

Other Grants Guidelines (Research)

Amendment (No.1) 2019

**COMMONWEALTH OF AUSTRALIA**

***Higher Education Support Act 2003***

I, DAN TEHAN, Minister for Education, make the following legislative instrument.

Dated 27 November 2019

**DAN TEHAN**

Minister for Education

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Part 1 Preliminary

1. **Name of Guidelines**

This instrument is the *Other Grants Guidelines (Research) Amendment (No. 1) 2019*.

1. **Commencement**

This instrument commences on the day after it is registered.

1. **Authority**

This instrument is made under section 238-10 of the *Higher Education Support Act 2003* (Act) for the purposes of Part 2-3 of the Act.

1. **Schedules**

The *Other Grants Guidelines (Research) 2017* are amended as set out in Schedule 1 to this instrument.

Schedule 1 - Amendments

## ***Other Grants Guidelines (Research) 2017***

## **1 Section i.v:**

Insert or amend the following definitions in the appropriate alphabetical order:

*Category 1* is Australian competitive grants *R&D* income in *HERDC*

*Category 2* is other public sector *R&D* income in *HERDC*

*Category 3* is industry and other *R&D* income in *HERDC*

*Category 4* is Cooperative Research Centre *R&D* income in *HERDC*

*the department* means the Commonwealth Department of Education

*R&D* or *research* means Research and Experimental Development as defined in the Frascati Manual 2015 maintained by the Organisation for Economic Cooperation and Development

## **2 Delete paragraph 1.4.5 and replace with:**

## **1.4.5 How Grant Amounts are Determined**

Subject to any adjustment that may be made under paragraph 1.4.26, the *RSP* Grant Amount allocated to a *HEP* for the *Grant Year* comprises the sum of:

1. the *HEP’s* *RSP* Basic Grant Amount calculated in paragraph 1.4.10, and
2. any adjustments made through the application of the transitional safety net calculated in paragraph 1.4.15 (if applicable)

as rounded in accordance with paragraph 1.4.25.

## **3 Delete paragraph 1.4.20 and replace with:**

## **1.4.20 Grant Amounts for 2021 and future *Grant Years***

Subject to any adjustment that may be made under paragraph 1.4.26, for the 2021 and future *Grant Years*, each *HEP*’s *RSP* Grant Amount is equal to that *HEP’*s Basic Grant Amount calculated in paragraph 1.4.10.

## **4 After paragraph 1.4.25 insert:**

## **1.4.26 Adjustments**

1. If a *HEP* provides incorrect *HERDC* data used to calculate the *HEP*’s RSP Grant Amount for a *Grant Year*, the *HEP* must correct the information provided to the *department* (‘corrected data’).
2. If the *HEP* provides corrected data on or before 1 October in the year the data was first provided the *department* will take into account the corrected data when calculating *RSP* Grant Amounts under paragraphs 1.4.5 or 1.4.20.
3. Subject to subparagraph 1.4.26(4), if a *HEP* provides corrected data after 1 October in the year the data was first provided, the corrected data will not be used to calculate, or adjust, the *HEP’s* *RSP* Grant Amount for a *Grant Year*.
4. Where corrected data is provided in accordance with subparagraph 1.4.26(3), the *department* will use the method specified in paragraphs 1.4.5 or 1.4.20 to determine the Grant Amount the *HEP* would have been paid for the *Grant Year* if the corrected data had been used. If the *department* determines that a *HEP* has received an overpayment in respect of the *Grant Year*, the *HEP* must repay the amount of the overpayment to the *department*.