SRE* scheme provides block grants on a calendar year basis to eligible *HEPs* to ensure that these institutions are better placed to meet the indirect cost of research activities that are not entirely met by the various competitive grant programs.

1.52 SRE Objectives

1.52.1 The *SRE* scheme ensures that institutions are better placed to meet the cost of research activities that are not entirely met by the various grant programs listed on the *ACGR*. In addition, it will contribute to the sustainability of current research strategies within universities over the longer term.

1.52.2 Specifically, the objectives of the *SRE* scheme are to:

- (1) Address an identified shortfall in the funding available to meet the indirect costs associated with Australian competitive grant research; and
- (2) Support universities to build and maintain research excellence through the implementation of best practice financial management, performance and reporting frameworks.

1.54 Conditions that Apply to SRE Grants

1.54.1 Conditions that apply to *SRE* grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*.

1.56 Extra Conditions of Eligibility for SRE Grants

The *SRE* scheme has three separate funding elements:

- (1) Base;
- (2) Threshold 1; and
- (3) Threshold 2.

1.56.1 Every *HEP* is eligible for funding under the Base element.

1.56.2 Only those *HEPs* that agree to participate in transparent costing of the indirect costs of research, and the *ERA* process will be eligible for funding under Threshold 1 or Threshold 2.

1.56.3 The methodology for undertaking the transparent costing process will be determined by *DIISRTE*.

1.56.4 For each year where *DIISRTE* determines that the transparent costing process is required, *DIISRTE* will, before the end of the year immediately preceding that year, contact all *HEPs* to seek written confirmation of their intention to participate in the process. The process for seeking confirmation and its timing will be determined by *DIISRTE*. Only *HEPs* that confirm their intention will be eligible for funding under the *SRE* Threshold 1 and Threshold 2 elements in respect of all *Grant Years* to which the transparent costing process outcomes apply.

1.58 SRE Grant Amounts

1.58.1 The *SRE* grant amounts will be determined in writing by *the Minister*, or his or her delegate, under section 41-30(b) of *the Act*.

1.58.2 Grants made through the *SRE* scheme are indexed in accordance with Part 5-6 of *the Act*.

COLLABORATIVE RESEARCH INFRASTRUCTURE SCHEME

1.70 CRIS Description

1.70.1 The *CRIS* provides block grants, in the 2013 and 2014 calendar years, to eligible *HEPs*. The *CRIS* will provide interim funding to support the ongoing operation of critical national collaborative research infrastructure facilities to 31 December 2014.

1.72 CRIS Objectives

1.72.1 The objective of the *CRIS* is to keep operational until 31 December 2014 critical national collaborative research infrastructure facilities so that the facilities are able to provide researchers with the infrastructure and networks they require for world-class research.

1.74 Conditions that Apply to CRIS Grants

1.74.1 Conditions that apply to *CRIS* grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*.

1.76 CRIS Grant Amounts

1.76.1 The *CRIS* grant amounts will be determined in writing by the Minister, or his or her delegate under section 41-30(b) of *the Act*.

1.76.2 Part 5-6 of *the Act* will not apply to the *CRIS* grant amounts.

CHAPTER 2 GRANTS TO SUPPORT THE TRAINING OF RESEARCH STUDENTS

INTRODUCTION

2.1 Purpose

2.1.1 The purpose of this chapter is to specify:

- (1) In accordance with section 41-15(1) of *the Act* for the purpose described at Item 8 of the table in section 41-10 of *the Act*:
 - (a) The *RTS* as a program under which grants can be paid for the purpose of supporting the training of *HDR* students; and
 - (b) The *CTS* as a program under which grants can be paid for the purpose of supporting the training of *HDR* students in research commercialisation.
- (2) Under section 41-15(2) of *the Act*, some other matters relevant to the grants to support the training of research students listed in paragraph 2.1.1(1) above.

RESEARCH TRAINING SCHEME

2.10 RTS Description

2.10.1 The *RTS* provides block grants, on a calendar year basis, to eligible *HEPs* to support research training for domestic students undertaking *Research Doctorate* and *Research Masters* degrees.

2.10.5 These students, referred to as '*RTS* students', are exempt from payment of student contribution amounts and tuition fees for units undertaken as part of an *HDR* course of study.

2.15 RTS Objectives

2.15.1 The objectives of the *RTS* are to:

- (1) Enhance the quality of research training provision in Australia;
- (2) Improve the responsiveness of *HEPs* to the needs of their research students;
- (3) Encourage *HEPs* to develop their own research training profiles;

- (4) Ensure the relevance of research degree programs to labour market requirements; and
- (5) Improve the efficiency and effectiveness of research training.

2.20 Conditions that Apply to RTS Grants

2.20.1 Conditions that apply to *RTS* grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*. The latest version of the Conditions of Grant for the *RTS* is linked from the “*RTS*” page on the Innovation Internet’s “Research Block Grants” web site.

2.25 RTS Grant Amounts

2.25.1 The *RTS* grant amounts will be determined in writing by *the Minister*, or his or her delegate, under section 41-30(b) of *the Act*.

2.25.2 Grants made through the *RTS* are indexed in accordance to Part 5-6 of *the Act*.

COMMERCIALISATION TRAINING SCHEME

2.35 CTS Description

2.35.1 The *CTS* provides block grants, on a calendar year basis, to eligible *HEPs* to support research commercialisation training for domestic *HDR* students. The *CTS* will be terminated as at 31 December 2011.

2.35.2 These students, referred to as ‘*CTS* students’, are exempt from payment of student contribution amounts and tuition fees for units undertaken as part of *CTS* training.

2.40 CTS Objective

2.40.1 The objective of the *CTS* is to provide high quality research commercialisation training for the next generation of Australian researchers (*Research Doctorate* and *Research Masters* students) as a means of equipping them with the skills, knowledge and experience necessary to bring research-based ideas, inventions and innovations to market.

2.45 Conditions that Apply to CTS Grants

2.45.1 Conditions that apply to *CTS* grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*. The latest version of the Conditions of Grant for the *CTS* is at paragraph 2.50 and Appendix 1 to these *Guidelines*.

2.50 Extra Conditions of Eligibility for CTS Grants

2.50.1 Before the end of the year immediately preceding any particular *Grant Year*, *DIISRTE* will contact all *HEPs* to seek written confirmation of their intention to comply with the requirements set out in these *Guidelines* for the *CTS* for the *Grant Year*. The process for seeking confirmation and its timing will be determined by *DIISRTE* and provided annually to *HEPs*.

2.50.2 Only *HEPs* that confirm their intention to comply with those requirements will be eligible for *CTS* funding in respect of the *Grant Year*.

2.55 How CTS Grants will be Determined

2.55.1 *HEPs* preliminary *CTS* grant amounts will be determined according to the total *CTS* funds available (as determined by *the Minister* or his or her delegate) multiplied by each *HEPs* share of the initial *CTS* performance index which includes all eligible *HEPs* and is calculated according to paragraph 2.55.3. If all preliminary grant amounts are greater than the minimum *CTS* grant amount (as specified in paragraph 2.55.4), then the preliminary grant amounts become the final *CTS* grant amounts.

2.55.2 Where one or more *HEPs* have a preliminary grant amount less than or equal to the minimum *CTS* grant amount, but greater than zero, these final *CTS* grant amount will be equal to the minimum *CTS* grant amount. The final *CTS* grant amounts for all “remaining *HEPs*” (i.e. those *HEPs* not allocated a minimum grant amount) are then determined according to a formula calculated as follows:

$$(1 - \text{ratio}) \times \text{secondary grant amount} + \text{minimum CTS grant amount}$$

Where:

- (1) The “**ratio**” is equal to the “**excess amount**” divided by the sum of the remaining “**secondary CTS grant amounts**”; and
- (2) The “**excess amount**” is equal to the remaining *HEPs* preliminary grant amounts plus all minimum grant amounts previously allocated minus the total *CTS* funds available for the *Grant Year*; and
- (3) For each remaining *HEP*, the secondary *CTS* grant amount is equal to its preliminary *CTS* grant amount minus the minimum *CTS* grant amount.

The CTS performance index

2.55.3 The *CTS* performance index is a list of the relative performances of a group of *HEPs* defined for a particular purpose.

- (1) The relative performances are expressed as a percentage of the sum of all performances within the defined group. Each *HEPs* percentage is known as a share.

- (2) A share is the sum of three performance components after each has been multiplied by a proportioning factor:
 - (a) *HDR* student completions performance has a proportioning factor of 0.5;
 - (b) Research income performance has a proportioning factor of 0.4; and
 - (c) Research publications performance has a proportioning factor of 0.1.

HDR student completions performance

- (3) *HDR* student completions performance for a *HEP* is equal to a *HEPs* weighted completions divided by total weighted completions of a defined group of *HEPs*.
- (4) Weighted completions equals the sum of all categories of completions after each has been multiplied by the specified weighting factor:
 - (a) *Research Doctorate* degree has a weighting factor of 2; and
 - (b) *Research Masters* degree has a weighting factor of 1.
- (5) Each category of data is the average of the most recent two years for which data is available and is sourced from the *HESDC*.

Research income performance

- (6) Research income performance for a *HEP* is equal to a weighted research income divided by total weighted research income of a defined group of *HEPs*.
- (7) Weighted research income equals the sum of the following categories of research income:
 - (a) Australian competitive grants income has a weighting factor:
 - (b) Other public sector research income has a weighting factor of 1;
 - (c) Industry and other research income has a weighting factor of 1; and
 - (d) Cooperative Research Centres research income has a weighting factor of 1.
- (8) Each category of data is the average of the most recent two years for which data is available and is sourced from the *HERDC*.

Research publications performance

- (9) Research publications performance for a *HEP* is equal to a weighted research publications divided by total weighted research publications of a defined group of *HEPs*.

- (10) Weighted research publications equals the sum of all categories of research publications after each has been multiplied by the specified weighting factor:
- (a) Books have a weighting factor of 5 ;
 - (b) Book chapters have a weighting factor of 1;
 - (c) Journal articles have a weighting factor of 1; and
 - (d) Conference papers have a weighting factor of 1.
- (11) Each category of data is the average of the most recent two years for which data is available and is sourced from the *HERDC*.

Minimum Grant Amounts

2.55.4 2011 and later years. The minimum *CTS* grant amount of \$22,480 that applied in 2011 will be indexed for subsequent years in accordance with the method of indexation set out in Part 5-6 of *the Act*.

2.60 Payment of CTS Grants

2.60.1 *CTS* grants will be made to the *HEPs* by instalments in the manner and at the times determined by *the Minister*, or his or her delegate, respectively, under sections 164-5(1) and (2) of *the Act*.

2.65 Use of CTS Grants

2.65.1 A *HEP* must spend *CTS* grants only on:

- (1) Providing *CTS* training to its *CTS* students; or
- (2) Payments to another *HEP* to provide *CTS* training on behalf of the *HEP* in accordance with a separate written agreement between the *HEPs*.

2.65.2 In addition to providing *CTS* training as specified in paragraph 2.65.1, a *HEP* may make payments to its *CTS* students in order to assist them to meet the direct costs of undertaking *CTS* training such as the provision of a stipend for living costs or the provision of allowances.

2.70 Student Eligibility for CTS Training

2.70.1 To be eligible to receive benefit under the *CTS*, a student must:

- (1) Be enrolled in a *HDR*; and
- (2) Be a domestic student, as defined in *the Act*; and

- (3) Not have previously completed *CTS* training or training consistent with that described in paragraph 2.75.

2.70.2 Students who, under any circumstances, are entitled to receive credit towards the *CTS* qualification from prior studies can only receive benefit under the *CTS* for the remaining period of study necessary to complete *CTS* training.

2.70.3 Students who fail to complete *CTS* training within 24 months from the date of commencement of the *CTS* training (plus any periods of suspension or leave approved by *HEPs*) are ineligible to receive further support under the *CTS*.

2.70.4 Students who have commenced *CTS* training prior to submitting their *HDR* thesis may be exempted from paragraph 2.70.1(a) for a period of six months from the date of submission of their *HDR* thesis (subject to paragraph 2.70.3) only to allow them to complete *CTS* training.

2.70.5 *HEPs* must monitor students' ongoing eligibility to ensure that each student continues to meet the eligibility requirements set out in these *Guidelines*.

Provision of False Information

2.70.6 If a *HEP* knows or has reason to believe that a student in receipt of benefit under the program has provided false or misleading information to the *HEP* in relation to the program, the *HEP* must immediately:

- (1) Re-assess the student's entitlement to benefit under the program; and
- (2) Notify *DIISRTE* of the suspected offence and provide a copy of the student's application and any other relevant information requested by *DIISRTE*.

2.75 CTS Training

General Requirements

2.75.1 *CTS* training must:

- (1) Result in a graduate certificate qualification being awarded by a Table A or Table B *HEP* (as specified in section 16-15 or section 16-20 of *the Act*) to students that complete *CTS* training to the satisfaction of the *HEP*; and
- (2) Take no longer than six months full-time study or equivalent part-time study to complete; and
- (3) Be in addition to a student's *HDR* course load; and
- (4) Add value to a student's *HDR* experience; and
- (5) Enhance a student's career prospects; and
- (6) Be customised to meet individual student needs wherever possible; and

- (7) Involve industry and other relevant expertise in the on-going development, delivery and evaluation of the training.

Course Requirements.

2.75.2 CTS training courses must demonstrate capacity to provide learning in three knowledge areas, being commercialisation know-how, technical commercialisation skills and organisational behaviour skills. Details are:

- (1) Commercialisation know-how: Students must gain an understanding of commercialisation processes and activities commonly employed to bring research-based ideas, inventions and innovations to market;
- (2) Technical commercialisation skills: Students must gain a comprehensive understanding of relevant technical commercialisation subject areas. Intellectual Property management is a mandatory area of learning. Other technical commercialisation subject areas covered may be determined by *HEPs* taking into account individual student needs but, wherever possible, should include financial management, project management and market research; and
- (3) Organisational behaviour skills: Students must gain a comprehensive understanding of subject areas that cover interpersonal and communication skills relevant to research commercialisation activities including leadership, teamwork and presentation skills.

2.75.3 CTS training must provide for significant elements of practical, non-lecture based learning where students are given the opportunity to participate in team-based learning exercises centred on research commercialisation scenarios.

2.75.4 The requirements at paragraphs 2.75.2 and 2.75.3 comprise the minimum requirements only and may be supplemented by *HEPs* on condition that any additional training is consistent with the program objective.

2.80 Interruptions to CTS Training

Suspensions

2.80.1 Students may apply to their *HEP* for a suspension of their *CTS* training. The approval of suspensions will be at the discretion of the *HEP*.

Leave

2.80.2 Students may apply to their *HEP* for leave during their *CTS* training. The approval of leave will be at the discretion of the *HEP*.

Transfer to another HEP

2.80.3 Students who transfer to another *HEP* may continue to receive *CTS* training from the new *HEP* and associated assistance only if their new *HEP* agrees to its continuation and subject to the new *HEP* having sufficient *CTS* grant amounts of its own available.

2.85 Termination of CTS Training

2.85.1 A *HEP* must terminate a student's *CTS* training:

- (1) If the student ceases to meet the eligibility criteria specified in paragraph 2.70.1, other than during a period in which the *CTS* training has been suspended or during a period of leave under paragraphs 2.80.1 or 2.80.2; or
- (2) When the student completes the course of study; or
- (3) If the *HEP* determines that:
 - (a) The *CTS* training is not being carried out with competence and/or diligence by the student or in accordance with the offer of *CTS* training; or
 - (b) The student has committed serious misconduct, including, but not limited to the provision of false or misleading information in terms of paragraph 2.70.6.

2.85.2 If *CTS* training is terminated, it cannot be re-activated unless the termination occurred in error.

2.90 Application, Selection and Offer Processes for CTS Training

2.90.1 *HEPs* are responsible for *CTS* training application, selection and offer processes and must make information about the processes, policies and conditions readily and publicly available.

Application Process

2.90.2 The *HEP* must conduct a competitive application process for selecting students to receive *CTS* training.

2.90.3 All applications by students for *CTS* training must be submitted to the *HEP* in the form approved and by the date determined by the *HEP*.

2.90.4 The *HEP* must include the following statement on the application form, immediately prior to the applicant's signature block: "Giving false or misleading information is a serious offence under the Criminal Code (Commonwealth)".

Selection Process

2.90.5 The *HEP* must maintain a *CTS* selection policy which accords with these *Guidelines* and the relevant provisions in *the Act*, including the fairness requirements in Subdivision 19-D of Part 2-1 of *the Act*. A *HEP* must select students for *CTS* training in accordance with the policy.

2.90.6 The *HEP* must preferentially select students the *HEP* considers will have the best prospects of pursuing a career that will utilise the skills, knowledge and experience gained during *CTS* training.

2.90.7 The *HEP* must be satisfied that *CTS* training would neither unduly hinder a student's *HDR* progress nor compromise the quality of the outputs of the *HDR*.

Offer Process

2.90.8 The *HEP* must offer *CTS* training to as many students as it can support through its *CTS* grant, taking into account:

- (1) Any liabilities arising from previous offers of *CTS* training to students;
- (2) Any liabilities arising from *CTS* training arrangements with other *HEPs* to deliver *CTS* training; and
- (3) Any roll-over of grant amounts as provided for in section 41-40 of *the Act*.

2.90.9 The *HEP* must only offer a student *CTS* training as a result of:

- (1) An application lodged as part of a competitive application process; or
- (2) The *HEPs* agreeing to continue *CTS* training for a student who is transferring from another *HEP*.

2.90.10 The *HEP* must offer *CTS* training to a student in writing and advise the student in writing of the assistance to which they are entitled and the conditions of *CTS* training. The written offer must detail any arrangements under which *CTS* training will be delivered by another *HEP* or the graduate certificate qualification will be conferred by another *HEP* or jointly with another *HEP*.

CHAPTER 3 GRANTS TO SUPPORT THE DEVELOPMENT OF SYSTEMIC INFRASTRUCTURE

3.1 Purpose

3.1.1 The purpose of this chapter is to specify, in accordance with section 41-15(1) of *the Act* for the purpose described at Item 10 of the table in section 41-10 of *the Act*, the *IAP*.

3.5 Bodies Corporate Eligible to Receive IAP and ASHER Grants

3.5.1 In addition to the provision of *IAP* and *ASHER* grants to eligible *HEPs*, pursuant to item 10 of the table in section 41-10(1) of *the Act* the following bodies corporate are eligible to receive grants under the *ASHER* and the *IAP*:

- (1) Bond University Limited;
- (2) The University of Notre Dame Australia; and
- (3) Melbourne College of Divinity.

AUSTRALIAN SCHEME FOR HIGHER EDUCATION REPOSITORIES

3.15 ASHER Description

3.15.1 The *ASHER* assists eligible *HEPs* and the bodies corporate listed in paragraph 3.5.1 with establishing university digital data storage.

3.20 ASHER Objective

3.20.1 The objectives of *ASHER* are to:

- (1) Provide support to establish and refine a digital repository; and
- (2) Provide support to populate digital repositories with research outputs and publications with the aim of increasing the amount of open access material.

3.25 Conditions that Apply to ASHER Grants

3.25.1 Conditions that apply to *ASHER* grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*.

3.30 ASHER Grant Amounts

3.30.1 The *ASHER* grant amounts will be determined in writing by *the Minister*, or his or her delegate, under section 41-30(b) of *the Act*.

3.30.2 The *ASHER* grants are terminating payments under the Act with the last payments due in calendar year 2009.

IMPLEMENTATION ASSISTANCE PROGRAM

3.40 IAP Description

3.40.1 The *IAP* assists eligible *HEPs* and the bodies corporate listed in paragraph 3.5.1 in meeting the costs of changing the nature and amount of information they collect about researchers and research.

3.45 IAP Objective

3.45.1 The objectives of the *IAP* are to provide support to:

- (1) Develop and implement new data gathering and reporting systems for bibliometrics and other data as part of the Excellence in Research for Australia (ERA) initiative; and
- (2) Assist *HEPs* in meeting the costs of gathering and reporting bibliometrics and other data.

3.50 Conditions that Apply to IAP Grants

3.50.1 Conditions that apply to *IAP* grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*.

3.55 IAP Grant Amounts

3.55.1 The *IAP* grant amounts will be determined in writing by *the Minister*, or his or her delegate, under section 41-30(b) of *the Act*.

3.55.2 The *IAP* grants are terminating payments under *the Act* with the last payment due in calendar year 2010.

CHAPTER 4 GRANTS FOR ACTIVITIES THAT FOSTER AN UNDERSTANDING OF THE IMPORTANCE OF, OR PROMOTE RESEARCH AND SCHOLARSHIP IN, SCIENCE, SOCIAL SCIENCE OR THE HUMANITIES IN AUSTRALIA

4.1 Purpose

4.1.1 The purpose of this chapter is to specify:

- (1) In accordance with section 41-15(1) of *the Act*, for the purpose described at Item 11(b) of the table in section 41-10 of *the Act*, the Higher Education Research Promotion (*HERP*); and
- (2) Under section 41-15(2) of *the Act*, some other matters relevant to the *HERP* grants.

HIGHER EDUCATION RESEARCH PROMOTION

4.5 Organisations Eligible to Receive Grants

4.5.1 The following organisations are eligible to receive grants under the *HERP*:

- (1) The Australian Centre for Child Protection (*ACCP*) (an academic centre within the University of South Australia);
- (2) The Australian and New Zealand Association for the Advancement of Science (*ANZAAS*);
- (3) The Council for the Humanities, the Arts and the Social Sciences (*CHASS*);
- (4) The Federation of Australian Scientific and Technological Societies Incorporated (*FASTS*);
- (5) The Learned Academies as follows:
 - (a) The Australian Academy of the Humanities (*AAH*);
 - (b) The Australian Academy of Science (*AAS*);

- (c) The Australian Academy of Technological Sciences and Engineering Limited (*AATSE*);
- (d) The Academy of Social Sciences in Australia Incorporated (*ASSA*); and
- (e) The Australian Council of Learned Academies (*ACoLA*) (peak body for the Learned Academies).

4.10 HERP Description

4.10.1 The *HERP* provides grants under *the Act* to foster an understanding of the importance of, and/or promote research and scholarship in, science, social science or the humanities in Australia.

4.15 HERP Objectives

4.15.1 The objectives for each *HERP* grant to each of the relevant eligible organisations are:

- (1) *ACCP*: To work collaboratively across disciplinary and organisational boundaries, undertake research and facilitate its translation into policy, program development, professional education and service delivery in order to enhance the life opportunities of children at risk of abuse or neglect in Australia;
- (2) *ANZAAS*: To cover the costs of transportation and accommodation for approximately five students from each Australian State and Territory to attend the annual Youth Conference;
- (3) *CHASS*: To promote and provide advocacy for the humanities, arts and social sciences, and to serve as a coordinating forum for academies, students, business, practitioners and the broader community;
- (4) *FASTS*: To support *FASTS* role in policy formulation, raising public awareness, and promoting the importance of science and technology in addressing important national issues; and
- (5) Learned Academies, as follows:
 - (a) The *AAS*, *AATSE*, *AAH*, and *ASSA*: To provide secretariat and other administrative support to enable the Academies and their fellows contribute advice and assistance on issues of national importance, to conduct workshops, forums, symposia and similar events so that the Academies and their fellows can engage on issues of national importance, to manage the development and conduct of policy, education and other programs, and to support relationships with international communities including exchange programs and joint research programs, and
 - (b) The *ACoLA* (peak administrative body for the Learned Academies): To support cooperation between the four Learned Academies, to provide a common point of access to the four Learned Academies for outside organisations and individuals, and promote a unified national vision, helping to enhance interactions between the four Learned Academies without compromising their individual priorities or activities.

4.20 Conditions that Apply to HERP Grants

4.20.1 Conditions that apply to the *HERP* grants will be determined in writing by *the Minister*, or his or her delegate, under section 41-25(b)(i) of *the Act*.

4.25 HERP Grant Amounts

4.25.1 The *HERP* grant amounts will be determined in writing by *the Minister*, or his or her delegate, under section 41-30(b) of *the Act*.

4.25.2 Grants made through the *HERP* are indexed in accordance with Part 5-6 of *the Act*.

Appendix 1: Conditions of CTS Grants

Note: Under subparagraph 41-25(b)(i) of *the Act*, the *Guidelines* (which are defined in section 41-5 of *the Act*) may specify conditions that apply to a grant.

MEANING OF WORDS

Unless the contrary intention appears, the following meanings apply in this appendix. Unless a term is defined differently in this appendix, terms defined in the *Guidelines* have the same meaning in this appendix as in the *Guidelines*.

“the **Act**” means the *Higher Education Support Act 2003*;

“**Auditor-General**” means the office established under the *Auditor-General Act 1997* and includes any other entity that may, from time to time, perform the functions of that office;

“**Conditions of Grant**” means these conditions of grant;

“**Department**” or “**DIISRTE**” means the Australian Government Department of Industry, Innovation, Science, Research and Tertiary Education;

“**Grant**” means a *CTS* grant;

“**Grant Amount**” means the amount of the *Grant* calculated in accordance with chapter 2 of the *Guidelines*, and of which the *Department* has notified the *Recipient*;

“**Guidelines**” means the *Other Grant Guidelines (Research) 2010*;

“**HERDC Specifications**” means the specifications for “Higher Education Research Data Collection”. The latest version of the *HERDC Specifications* is linked from the HERDC page on the DIISRTE Internet’s “Research Block Grants” web site.

“**HDR**” means higher degree by research which is a Research Doctorate or Research Masters course for which at least two-thirds of the student load for the course is required as research work;

“**HEP**” has the same meaning as it does in *the Act*;

“**Intellectual Property Rights**” or “**IPRs**” includes all copyright (including rights in relation to phonograms and broadcasts), all rights in relation to inventions (including patent rights), plant varieties, registered and unregistered trademarks (including service marks), registered designs, circuit layouts and all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields;

“**Material**” means any document, software (including source code and object code), or information or data stored by any means;

“**Minister**” means the Minister for Innovation, Industry, Science and Research;

“**personal information**” has the same meaning as it does in the *Privacy Act*;

“**Privacy Act**” means the *Privacy Act 1988*;

“**Program**” means the Commercialisation Training Scheme (CTS);

“**Program Delegate**” means the person from time to time holding the office of Manager in the Department’s Research Division;

“**Recipient**” means the body corporate to which the *Grant* is made, being a Table A provider or a Table B provider specified in section 16-15 or section 16-20 of *the Act*, respectively;

“**Reporting Year**” means the year following the year in respect of which the *Grant* is made;

“**Reports**” means the reports specified in clause 2.1;

“**Secretary**” means the Secretary of the Department;

“**Third-party IPRs**” means the *IPRs* in any *Third-party Material*;

“**Third-party Material**” means any *Material* incorporated or supplied with the *Reports* in which the *IPRs* are owned by a third party alone or jointly with any other party; and

“**Year**” means the year in respect of which the *Grant* is made.

1. THE GRANT

- 1.1 The *Grant* is made in respect of the *Year*, and must be spent only in accordance with the *Conditions of Grant* and chapter 2 of the *Guidelines* made under section 238-10 of *the Act*.
- 1.2 If the Recipient fails to spend an amount of the *Grant* (the “**Unspent Amount**”), the Recipient may request in writing to the *Secretary*, or the *Program Delegate*, in accordance with requirements for the “Request for Rollover of Unspent Grant Amount” (the “**Request**”) specified in clauses 1.3 and 1.4, that the *Secretary*:
 - 1.2.1 determine under paragraph 41-40(1)(b) of *the Act* that section 41-40 of *the Act* applies to the *Recipient* in respect of the *Grant*;
 - 1.2.2 specify under subsection 41-40(1) of *the Act* a part of the *Unspent Amount* that is taken to be granted to the *Recipient* under Part 2-3 of *the Act* in respect of the year next following the *Year* (the “**Rollover Grant**”); and
 - 1.2.3 determine under paragraph 41-40(3)(b) such other conditions under which the *Rollover Grant* is taken to be made.
- 1.3 Requirements concerning the *Request* (including a pro forma that the *Recipient* may use for making a *Request*) are set out on the ‘Research Block Grants’ page on the *DIISRTE* Internet web site.
- 1.4 The *Recipient* must not spend any of the *Unspent Amount* for any purpose without first receiving written notice from the *Secretary* (or a person acting on behalf of the *Secretary*) giving details of the *Secretary*’s determinations and specification referred to in clauses 1.2.1 to 1.2.3, above.

1.5 The *Recipient* must:

- 1.5.1 notify *the Minister* (or *the Minister's* delegate) in writing of any event that may significantly affect the *Recipient's* capacity to meet these *Conditions of Grant*; and
- 1.5.2 provide *the Minister* (in the form required by *the Minister* and at such times specified by *the Minister*) with such other information that *the Minister* by notice in writing requires from the *Recipient* in respect of the *Grant* or compliance by the *Recipient* with these *Conditions of Grant*.

1.6 The *CTS* will be terminated as at 31 December 2011.

2. REPORTING

2.1 The *Recipient* must provide *DIISRTE* with the *Reports* and other information specified in the following table in accordance with any requirements specified in the table or in clause 2.2:

Description of Report	Form of Submission	Due Date
Request for Rollover of Unspent Grant Amount	Electronic	30 June of the Reporting Year (or unless otherwise notified)
HERDC Research Income Return-Return 1, as specified in the HERDC Specifications	Electronic	
HERDC Research Publications Return-Return 2, as specified in the HERDC Specifications	Electronic	
HERDC Audit Certificate	Hard Copy	
HERDC Vice-Chancellor's Certification Statement	Hard Copy	
Commercialisation Training Scheme Non-Financial Report	Electronic	

2.2 From time to time, the *Department* will notify the *Recipient* of any requirements applying to electronic submission of *Reports* under clause 2.1.

3. DISSEMINATION

3.1 The Commonwealth may publicise the award of any *Grant* to the *Recipient* and information about any aspect of these *Conditions of Grant* at any time, in such manner and to such parties as it sees fit.

4. ACKNOWLEDGMENTS, PUBLICATIONS AND PUBLICITY

4.1 In all *CTS* training related promotional material, publications, speeches, media releases, and brochures the *Recipient* must acknowledge the contribution made by the Commonwealth. In particular, the *Recipient* should ensure that:

- 4.1.1 the acknowledgment is prominently recorded and commensurate with that given to state or local government, corporate or other sponsors;

- 4.1.2 any formal statement issued in relation to any aspect of the project, including speeches, media releases, brochures, should make reference to the Commonwealth contribution;
- 4.1.3 any signs and plaques erected in association with a project must acknowledge the Commonwealth's assistance; and
- 4.1.4 where an official opening or launch is proposed for a project *the Minister* is to be invited to attend or to send a representative.

5. DISCLOSURE OF INFORMATION

- 5.1 *DIISRTE* gives no undertaking to keep confidential the *Conditions of Grant* or any information in the *Reports*.

6. INDEMNITY

- 6.1 The *Recipient* must indemnify the Commonwealth against any:

- 6.1.1 loss or liability incurred by the Commonwealth;
- 6.1.2 loss of or damage to Commonwealth property; or
- 6.1.3 loss or expense incurred by the Commonwealth in dealing with any claim against the Commonwealth, including legal costs and expenses on a solicitor/own client basis and the cost of time spent, resources used, or disbursements paid by the Commonwealth;

arising from:

- 6.1.4 any act or omission by the *Recipient*, or any of the *Recipient's* employees, agents, or subcontractors in connection with these *Conditions of Grant*, where there was fault on the part of the person whose conduct gave rise to that liability, loss, damage, or expense;
 - 6.1.5 any breach by the *Recipient* or any of the *Recipient's* employees, agents, or subcontractors of obligations or warranties under these *Conditions of Grant*;
 - 6.1.6 any use or disclosure by the *Recipient*, or its officers, employees, agents or subcontractors of personal information held or controlled in connection with these *Conditions of Grant*; or
 - 6.1.7 the use by the Commonwealth of the *Reports*, including any claims by third parties about the ownership or right to use *Intellectual Property Rights* (including moral rights, as defined in the *Copyright Act 1968*) in the *Reports*.
- 6.2 The *Recipient's* liability to indemnify the Commonwealth will be reduced proportionally to the extent that any fault on the part of the Commonwealth contributed to the relevant loss, damage, expense, or liability.
 - 6.3 The Commonwealth's right to be indemnified is in addition to, and does not exclude, any other right, power, or remedy provided by law, but the Commonwealth is not entitled to be compensated in excess of the amount of the relevant loss, damage, expense or liability.
 - 6.4 In this clause 6, "**fault**" means any negligent or unlawful act or omission or wilful misconduct.

7. ACCESS TO PREMISES AND RECORDS

- 7.1 The *Recipient* must at all reasonable times give:
- 7.1.1 the Auditor-General;
 - 7.1.2 the Privacy Commissioner (meaning the Office of the Privacy Commissioner, established under the *Privacy Act*, including any other entity that may, from time to time, perform the functions of that Office);
 - 7.1.3 the person occupying the position of Head of Research Division in *DIISRTE*;
 - 7.1.4 or any person authorised in writing by the *Secretary*:
 - (i) reasonable access to:
 - A. the *Recipient*'s employees;
 - B. premises occupied by the *Recipient*;
 - C. *Material*; and
 - (ii) reasonable assistance to:
 - A. locate and inspect *Material*;
 - B. make copies of *Material* and remove those copies, relevant to any *Grant*.
- 7.2. The rights referred to in clause 7.1 are subject to:
- 7.2.1 the provision of reasonable prior notice to the *Recipient*; and
 - 7.2.2 the *Recipient*'s reasonable security procedures.
- 7.3 If a matter is being investigated which, in the opinion of any person authorised in writing by the *Secretary* of *DIISRTE*, may involve an actual or apprehended breach of the law, clause 7.2.1 will not apply.
- 7.4 The requirement for access specified in clause 7.1 does not in any way reduce the *Recipient*'s responsibility to perform its obligations under these *Conditions of Grant*.

8. INTELLECTUAL PROPERTY RIGHTS IN THE REPORTS

- 8.1 Subject to this clause 8, ownership of the *Reports* and the *Intellectual Property Rights* in them vest immediately in the *Recipient*.
- 8.2 The *Recipient* grants to the Commonwealth a permanent, irrevocable, free, world wide, non-exclusive licence (including a right to sub-license) to use, reproduce, adapt the *Intellectual Property Rights* in the *Reports* for any purpose.
- 8.3 If requested to do so, the *Recipient* must arrange for the grant to the Commonwealth of a licence over *Third-party IPRs* in the same terms as set out in clause 8.2.
- 8.4 The *Recipient* must, if requested by the Commonwealth to do so, bring into existence, sign, execute or otherwise deal with any document which may be necessary or desirable to give effect to this clause 8.

8.5 The *Recipient* warrants that it:

- 8.5.1 is entitled, or will be entitled at the relevant time, to deal with the *Intellectual Property Rights* in the *Reports* (including *Third-party IPRs*) in accordance with this clause 8; and
- 8.5.2 will obtain valid written consents from all authors (including any authorised subcontractors under these *Conditions of Grant*) involved in creating *Reports* and *Third-party Material* so that the Commonwealth's use of the *Reports* or *Third-party Material* in any way will not infringe any author's moral rights under the *Copyright Act 1968*.

9. COMPLIANCE WITH LAWS AND POLICIES

9.1 The *Recipient* must:

- 9.1.1 comply with the “**Information Privacy Principles**” (as defined in the *Privacy Act*) when doing any act or engaging in any practice in relation to personal information for the purposes of these *Conditions of Grant* as if the *Recipient* were an agency as defined in the *Privacy Act*; and
 - 9.1.2 deal with personal information received, created or held by the *Recipient* for the purposes of these *Conditions of Grant* only to fulfil its obligations under these *Conditions of Grant*; and
 - 9.1.3 ensure that any contractor engaged by the *Recipient* to perform any of the *Recipient's* obligations under these *Conditions of Grant* are contractually bound to comply with the Information Privacy Principles.
- 9.2 The *Recipient* acknowledges that where it is required to give information to *DIISRTE*, giving false or misleading information is a serious offence under the Criminal Code.

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