

EXPLANATORY STATEMENT

Grant Guidelines made under section 60 of the *Australian Research Council Act 2001* **Linkage Program Grant Guidelines (2023 Edition)**

Issued by the authority of the Minister for Education

Subject: *Australian Research Council Act 2001* - Linkage Program Grant Guidelines (2023 Edition)

Authority

Section 60 of the *Australian Research Council Act 2001* (the Act) provides that the Minister must approve Australian Research Council (ARC) Grant Guidelines.

Purpose and effect

The instrument is a legislative instrument for the purposes of the Legislation Act 2003 (the LA). These Grant Guidelines relate to a scheme funded under the Linkage Program Grant Guidelines (2023 edition) Industrial Transformation Research Program (ITRP).

The Linkage Program supports the growth of research partnerships between university-based researchers and researchers in other sectors in Australia and overseas for projects that generate new knowledge, technologies and innovations.

These Grant Guidelines contain information on the ITRP which comprises two grant opportunities: Industrial Transformation Research Hubs (Research Hubs) and Industrial Transformation Training Centres (Training Centres).

The ITRP encourages and supports university-based researchers and industry to work together to find solutions to a range of strategic priorities facing Australian industries.

In accordance with subsection 59 (2) of the Act, the Linkage Program Grant Guidelines (2023 edition) contain:

- (a) the eligibility criteria to be met in order for a proposal to be approved for financial assistance (including criteria relating to the kinds of organisation that may receive assistance and the kinds of research program in respect of which assistance may be provided);
- (b) how to apply for financial assistance;
- (c) the assessment process for deciding which proposals will be recommended for approval;
- (d) the ways in which, and circumstances in which, a funding approval may be varied; and
- (e) any additional accountability requirements that the ARC thinks desirable.

In accordance with subsection 59 (4) of the Act, the Grant Guidelines for schemes under the Linkage (2023 edition) take account of, and are consistent with:

- (a) the funding cap for the year, or each of the years, to which the rules apply; and
- (b) the funding split determination for the year, or each of the years, to which the rules apply.

The Linkage Program Grant Guidelines (2023 edition) were approved by the Minister for Education, the Hon Jason Clare MP on 29 September 2023.

Documents incorporated by reference

The following documents are incorporated by reference:

- ARC Medical Research Policy available on the [ARC website](#)
- Conflict of Interest and Confidentiality available on the [ARC website](#)
- ARC Open Access Policy available on the [ARC website](#)
- Australian Code for the Responsible Conduct of Research available on the [NHMRC website](#)

- ARC Research Integrity Policy available on the [ARC website](#)

Commencement

The Linkage Program Grant Guidelines (2023 edition) shall take effect upon registration on the Federal Register of Legislative Instruments.

The provisions include:

These Guidelines contain information relating to the Grant Guidelines for the scheme under the Linkage Program—Industrial Transformation Research Program (2023 edition), this includes: grant amount, eligibility, assessment criteria, application process and delivery of grant activities.

Consultation

The ARC has consulted with the Department of Finance and the Department of the Prime Minister and Cabinet and they have determined the Grant Guidelines as low risk.

Regulatory Impact Statement

These Grant Guidelines include a number of measures that reduce regulatory burden on the higher education sector. This includes coordination with the National Health and Medical Research Council (NHMRC) to produce a timeline that minimises the burden on the sector in relation to preparation and submission of proposals.

Statement of compatibility with human rights

Section 9(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011* requires the rule maker in relation to a legislative instrument to which section 42 (disallowance) of the *Legislative Instruments Act 2003* applies to cause a statement of compatibility to be prepared in respect of that legislative instrument.

The legislative instrument does not engage any of the applicable rights or freedoms. It is compatible with human rights, as it does not raise any human rights issues.

Senate Standing Order 23 (4a) – Standing Committee for the Scrutiny of Delegated Legislation

The Linkage Program Grant Guidelines (2023 edition) is exempt from disallowance because it is an instrument containing a set of rules made under section 60 of the Act and, Section 10, Item 7 of the *Legislation (exemption and other matters) Regulations 2015*, relevantly provides that legislative instruments made under section 60 of the Act are not subject to disallowance.

The application of section 10, Item 7 of the *Legislation (exemption and other matters) Regulations 2015* to the Guidelines, allowing for exemption from disallowance, is appropriate because the legislative instrument was made in accordance with the enabling Act, the Legislation Act and other applicable Acts and does not contain matter more appropriate for an Act of Parliament.

Legislation (exemption and other matters) Regulations 2015

Section 10 – Particular legislative instruments that are not subject to disallowance

Item 7 – Legislative Instruments

- (a) A rule made under section 60 of the *Australian Research Council Act 2001*;
- (b) A variation of a setoff rules made under section 61 of the Act.