



# **Other Grants (Research) Amendment (National Industry PhD Program) Guidelines 2023**

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I, Jason Clare, Minister for Education, make the following guidelines.

Dated 26 June 2023

Jason Clare  
Minister for Education

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## **1 Name**

This instrument is the *Other Grants (Research) Amendment (National Industry PhD Program) Guidelines 2023*.

## **2 Commencement**

This instrument commences the day after this instrument is registered.

## **3 Authority**

This instrument is made under section 238-10 of the *Higher Education Support Act 2003*.

## **4 Schedules**

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

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

#### 1 Chapter 4 – National Industry PhD Program

Repeal the Chapter, substitute:

#### CHAPTER 4—NATIONAL INDUSTRY PHD PROGRAM

##### 4.1 Program

The National Industry PhD Program (*the Program*) is specified for the purposes of supporting the training of *research* students, and supporting arrangements to increase industry-led study and postgraduate *research*, under items 8 and 11A of the table in subsection 41-10(1) of *the Act*.

##### 4.5 Program objectives

The objectives of the Program are to:

- (a) develop talented *PhD* Candidates into researchers who can work in both industry and academic settings;
- (b) support high calibre industry professionals into industry researchers and leaders, with the potential to work in academic settings;
- (c) contribute to industry-focused innovation and development through university-industry collaboration;
- (d) strengthen collaboration between Australian companies and universities;
- (e) support industry-focused *PhD research* projects that align with the priority areas as set by the Minister in the program guidelines;
- (f) for the purpose of item 8 of the table in subsection 41-10(1) of *the Act*, support higher education providers to provide appropriate academic supervision of *PhD* Candidates to undertake a research project with an industry application; and
- (g) for the purpose of item 11A of the table in subsection 41-10(1) of *the Act*, support bodies corporate that meet the requirements in subsection 4.10(1) (*industry partners*) to support employees to undertake PhD projects in partnership with a university.

##### 4.10 Specified bodies corporate and extra conditions of eligibility

*Specified bodies corporate*

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- (1) Bodies corporate that meet all of the following criteria are specified for the purposes of item 11A in the table in subsection 41-10(1) of the Act, as an industry partner eligible to receive a grant for the purposes of paragraph 4.5(g):
- (a) the body corporate undertakes *R&D* activities;
  - (b) the body corporate is partnered with a higher education provider eligible to receive a grant to support a *PhD* project for the Industry Researcher PhD stream; and
  - (c) the body corporate employs a *PhD* Candidate that:
    - (i) will be eligible for a *RTP Fees Offset* for the duration of their *PhD* candidature in the Program;
    - (ii) has not previously completed a *PhD* program at the time the *PhD* Candidate applies to participate in the Program;
    - (iii) will enrol in the year that they are offered a position in the Program; and
    - (iv) will be in the first year of their *PhD*, or if they have already commenced another *PhD* program, they have received approval from their higher education provider to transfer across to the Program.

*Extra conditions of eligibility*

- (2) Grants under the Program may only be provided to support *PhD* projects that are:
- (a) co-designed by eligible higher education providers and industry (the ***Industry Linked PhD stream***), or
  - (b) undertaken by industry professionals who are supported by an industry partner to undertake a *PhD* project in partnership with a university (the ***Industry Researcher PhD stream***).
- (3) Grants under the Program may only be provided to:
- (a) higher education providers for the purposes of paragraph 4.5(f); or
  - (b) industry partners for the purposes of paragraph 4.5(g).
- (4) Grants under the Program will only be provided to eligible higher education providers that:
- (a) for the Industry Researcher PhD stream, are partnered with an industry partner who will receive a grant under the Program;
  - (b) for the Industry Linked PhD stream:

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- (i) have entered into an agreement with a business or organisation with an ABN or ACN that undertakes *R&D* activities, in relation to PhD Candidates associated with that business or organisation's research project; and
  - (ii) the agreement in subparagraph (i) provides that the business or organisation will provide a yearly cash contribution; and
  - (iii) the yearly cash contribution in subparagraph (ii) must be at least \$10,000 for four years for each full-time *PhD* Candidate, and at least \$5,000 for up to eight years for each part-time *PhD* Candidate; and
- (c) will enrol *PhD* candidates for the purposes of the Program that:
- (i) will be eligible for a *RTP Fees Offset* for the duration of their *PhD* candidature in the Program;
  - (ii) have not previously completed a *PhD* program at the time the *PhD* Candidate applies to participate in the Program;
  - (iii) will enrol in the year that they are offered a position in the Program;
  - (iv) will be in the first year of their *PhD*, or if they have already commenced another *PhD* program, they have received approval from their higher education provider to transfer across to the Program;
  - (v) for the Industry Linked PhD stream, the *PhD* Candidate will be eligible for a stipend equivalent to the amount of the *RTP Stipend* for the duration of their *PhD* candidature; and
  - (vi) for the Industry Researcher PhD stream, the *PhD* Candidate must be employed by an industry partner and supported to participate in the Program by that employer.

#### **4.15 Method by which the amount of grants under the program are determined**

##### *Method for determining the amount of grants to higher education providers*

- (1) The grant for a participating higher education provider will be made up of:
- (a) an administrative component to assist with meeting the higher education provider's costs in administering the Program (***administrative component***); and
  - (b) a student stipend component to meet the higher education provider's obligation to pay the student an additional amount for the Industry Linked PhD stream under subsection 4.25(1) (***student component***).



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*Administrative component*

- (2) Subject to subsection (3), the administrative component for a participating higher education provider will be:
  - (a) \$10,350 a year for up to four years for each full-time *PhD* Candidate; and
  - (b) \$5,175 a year for up to eight years for each part-time *PhD* Candidate.
- (3) A participating higher education provider will not be eligible to receive more than \$41,400 in administrative component payments for a single *PhD* Candidate for the duration of their *PhD* project.

*Student component*

- (4) The student component for a participating higher education provider will be:
  - (a) \$6,210 a year for up to four years for each full-time *PhD* Candidate in the Industry Linked PhD stream; and
  - (b) \$3,105 a year for up to eight years for each part-time *PhD* Candidate in the Industry Linked PhD stream.
- (5) A participating higher education provider will not be eligible to receive more than \$24,840 in student component payments for a single *PhD* Candidate for the duration of their *PhD* project.

*Method for determining the amount of grants to industry partners*

- (6) The grant for a participating industry partner will be:
  - (a) \$41,400 a year for up to four years for each full-time *PhD* Candidate in the Industry Researcher PhD stream; and
  - (b) \$20,700 a year for up to eight years for each part-time *PhD* Candidate in the Industry Researcher PhD stream.
- (7) A participating industry partner will not be eligible to receive more than \$165,600 for a single *PhD* Candidate for the duration of the *PhD* project.

## **4.20 Indexation**

The amounts listed in section 4.15 are listed for the year 2023 and are to be indexed for subsequent years using the method of indexation set out in Part 5-6 of *the Act*.

## **4.25 Conditions that apply to grants**

*Conditions on grants to higher education providers*

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- (1) Subject to subsection (3), the participating higher education provider must provide the student component of the grant to each *PhD* Candidate in the Industry Linked PhD stream.
  - (2) The participating higher education provider must not retain any amount of the student component of the grant.
  - (3) The participating higher education provider must not provide the student component of the grant to a *PhD* Candidate if:
    - (a) the *PhD* Candidate ceases to meet the requirements set out in paragraph 4.10(4)(c); or
    - (b) for the Industry Linked PhD stream, the business or organisation with which the higher education provider has an agreement no longer provides a cash contribution consistent with subparagraph 4.10(4)(b)(ii).
  - (4) If the participating higher education provider becomes aware that a body corporate no longer meets the criteria to be specified is an industry partner under subsection 4.10(1), the participating higher education provider must inform *the department*.
  - (5) The participating higher education provider must provide appropriate *PhD research* supervisors, access to the provider's facilities and infrastructure, learning and development opportunities and support for the development of *research* skills to *PhD* Candidates in the Program to ensure the *PhD* Candidates are making appropriate progress and to ensure the successful completion of the *PhD* project.
  - (6) The participating higher education provider must only use the administrative component of the grant for administrative costs associated with the Program, and must not pass on the administrative component of the grant to the *PhD* Candidate.

Note: Examples of administrative costs that could be incurred by a participating higher education provider include (but are not limited to) salary costs for administrative support staff, providing a workspace for the *PhD* Candidate, or travel expenses of the *PhD* candidate.

#### *Conditions on grants to industry partners*

- (7) The participating industry partner must agree to support the *PhD* Candidate for the full duration of the Program to undertake study and work concurrently, and must pay full salary and benefits to the *PhD* Candidate for the duration of the Program.
- (8) The participating industry partner must agree to be responsible for all other relevant expenses incurred by their participation in the Program.

Note: Examples of expenses that could be incurred by a participating industry partner's participation include (but are not limited to) costs associated with workplace accommodation, equipment or materials for the *PhD* Candidate.
- (9) The participating industry partner must use only use the grant amount to support the provision of higher education to their employed *PhD* Candidate, including for one of the following purposes:
  - (a) to support *PhD* Candidates to complete their *PhD* project; and

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- (b) to support the participating industry partner with releasing *PhD* Candidates and other employees of the industry partner for periods of time for the purposes of assisting *PhD* Candidates to complete their *PhD* project.
  - (10) The participating industry partner must provide supervision for their employed *PhD* Candidate.
  - (11) The participating industry partner must provide appropriate access to appropriate facilities and infrastructure to support the *PhD* Candidate.

*Conditions on higher education providers and industry partners in respect of PhD Candidates*

- (12) Participating higher education providers must ensure that *PhD* Candidates enrolled in the Industry Linked PhD stream must spend 20 to 50 per cent of the duration of their *PhD* Candidature undertaking work relevant to their *PhD* project in the facilities of the business or organisation referred to in paragraph 4.10(4)(b), unless an exception is approved by *the department*.
- (13) Participating industry partners must ensure that *PhD* Candidates enrolled in the Industry Researcher PhD stream must spend 20 to 50 per cent of the duration of their *PhD* Candidature embedded in the participating higher education provider's facilities, unless an exception is approved by *the department*.

*Conditions in respect of the agreement between the higher education provider and the industry partner or relevant business or organisation*

- (14) The participating higher education provider and participating industry partner must enter into an agreement for each *PhD* project for the Industry Researcher PhD stream.
- (15) The participating higher education provider must enter into an agreement with the relevant business or organisation referred to in paragraph 4.10(4)(b) for each *PhD* project in the Industry Linked PhD stream.
- (16) The agreements referred to in subsections (14) and (15) must provide for how intellectual property rights created as part of the *PhD* project should be handled, and must allow the *PhD* Candidate to use and publish such intellectual property in their thesis or relevant publications.

*Reporting*

- (17) The participating higher education provider and industry partner must collect data specified by *the department* for the purpose of program assurance and give that data to *the department* annually.
- (18) The participating higher education provider and industry partner must, on request, provide a report on performance in the format requested by *the department*.

*Privacy*

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- (19) If the participating higher education provider or industry partner is not an ‘organisation’ for the purposes of the *Privacy Act 1988*, the participating higher education provider or industry partner must comply with the Australian Privacy Principles as set out in Schedule 1 of the *Privacy Act 1988*, as if it were an ‘organisation’ for the purposes of the *Privacy Act 1988*.