

EXPLANATORY STATEMENT

Guidelines issued under section 238-10 of the Higher Education Support Act 2003

Other Grants Guidelines (Research) 2017

Issued by the authority of the Minister for Education and Training

Subject Higher Education Support Act 2003
Other Grants Guidelines (Research) 2017

Authority

Section 238-10 of the *Higher Education Support Act 2003* (the Act) provides that the Minister may make guidelines providing for matters required or permitted by the Act or necessary or convenient to be provided in order to carry out or give effect to the Act. In particular section 238-10 specifies the Minister may make *Other Grants Guidelines* to give effect to matters under Part 2-3 of the Act. Under subsection 33 (3) of the *Acts Interpretation Act 1901*, where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character (including rules, regulations or by-laws), the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.

Section 41-15 of the Act provides that the Other Grants Guidelines may specify one or more programs under which grants for particular purposes specified in the table in subsection 41-10(1) are to be paid.

Purpose and Operation

The purpose of this legislative instrument is to revoke the *Other Grants Guidelines (Research) 2012* (the Former Guidelines), made on 24 September 2012 (see F2012L02010) and to make the *Other Grants Guidelines (Research) 2017* (the Guidelines).

The Guidelines set out the purpose and programs under which grants may be made for research, as set out in items 7 and 11(b) of the table in subsection 41-10(1) of the Act. These include: grants to support research by, and the research capability of higher education providers, and 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.

The Research Support Program (RSP) has been added to the Guidelines to support research by, and the research capability of, eligible Australian higher education providers (HEPs).

The following schemes have been removed from the Guidelines in response to the RSP being added:

- Research Infrastructure Block Grants (RIBG) (ceasing 31 December 2016)
- Joint Research Engagement (JRE) (ceasing 31 December 2016)
- Sustainable Research Excellence (SRE) (ceasing 31 December 2016)
- Research Training Scheme (RTS) (ceasing 31 December 2016)

These schemes were four of six schemes within the suite of research block grants and will cease from 31 December 2016 following recommendations from the *Review of Research Policy and Funding Arrangements*. The review recommended that the Australian Government (Government) introduce new funding arrangements to simplify the research block grants and to provide greater encouragement of engagement and innovation in research and research training. These recommendations were accepted and announced as one of the measures in the National Innovation and Science Agenda (NISA) on 7 December 2015. The RSP replaces the RIBG, JRE and SRE programs and incorporates all the funding available for those same

programs plus an additional \$50 million per annum, indexed, from 2017. The funding for the RTS has now been incorporated into the Research Training Program (RTP), made under paragraph 46-10(b) of the Act and provided for through the *Commonwealth Scholarship Guidelines (Research) 2017*.

Amendments have been made under Chapter 2 of the Guidelines to the Higher Education Research Promotion (HERP) program to change the bodies corporate eligible for this program. The Australian Centre for Child Protection, the Council for Humanities, the Arts and Social Sciences, and the Federation of Australian Scientific and Technological Societies Incorporated are no longer eligible for grants under the HERP program due to cessation of funding for those bodies.

The following non-ongoing schemes or programs have also been removed from the Guidelines, as their funding has ceased:

- Australian Scheme for Higher Education Repositories (ASHER) (ceased 2009)
- Implementation Assistance Program (IAP) (ceased 2010)
- Commercialisation Training Scheme (CTS) (ceased 2011)
- Collaborative Research Infrastructure Scheme (CRIS) (ceased 2014)

Commencement

This legislative instrument will come into effect on the day after it is registered on the Federal Register of Legislation.

Transitional arrangements

The revocation of the Former Guidelines does not affect the validity of a payment or decision made under the Former Guidelines. A decision made under the Former Guidelines is taken to continue to have effect as if it were made under the Guidelines.

Consultation

The Chair of the *Review of Research Policy and Funding Arrangements*, Dr Ian Watt AC, consulted on proposed changes to the research block grants in 2015 through the release of an issues paper on 11 August 2015, with written submissions accepted until 18 September 2015. The review conducted a range of consultations and roundtables with universities, research bodies and institutes, business and industry leaders, and Government representatives over a period of four months to inform the recommendations of the review.

The measure introducing new research block grant funding arrangements for universities was announced as part of NISA. The measure stated that the Department of Education and Training (the department) would consult on the new program guidelines in 2016.

On 22 March 2016, the department consulted on the policy principles for the new guidelines with a reference group comprising the Deputy Vice Chancellor Research (DVCR) Executive Committee of Universities Australia (Reference Group). Universities Australia is the peak body of the university sector.

On 6 May 2016, the department released a consultation paper seeking feedback on new arrangements for research block grants and the draft program guidelines. Submissions were accepted until 25 July 2016, with the department receiving 49 submissions.

On 22 August 2016, the department consulted its Reference Group on the program guidelines revised after the public consultation process. The Reference Group was supportive of most of the policy principles and suggested amendments to the arrangements which the department considered in Chapter 1 of the Guidelines.

Consultation on the amendments to Chapter 2 was not undertaken as funding is only available for the bodies corporate now listed in Chapter 2.

Regulation Impact Statement

The Office of Best Practice Regulation was consulted in the preparation of the Guidelines and determined that a Regulation Impact Statement (RIS) was not required (ref 20952). While a RIS was not required, the department compiled a costing of the regulatory impact of the new guidelines and changes to data collection requirements. This costing calculated annual savings in regulation of \$2.228 million for the new research block grant arrangements, including \$0.640 million in savings specifically for changes to the Other Grants Guidelines (Research) and related conditions of grants.

Description of provisions

Part 1 revokes the Former Guidelines.

Part 2 establishes the Guidelines.

Chapter i Introduction

Chapter i sets out the purpose of the Guidelines and the defined terms used in the Guidelines.

The definition of research incorporated in the Guidelines is contained in the Frascati Manual 2015, which is published by the Organisation for Economic Cooperation and Development (OECD) and used by national statistical agencies to collect research and development data. The 2015 manual is the seventh edition since 1963 with the previous version issued in 2002. The manual can be obtained from the OECD website at <http://www.oecd.org/publications/frascati-manual-2015-9789264239012-en.htm>.

Chapter 1 - Grants to support research by, and the research capability of, higher education providers

Item 7 of the table in subsection 41-10(1) of the Act specifies that Table A providers and Table B providers are eligible for grants to support research by, and the research capability of, higher education providers. Chapter 1 sets out the program that will assist HEPs to support research and research training activities.

Research Support Program (RSP)

Paragraph 1.1 sets out the purpose of Chapter 1 of the Guidelines.

Paragraph 1.2 sets out the description of the RSP. The RSP provides block grants, on a calendar year basis, to HEPs to support the systemic costs of research not supported directly through competitive and other grants. This forms part of the Government's dual funding system for the higher education sector where competitive and other grants support the direct costs of research, and the RSP supports the systemic costs, including the indirect costs, such as libraries, laboratories, consumables, computing centres and the salaries of support and technical staff.

Paragraph 1.3 sets out the objectives of the RSP, which are to:

- (1) provide a flexible funding stream to support the systemic costs of research by Australian HEPs, including the indirect costs of Australian competitive grant research;
- (2) support the delivery of world class research; and

(3) support collaboration between HEPs and industry and other research end-users.

Paragraph 1.4 sets out how the RSP grant amounts are determined.

Subparagraph 1.4.1 sets out the amount available for the RSP for the calendar year as being the amount appropriated for that purpose and indexed in accordance with the method set out in Part 5-6 of the Act. This provision is specified to remove the need to revoke and remake this chapter of the Guidelines each year to accommodate funding amount changes, and to specify that the indexation arrangements under the Act do apply.

Subparagraph 1.4.5 sets out how the RSP Grant Amounts are determined. The RSP Grant Amount for a HEP is comprised of the Basic Grant Amount (BGA) plus any adjustment required by the application of the safety net process. The safety net is designed to assist transition to the new arrangements over four years.

Subparagraph 1.4.10 sets out the formula for determining the BGA for a HEP.

The formula allocates funding according to the HEP's relative research performance measured by success in gaining Category 1, Category 2, Category 3 and Category 4 research income against other HEPs. The formula ensures that the HEPs receiving the greatest share of research income receive the greatest share of the RSP Funding Pool. The nature of income constituting each category is specified in Chapter i.

The shares of income are used to allocate Funding Pool A and Funding Pool B. The value of the funding pools are defined in Chapter i.

Method statement for calculating a HEP's BGA:

Step 1 - For each Grant Year a HEP's share of COMPETITIVE income is calculated by the sum of that HEP's Category 1 income for the two most recent years divided by the sum of Category 1 income for all eligible HEPs for the two most recent years.

Step 2 - For each Grant Year a HEP's share of ENGAGEMENT income is calculated by the sum of that HEP's Category 2, 3 and 4 income for the two most recent years divided by the sum of Category 2, 3 and 4 income for all eligible HEPs for the two most recent years.

Step 3 - A HEP's allocation from Funding Pool A is calculated by multiplying one half of Funding Pool A by the HEP's share of COMPETITIVE income and one half of Funding Pool A by the HEP's share of ENGAGEMENT income, and then summing these two funding amounts.

Step 4 - A HEP's allocation from Funding Pool B is calculated by multiplying Funding Pool B by the HEP's share of ENGAGEMENT income.

Step 5 - A HEP's BGA is calculated by summing its allocations from Funding Pool A and Funding Pool B.

Worked example for calculating a HEP's BGA

Where the HEP has research income in the two most recent years comprising:

- Category 1: \$800,000 and \$1,200,000
- Category 2, Category 3 and Category 4: \$400,000 and \$600,000

And all eligible HEPs have research income in the two most recent years of :

- Category 1: \$35,000,000 and \$65,000,000
- Category 2, Category 3 and Category 4 income: \$45,000,000 and \$55,000,000

Step 1 – calculate the HEP’s share of COMPETITIVE income

$$\begin{aligned}\text{COMPETITIVE share for a HEP} &= (\$800,000 + \$1,200,000) \div (\$35,000,000 + \$65,000,000) \\ &= \$2,000,000 \div \$100,000,000 \\ &= 2.0 \% \text{ share}\end{aligned}$$

Step 2 – calculate the HEP’s share of ENGAGEMENT income

$$\begin{aligned}\text{ENGAGEMENT share for a HEP} &= (\$400,000 + \$600,000) \div (\$45,000,000 + \$55,000,000) \\ &= \$1,000,000 \div \$100,000,000 \\ &= 1.0 \% \text{ share}\end{aligned}$$

Step 3 – calculate the HEP’s allocation of Funding Pool A where the total pool is \$500,000,000

$$\begin{aligned}\text{HEP Funding Pool A} &= (0.5 \times \$500,000,000 \times \text{COMPETITIVE}) + (0.5 \times \$500,000,000 \times \text{ENGAGEMENT}) \\ &= (0.5 \times \$500,000,000 \times 2.0 \%) + (0.5 \times \$500,000,000 \times 1.0 \%) \\ &= (\$250,000,000 \times 2.0\%) + (\$250,000,000 \times 1.0 \%) \\ &= \$5,000,000 + \$2,500,000 \\ &= \$7,500,000\end{aligned}$$

Step 4 – calculate the HEP’s allocation of Funding Pool B where the total pool is \$50,000,000

$$\begin{aligned}\text{HEP Funding Pool B} &= \$50,000,000 \times \text{ENGAGEMENT} \\ &= \$50,000,000 \times 1.0 \% \\ &= \$500,000\end{aligned}$$

Step 5 – calculate the HEP’s BGA

$$\begin{aligned}\text{HEP BGA} &= \text{HEP Funding Pool A} + \text{HEP Funding Pool B} \\ &= \$7,500,000 + \$500,000 \\ &= \$8,000,000\end{aligned}$$

Subparagraph 1.4.15 sets out the arrangements for the transitional safety net. This is to ensure for the Grant Years 2017, 2018, 2019 and 2020 that no HEP’s RSP Grant Amount falls below 95 per cent of the equivalent amount received for the previous Grant Year. This limits the application of the transitional arrangements to the first four years of allocations of the RTP.

Method statement for applying the Transitional Safety Net:

Step 1 – calculate the indexation component by dividing the RSP Funding Pool for the Grant Year by the RSP Funding Pool for the previous Grant Year. For 2017 only, the RSP Funding Pool for the previous Grant Year will be the sum of allocations for all eligible HEPs in 2016 from

the Joint Research Engagement, Research Infrastructure Block Grants and Sustainable Research Excellence programs.

Step 2 – index each HEP's RSP Grant Amount for the previous Grant Year by multiplying it by the indexation component calculated in Step 1. For 2017 only, each HEP's RSP Grant Amount for the previous Grant Year will be the sum of funding received by that HEP in 2016 from the Joint Research Engagement, Research Infrastructure Block Grants and Sustainable Research Excellence programs.

Step 3 – For each HEP calculate the difference between its RSP Grant Amount for the Grant Year and its indexed Grant Amount for the previous Grant Year.

Step 4 – For each HEP having a positive value calculated in Step 3, this value is contributed by that HEP to the safety net pool.

Step 5 – For each HEP having a negative value calculated in Step 3 and whose BGA is less than 95 per cent of its indexed Grant Amount for the previous year, the amount required to bring its BGA up to 95 per cent of the indexed RSP Grant Amount for the previous Grant Year is taken from the safety net pool.

For each HEP whose BGA is more than 95 per cent and less than 100 per cent of its indexed Grant Amount for the previous year there is no adjustment.

Step 6 – Once all applicable HEPs in Step 5 have been topped up to 95 per cent of their indexed RSP Grant Amount for the previous Grant Year, the residual remaining in the safety net pool is redistributed. Any residual funds in the safety net pool are returned to those HEPs that contributed to the safety net pool in the same proportion in which they contributed. For example, if a HEP contributed 10% of the safety net pool, that HEP will receive 10% of the residual safety net pool funds.

Step 7 – Each HEP's final RSP Grant Amount is equal to its BGA, minus any contributions to the safety net, plus any top ups to 95 per cent of the previous year's Grant Amount from the safety net pool, plus any distributions from residual funds remaining in the safety net pool.

Worked example for calculating the impact of the transitional safety net

Step 1 – calculate the indexation component

Where the RSP Funding Pool for the Grant Year is \$500,000,000 and the RSP Funding Pool for the previous Grant Year is \$490,196,078:

$$\begin{aligned}\text{Indexation component} &= \$500,000,000 \div \$490,196,078 \\ &= 1.02 \text{ (Equivalent to 2\%)}\end{aligned}$$

Step 2 – index each HEP's RSP Grant Amount for the previous Grant Year

Where HEP A received \$10,000,000 and HEP B received \$8,000,000 for the previous year:

$$\text{HEP A indexed previous year amount} = \$10,000,000 \times 1.02 = \$10,200,000$$

$$\text{HEP B indexed previous year amount} = \$8,000,000 \times 1.02 = \$8,160,000$$

Step 3 – calculate the difference between each HEPs BGA for the current Grant Year and the indexed RSP Grant Amount for the previous Grant Year

Where HEP A has a BGA of \$10,500,000 and HEP B has a BGA of \$7,500,000 for the Grant Year:

HEP A difference = \$10,500,000 - \$10,200,000 = + \$300,000

HEP B difference = \$7,500,000 - \$8,160,000 = - \$660,000

Step 4 – make contributions to the safety net pool

HEP A's difference is positive, so contributes all its gain of \$300,000 to the safety net pool. HEP B does not contribute to the safety net pool as its difference is less than zero.

Where the total of all contributions of all HEPs to the safety net pool is \$3,000,000:

HEP A's share to safety net pool = \$300,000 ÷ \$3,000,000

= 10.0 %

Step 5 – top up HEPs to 95 per cent of previous year funding

As HEP A is a contributor to the safety net, there is no adjustment for this step.

As HEP B's difference is below 95% of the previous year's indexed Grant Amount, an amount is taken from the safety net pool to boost HEP B up to the equivalent 95% amount for the grant year:

Amount for HEP B to reach 95% = (\$8,160,000 x 95%) - \$7,500,000

= \$7,752,000 - \$7,500,000

= \$252,000

This amount is transferred from the safety net pool to HEP B.

Step 6 – distribute the funds remaining in the safety net pool

Where the total amount remaining in the safety net pool is \$2,000,000 after all HEPs have been topped up to 95% of previous Grant Year funding in step 5:

HEP A's safety net pool redistribution = 10.0 % x \$2,000,000

= \$200,000

HEP B does not receive funding from the safety net pool redistribution as it did not contribute to the safety net pool in step 4.

Step 7 – calculate RSP Grant Amounts for the Grant Year

RSP Grant Amount = BGA - contributions to safety net pool (Step 4) + top ups to 95% of previous year funding (Step 5) + distribution from funds remaining in safety net pool (Step 6)

HEP A RSP Grant Amount = \$10,500,000 - \$300,000 + \$0 + \$200,000 = \$10,400,000

HEP B RSP Grant Amount = \$7,500,000 - \$0 + \$252,000 + \$0 = \$7,752,000

Subparagraph 1.4.20 sets out that the RSP Grant Amount to be paid to HEPs for 2021 and future years is equal to the BGA as calculated in subparagraph 1.4.10. This limits the transition period and application of the safety net to the first four years of allocations of the RSP. The transition period and transitional arrangements reflect recommendations from the Review of Research Policy and Funding Arrangements.

Subparagraph 1.4.25 sets out the rounding process for RSP Grants Amounts. The rounding process ensures that Grant Amounts are paid in whole dollars only and that the entire Funding Pool is allocated.

The amount allocated under paragraphs 1.4.15 or 1.4.20 is rounded down to the nearest whole dollar and the remainder is allocated based on a formula that ranks HEPs in order of closeness to 100 cents and allocates the remaining whole dollars to those HEPs with the highest ranking.

Subparagraph 1.4.30 sets out that rollover provisions apply to RSP Grant Amounts in accordance with section 41-40 of the Act.

Paragraph 1.5 provides that conditions on RSP grants will be determined in writing by the Minister, or his or her delegate, under subparagraph 41-25(b)(i) of the Act. This is so that conditions can be varied from year to year without needing to revoke and remake this chapter of the Guidelines.

Chapter 2 Grants for activities that foster an understanding of importance of, or promote research and scholarship in, science, social science or the humanities in Australia

Item 11(b) of the table in subsection 41-10(1) of the Act specifies that Table A HEPs and bodies corporate that are specified in the Other Grants Guidelines for the purposes of this item are eligible for grants to foster an understanding of importance of, or promote research and scholarship in, science, social science or the humanities in Australia. Chapter 2 specifies the program under which grants for that purpose are to be paid. This program is known as Higher Education Research Promotion (HERP).

Paragraph 2.1 sets out the purpose of Chapter 2 of the Guidelines.

Higher Education Research Promotion (HERP)

Paragraph 2.5 sets out the bodies corporate eligible to receive grants under the HERP and these are:

- Australian and New Zealand Association for the Advancement of Science (ANZAAS);
- Australian Council of Learned Academies (ACoLA) (peak body for the Learned Academies);
- The Learned Academies:
 - Australian Academy of the Humanities (AAH),
 - Australian Academy of Science (AAS),
 - Australian Academy of Technological Sciences and Engineering (ATSE), and
 - Academy of Social Sciences in Australia Incorporated (ASSA).

The following bodies corporate were added to previous versions of the Other Grants Guidelines (Research) when the Government announced fixed term funding with no ongoing entitlement:

- Australian Centre for Child Protection (ACCP) (an academic centre within the University of South Australia) (funding ceased 2013)
- Council for the Humanities, the Arts and the Social Sciences (funding ceased 2010)
- Federation of Australian Scientific and Technological Societies Incorporated (FASTS) (funding ceased 2010)

These bodies have now been removed as eligible recipients from the Guidelines following cessation of their funding.

Paragraph 2.10 states that 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.

Paragraph 2.15 sets out the objectives for each of the body corporate grant recipients.

HERP funding is provided to ANZAAS to support the costs of transportation and accommodation for approximately five students from each Australian State and Territory to attend the annual ANZAAS Youth Conference. The objective is to provide students with a broad perspective on the aims and practice of scientific endeavour, and to provide students with the opportunity to visit world-class research facilities, meet leading scientists, and undertake experiences usually unavailable to the general public.

The Learned Academies, supported by ACoLA, offer a focal point for their respective disciplines and provide important access to information on, and understanding of, research matters relevant to the Government and general public. HERP funding provides funding certainty which underpins the Learned Academies' core functions and acts as an enabler for the Learned Academies to successfully apply for funding from other Government programs to deliver additional activities that complement the overall HERP objectives and Government priorities.

Paragraph 2.20 provides that conditions that apply to the HERP grants will be determined in writing by the Minister, or his or her delegate, under subparagraph 41-25(b)(i) of the Act. This is so that conditions can be varied from year to year without needing to revoke and remake this chapter of the Guidelines.

Paragraph 2.25 provides that the HERP grant amounts will be determined in writing by the Minister, or his or her delegate, under paragraph 41-30(b) of the Act and indexed in accordance with the method set out in Part 5-6 of the Act. This enables the Minister to balance the distribution of funding in response to Government policy objectives in the research sector.

STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS

Prepared in accordance with Part 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*

Higher Education Support Act 2003

OTHER GRANTS GUIDELINES (RESEARCH) 2017

This legislative instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the legislative instrument

The *Other Grants Guidelines (Research) 2017* (the Guidelines) are made by the Minister under section 238-10 of the *Higher Education Support Act 2003* (the Act).

The Guidelines identify programs under which grants for purposes specified in the Act are to be paid to higher education providers and other eligible bodies. The Guidelines also set out the purpose and programs under which grants may be made for research. These include grants to support research by, and the research capability of, providers and 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.

The Guidelines may specify the program's objectives, conditions of eligibility, conditions of expenditure, amount of funding available, indexation, method by which grants will be determined and conditions that apply to grants under the program.

The purpose of this legislative instrument is to revoke the *Other Grants Guidelines (Research) 2012* made on 24 September 2012 (see F2012L02010) and to make the *Other Grants Guidelines (Research) 2017* (the Guidelines).

A program has been added to the Guidelines to support research by, and the research capability of, eligible Australian higher education providers (HEPs);

- The Research Support Program (RSP)

The following schemes have been removed from the Guidelines in response to RSP being added:

- Research Infrastructure Block Grants (RIBG) (ceased 2016)
- Joint Research Engagement (JRE) (ceased 2016)
- Sustainable Research Excellence (SRE) in Universities (ceased 2016)
- Research Training Scheme (RTS) (ceased 2016)

These schemes were four of six schemes within the suite of research block grants and will cease from 31 December 2016 following recommendations from the *Review of Research Policy and Funding Arrangements*. The review recommended that the Australian Government (Government) introduce new funding arrangements to simplify the research block grants and to provide greater encouragement of engagement and innovation in research and research training. These recommendations were accepted and announced as one of the measures in the National Innovation and Science Agenda (NISA) on 7 December 2015. The RSP replaces the RIBG, JRE and SRE programs and incorporates all the funding available for those same programs plus an additional \$50 million per annum, indexed, from 2017. The funding for the RTS has now been incorporated into the Research Training Program (RTP), made under subsection 46-10(b), Part 2-4 of the Act and provided for through the *Commonwealth Scholarship Guidelines (Research) 2017*.

Amendments have been made under Chapter 2 of the Guidelines to the Higher Education Research Promotion (HERP) program to change the bodies corporate eligible for this program.

The following bodies corporate were added to previous versions of the Other Grants Guidelines (Research) when the Government announced fixed term funding with no ongoing entitlement:

- Australian Centre for Child Protection (ACCP) (an academic centre within the University of South Australia) (funding ceased 2013)
- Council for the Humanities, the Arts and the Social Sciences (funding ceased 2010)
- Federation of Australian Scientific and Technological Societies Incorporated (FASTS) (funding ceased 2010)

These bodies have now been removed as eligible recipients from the Guidelines following cessation of their funding.

The following schemes or programs have been removed from the Guidelines as funding has ceased:

- Australian Scheme for Higher Education Repositories (ASHER) (ceased 2009)
- Implementation Assistance Program (IAP) (ceased 2010)
- Commercialisation Training Scheme (CTS) (ceased 2011)
- Collaborative Research Infrastructure Scheme (CRIS) (ceased 2014)

Human rights implications

The legislative instrument engages the following human rights:

- the right to education – Article 13 of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR)
- the right to enjoy the benefits of scientific progress and its applications – Article 15 of the ICESCR

Right to Education

The legislative instrument engages the right to education contained in Article 13 of the ICESCR. The right to education recognises the important personal, societal, economic and intellectual benefits of education.

The legislative instrument engages the right to education by supporting a high quality research environment which provides academics employed in higher education institutions with the necessary systems and resources to deliver high quality research training to students.

This legislative instrument is compatible with the right to education.

Right to enjoy the benefits of scientific progress and its applications

The legislative instrument engages the right to enjoy the benefits of scientific progress and its applications contained in Article 15 of the ICESCR.

The legislative instrument promotes access to high quality scientific research facilities in the higher education sector and its applications as an important step towards ensuring this right can be enjoyed by all Australians.

The legislative instrument supports a high quality research environment for Australia's higher education sector. This environment allows for academics and research students to strengthen Australia's knowledge base, and enhance the contribution of Australia's research capabilities to national economic development, international competitiveness and the attainment of social goals.

This legislative instrument is compatible with the right to enjoy the benefits of scientific progress and its applications.

Conclusion

This legislative instrument is compatible with human rights because it advances the protection of human rights.

Simon Birmingham

Minister for Education and Training