



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

**AUSTRALIAN RESEARCH
COUNCIL AMENDMENT BILL 2006**

In Committee

SPEECH

Thursday, 22 June 2006

BY AUTHORITY OF THE SENATE

SPEECH

Date Thursday, 22 June 2006
Page 256
Questioner
Speaker Stott Despoja, Sen Natasha

Source Senate
Proof No
Responder
Question No.

Senator STOTT DESPOJA (South Australia) (12.22 am)—I move Australian Democrats amendment (1) on sheet 4937:

(1) Schedule 1, item 3, page 4 (after line 16), after Part 2, insert:

Part 3—The College of Experts

7 Establishment of the College of Experts

The ARC College of Experts is established by this section.

8 Functions of the College of Experts

The functions of the ARC College of Experts are to:

(a) assess and rank ARC grant applications submitted under the National Competitive Grants Program according to research excellence;

(b) make funding recommendations to the ARC CEO;

(c) provide strategic advice to the ARC on emerging and cross-disciplinary developments.

9 Membership and appointment of the College of Experts

(1) The College of Experts is to consist of not less than 75 members.

(2) The ARC must appoint members with demonstrated expertise in their field that are experts of international standing drawn from:

(a) the Australian research community; and

(b) the higher education sector; and

(c) the industry and public sector research organisations.

10 Terms and conditions of appointment of members of the College of Experts

(1) A member of the College of Experts is appointed for a period of three years.

(2) A member of the College of Experts may resign by giving the CEO a written resignation.

(3) The Minister may only terminate the appointment of a member of the College of Experts following an independent inquiry on the ground of misbehaviour or of physical or mental incapacity.

(4) For the purposes of subsection (3), *misbehaviour* includes but is not limited to academic fraud, conflict of interest, bribery or corruption, bankruptcy, excessive absence from duty or being convicted in Australia of an offence punishable by imprisonment for 12 months or longer.

The amendment relates to the issue of the College of Experts. It deals with establishing the College of Experts, the functions of the College of Experts, the membership of and appointment to the College of Experts, and the terms and conditions of appointment of members of the College of Experts. The idea behind this amendment is to ensure that the College of Experts is enshrined in legislation. The Democrats believe that the college is integral to the ARC's peer review process, but it is not currently recognised. I note that in the bill's explanatory memorandum, in the committee process and in other environments the government has stated that it is committed to the College of Experts and that it will be retained, but that is not evident in the legislation. Thus, the Democrats seek to enshrine that. The amendment will ensure that the College of Experts is in the legislation in its own right.

In relation to the functions, the amendment deals with the functions of the college to ensure that they cannot be changed to suit and that its critical role in the peer review process is not threatened. It makes clear the function and the existence of the College of Experts so that they cannot be changed. The amendment ensures that the College of Experts is not exposed to the same degree of ministerial intervention as the designated committees, so the minister is not responsible for determining the functions.

In relation to membership and appointment, the amendment stipulates a minimum number of members, thus guaranteeing that a diversity of interests is represented. In addition, it guarantees that the membership of the College of Experts is drawn from a wide range of experts of international standing in order to ensure that informed decisions are made about grants and that they are made across all research areas. The amendment stipulates that the members are appointed by the ARC and not by the minister. That is fundamental, ensuring the minister cannot be accused of making political appointments to the college. We actually think that is pretty good protection for the minister.

This provision will contribute to the maintenance of the college, its independence and thus, we presume, the confidence of the research sector and the public in grants decisions. The terms and conditions of appointment are stipulated, regulating the terms and conditions under which the members of the experts' college are appointed, regulating the time frame of appointments and the conditions under which a member can resign. It also clarifies the conditions under which a minister can terminate a member's appointment, ensuring transparency and accountability in that situation and providing guidelines for what is defined as 'misbehaviour'.

We feel strongly about these amendments, but we will not divide on them. I want to reiterate that this bill has been subject to a degree of scrutiny and discussion by a number of people, but I have to say that it has been of particular interest to the Australian Democrats. I did not anticipate that it would be dealt with in this fashion at this time of night in a way that is almost cursory. Just because I have tried to facilitate the Senate's business tonight, it does not mean that this bill is any less important for the Australian Democrats.

I commend Democrat amendment (1) and hope that it will receive the support of the chamber. If people want to indicate how they will vote, that will be sufficient for me. If opposition parties, including Family First, want to put on record how they will vote, that would be appreciated and I will not call a division.