



Australian Research Council Act 2001 – Proposed Amendments: IRU Response

Summary:

The Innovative Research Universities (IRU) supports the proposed amendments to the ARC Act 2001 addressing the six relevant recommendations outlined in [Trusting Australia's Ability: Review of the Australian Research Council Act 2001](#) (the Review). We support the intention and tone of the Consultation Paper, but to improve clarity, understanding and assurance that the amendments are aligned with the ARC Act Review, we recommend:

- ☐ The Department of Education publish an Exposure Draft for consultation.

We also outline specific areas that could be clarified or emphasised. These include explicit reference in the Act to:

- ☐ Supporting Indigenous Knowledges;
- ☐ Supporting basic research through peer review;
- ☐ Indexation of funding.

We also suggest greater clarity on:

- ☐ The role of the ARC in providing evaluation and supporting capability;
- ☐ Programs to be approved by the ARC Board following peer review, and “key national programs” to approved by the Minister;
- ☐ The composition and role of the proposed ARC Board in providing advice.

The IRU welcomes the opportunity to provide feedback on the proposed amendments to the ARC Act 2001. The Consultation Paper addresses changes to the ARC Act 2001 in response to 6 of the 10 recommendations (1, 2, 5, 6, 7 and part of 9) outlined in the Review. The remaining four recommendations are part of other commissioned work (Recommendations 3, 4, 8 and part of 9) or the Universities Accord (Recommendation 10).

The IRU [strongly supported](#) the Australian Government’s agreement to implement all ten recommendations. This aligned with the IRU’s [submission](#) to the Review, which advocated for the ARC’s primary purpose to support basic research through peer review (based on the Haldane Principle), with limited Ministerial discretion. The IRU also supported a broader role for the ARC in evaluation and advice, and leadership in Indigenous Knowledges, equity, diversity and open access/open data.

The IRU supports the intention and tone of the Consultation Paper, but we are uncertain about how these will be incorporated into the Act and implemented. To avoid misunderstanding and to ensure that implementation of the amended ARC Act is consistent with the Review, we recommend the Department of Education publish an Exposure Draft for consultation. We also outline specific areas that could be clarified.

1. The Department of Education publish an Exposure Draft for consultation.

It is important that the higher education sector is provided with a chance to comment on the proposed amendments to the ARC Act in the form of an Exposure Draft. Although the Consultation Paper's tone reflects the Australian Government's agreement (or in principle) with the Review recommendations, it is not always consistent with the Review. Many of the proposed amendments are presented in the Consultation Paper with text taken directly from the Review recommendations, but not included in the proposed text of the Act. The Exposure Draft ought to closely match the text of the Review, and where relevant, explain why the Review advice was not followed.

2. Explicit support for Indigenous Knowledges

The Review's Recommendation 1 was that "...the NCGP fund research that may have a positive impact on Indigenous Knowledge systems and Peoples." The Review also stated there was "considerable support for embedding support of Indigenous Knowledges in the purpose of the NCGP". Although Indigenous representation on the ARC Board is included as part of the response to Recommendation 6, an explicit reference to Indigenous Knowledges in the purpose of the ARC would improve alignment with the Review recommendation.

3. Explicit support for basic research through peer review

The Consultation Paper proposes supporting basic research and peer review through the ARC's role and purpose (to administer funding for "excellent pure basic research") and the ARC Board responsibility (to approve all research grants, other than "nationally significant investments"). However, peer review is not mentioned in the purposes of the ARC or functions of the proposed ARC Board. It is only mentioned in the explanatory text in the Consultation Paper. Basic research is also mentioned alongside all other types of research, rather than receiving explicit support. Support for basic research and peer review could be made more explicit in the role and purpose of the ARC.

4. Indexation of funding

The ARC Review recommended "reducing the legislative burden by simplifying the appropriation and indexation of funding", but no reference is made to indexation in the Consultation Paper or proposed ARC Act.

5. The role of the ARC in providing evaluation and supporting capability

The Consultation Paper lists the proposed roles and functions of the ARC with text taken directly from the Review, including evaluation of research capability and promoting excellence, equity and diversity. However, the proposed "Role and purpose" of the ARC refers only to two broad purposes: promoting and conduct activities fostering the research community for the benefit of the nation; and administering funding in non-medical fields. The role and purpose of the ARC in the ARC Act needs to be broadened to reflect the list of purposes in the Consultation Paper and the Review. This is particularly important for the role of the ARC in providing evaluation and supporting capability (in addition to Indigenous Knowledge and basic research through peer review, see above). The Government also need to consider additional clarity to ensure no confusion is drawn from the ARC's role in evaluation and supporting capability across all research fields, while funding only non-medical fields.

6. Clarity over programs to be approved by the ARC Board following peer review, and “key national programs” to approved by the Minister

The Minister for Education (and other ministers) should have discretion to direct funding outside the NCGP and use the ARC’s expertise in peer review and grant administration to advance the Government’s strategic research objectives. Therefore, it is appropriate to have a division of authority between the NCGP programs to be approved by the ARC Board following peer review, and “key national programs” and other “nationally significant program investments outside of the NCGP process” to be approved by the Minister. However, the language of major funding areas where the Minister will be responsible is not a clear category. The ARC Board will approve all “grants within the NCGP, except those specified in the ARC Act requiring approval by the Minister for Education”, but three “key national programs” (ARC Centres of Excellence; Industrial Transformation Training Centres; Industrial Transformation Research Hubs) are currently part of the NCGP within the ARC Linkage scheme. The ARC Discovery and Linkage schemes for investigator-driven research could also be considered “key national programs” and would benefit from being explicitly within the remit of the ARC Board approval.

7. Composition and role of the proposed ARC Board in providing advice

The Consultation Paper establishes an ARC Board that is different to the composition described in the Review. The ARC Board will be smaller and with less disciplinary expertise. There is a risk it will lack the expertise to make substantive judgements on grants. Disciplinary expertise will be delegated to an ARC Advisory Committee with no decision-making powers. The composition of the ARC Board may also limit its ability to “provide advice to the Minister for Education on priorities, policies and strategies”, “ongoing consultation across government on emerging research needs” and how the funding rules/guidelines support “specific challenges/missions for Australia’s researchers to solve”. There could also be greater clarity about how the ARC Board will provide advice and how it will be considered, including for cases where it is not followed. For example, we expect that the current process for approving funding rules/guidelines will be retained, whereby the ARC prepares the rules for the Minister to approve or not, rather than the Minister having discretion to amend or establish the rules.