



Australian Government
Department of Industry,
Innovation and Science
Department of Defence

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Program Guidelines

Defence Cooperative Research Centres Program

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1. Defence Cooperative Research Centres Program Process

The program is designed to achieve Commonwealth objectives

This grant opportunity contributes to the Department of Defence's (Defence) Outcome 2. Defence works with stakeholders to develop and design the grant program according to the *Commonwealth Grants Rules and Guidelines*.



The grant opportunity is published

Program guidelines are published on business.gov.au and GrantConnect.



Defence Cooperative Research Centre (Defence CRC) and grant funding announced

The Minister announces the establishment of a Defence CRC, its chair, the maximum grant funding available, its funding term, and the Next Generation Technologies Fund (NGTF) priorities the Defence CRC will address.



Opportunities to participate in Defence CRC are published

Defence will publish details of participant opportunities in the Defence CRC on the Defence Innovation Portal. Organisations may apply to become a participant at formation and any time following.



Defence CRC chair facilitates applications to join the Defence CRC

The chair facilitates applications from eligible entities to join the Defence CRC as founding participants.



Chair submits plan for formation of Defence CRC

The chair submits the plan for the formation of the Defence CRC to Defence including the founding participants, the goals and objectives, a summary of work, grant funding and known funding contributions from other sources.



Decision on plan is made

Defence provides advice on the plan. The Minister decides if the plan is approved.



Defence CRC is formed and enters grant agreement

The Defence CRC is formed as a company limited by guarantee and enters into a grant agreement with the Commonwealth.



Project development and approval

The Defence CRC will develop project proposals in consultation with participants and the Defence CRC Scientific and Engineering Advisory Panel. The board will approve projects aligned with the goals and objectives.



Selection and approval of project participants

The board will invite participants and, where appropriate, third parties to apply to take part in the project. The board will consider applications and determine the project participants.



Project agreements

Approved project participants will enter into a project agreement with the Defence CRC company.



Delivery of projects by Defence CRC

The Defence CRC undertakes the grant activity as set out in the grant agreement. The department manages the grant by working with the Defence CRC, monitoring progress and making payments.



Evaluation of Defence CRC

Defence evaluates the performance of the Defence CRC annually against the goals and objectives. An external evaluation must be undertaken of a Defence CRC in the second to last year of its funding term.



Evaluation of the program

The program is evaluated using information collected from various sources.

2. Introduction

These guidelines set out the funding rules for the Defence Cooperative Research Centres Program (the program). The program will use a targeted non-competitive process to allocate grant funding.

The Department of Defence (Defence) is responsible for the program which is administered by Defence and AusIndustry within the Department of Industry, Innovation and Science (the department) according to the requirements of the [Commonwealth Grants Rules and Guidelines](#)¹ (CGRGs).

The program forms part of the Next Generation Technologies Fund (NGTF) that was announced as part of the [2016 Defence Industry Policy Statement](#)².

The program will develop next generation technologies to deliver game-changing capabilities critical to defence and national security through establishing Defence Cooperative Research Centres (Defence CRCs).

Program funding will enable Defence CRCs to undertake activities and projects aligned with their NGTF priorities.

As indicated in the [2016 Defence White Paper](#)³ the Commonwealth's new approach to Defence innovation is focussed on collaboration with industry, academia and publicly funded research organisations (PFROs) to benefit Australia's defence capability.

Through Defence CRCs, SMEs will have the opportunity to play a key role in developing and transferring innovative technologies into Defence capability, building industry competitiveness in manufacturing and exports, and creating economic activity within Australia.

Key terms used in these guidelines are defined in Appendix A.

Interested parties should read this document carefully before proceeding.

3. Program overview

The NGTF has been allocated \$730 million from 2016-17 to 2025-26 to invest in strategic technologies that have the potential to deliver game-changing capabilities. Approximately 25 per cent of this funding may be allocated to the program.

The program aims to link industry, particularly SMEs, with researchers through Defence CRCs to create a vibrant and interlocking research and innovation capability that is focused on delivering Defence outcomes.

The program's intended outcomes are to:

- develop next generation technologies relevant to Australia's defence and national security sectors
- develop intellectual property (IP) that is available to industry participants in the project in which the IP is developed, who are best placed to commercialise it and deliver the required defence capabilities for Defence purposes

¹ <http://www.finance.gov.au/resource-management/grants/>

² <http://www.defence.gov.au/WhitePaper/Docs/2016-Defence-Industry-Policy-Statement.pdf>

³ <http://www.defence.gov.au/whitepaper/Docs/2016-Defence-White-Paper.pdf>

- develop improved or new technologies to make the Australian defence industry more efficient, competitively priced and productive
- foster collaboration between Defence, industry and research organisations
- increase SME participation in collaborative research
- improve research skills and capabilities in the Australian defence industry and
- improve the competitiveness, productivity and sustainability of the Australian defence industry.

Each Defence CRC will have goals and objectives that address its NGTF priorities and contribute to the achievement of the program's outcomes.

4. Defence CRC operations

4.1. Defence CRC establishment

Based on recommendations from Defence, the Minister for Defence Industry (Minister) will decide and announce the Defence CRCs to be established. Each Defence CRC will be established and funded for a period of 5 to 7 years (subject to extension as set out below).

At the establishment of the Defence CRC, the Minister will announce:

- the chair of the Defence CRC (with candidates to be proposed by Defence)
- the maximum grant funding available to the Defence CRC
- the funding term and
- the NGTF priorities that the Defence CRC is to address.

Defence will establish two advisory panels to provide advice to Defence on the implementation of the program and facilitate collaboration and information sharing amongst Defence CRCs and with Defence. The Defence CRC Program Advisory Panel will consist of the chairs of each Defence CRC and the Chief Defence Scientist. The Defence CRC Scientific and Engineering Advisory Panel will consist of the Chief Scientist and Engineers of each Defence CRC and the Chief Defence Scientist.

4.2. Defence CRC formation and governance

Following the Minister's announcement of the establishment of a Defence CRC, the chair will facilitate applications from eligible entities to join the Defence CRC as industry participants and research participants at its formation.

In consultation with Defence and technical or industry experts, the chair will prepare the plan for the formation of the Defence CRC that will include:

- the founding participants
- the goals and objectives
- a summary of work to achieve the goals and objectives
- the grant funding (up to the maximum announced by the Minister at establishment) and
- known funding contributions from sources other than the Commonwealth.

The chair will submit the plan to Defence for its consideration.

Defence will consider the plan against the following merit criteria to determine if the plan represents value for money and should be recommended for funding:

- alignment with NGTF priorities and program outcomes
- strategic and commercial benefits expected to be achieved from the research outcomes
- capacity and capability of founding participants to carry out the plan including:
 - track record in delivering research outcomes
 - access to resources including infrastructure, capital equipment, technology and intellectual property and
 - expertise in the relevant technology, project management, business management and commercialisation management
- Defence CRC budget
- extent to which the Defence CRC will leverage additional funding including cash and in-kind contributions and
- evidence of pathways to commercialise research outcomes, including appropriate relationships for potential exports.

For Defence to recommend the plan to the Minister for funding it must score highly against all merit criteria.

Defence may also seek advice from other Australian Government agencies, independent experts and other external parties.

The Minister decides whether to approve the plan taking account of the recommendations from Defence and availability of grant funds.

Once a plan is approved, the founding participants (including Defence) will form the Defence CRC as a company limited by guarantee (Defence CRC company), governed by a board responsible for its day-to-day operations.

At formation, each Defence CRC company must have at least one industry participant and one research participant as members. Each member will have equal voting rights in the Defence CRC company. It is anticipated that the number of members in a Defence CRC company will not exceed 12.

Other than the chair appointed by the Minister, all other board members will be appointed by the members of the Defence CRC company according to skills based criteria. It is anticipated that the number of board members will not exceed 7.

In consultation with Defence, the board will appoint an industry experienced CEO. Where an interim CEO assisted the chair prior to the formation of the Defence CRC and such person wishes to be put forward for the position of CEO, the board will determine that person's application.

Each Defence CRC will have a Chief Scientist and Engineer. Preference will be given to a researcher from Defence where an appropriate Defence employee is available.

The board will establish other executive positions based on the required experience, skills and expertise in research and development, defence matters and the Defence CRC's technology area.

A Defence CRC may collaborate with international organisations and companies with global supply chains and access to international markets where appropriate to support the realisation of the Defence CRC's goals and objectives and subject to Defence assessing compliance with national security requirements.

4.3. Final decision

The Minister's decision is final in all matters relating to the establishment and formation of Defence CRCs, including:

- the Defence CRCs to be established
- the chairs of the Defence CRCs
- the maximum grant funding available to a Defence CRC
- the funding term of a Defence CRC
- the plan and
- the terms and conditions of funding.

Decisions will not be reviewed.

4.4. Funding arrangements

Each Defence CRC will be provided with grant funds for a period of 5 to 7 years to undertake eligible activities. This period can be extended up to a maximum of 10 years. Extension of a Defence CRC will be subject to Defence priorities and available program funds, and further subject to the outcome of an external evaluation.

The amount and term of grant funding for each Defence CRC will be determined by the Minister.

Each Defence CRC company must enter into a grant agreement with the Commonwealth setting out the terms on which grant funding will be provided before any payments are made.

Grant funding can be used only for eligible expenditure and eligible activities, including approved projects.

A funding contribution to projects from participants is not mandatory but may be taken into account when determining the participants to take part in a project.

Defence CRC funds can be paid only to participants to undertake eligible activities.

4.5. Eligible activities

Eligible activities must align with the NGTF priorities and include:

- approved projects
- industry-focused education and training programs, such as a PhD program that complements the activities of the Defence CRC and increases engagement, technology development, skilled employees and research and development capacity within industry participants
- implementation of strategies that build the research and development capacity within SMEs and
- deployment and commercialisation of developed technology by industry.

Defence CRCs cannot receive other Commonwealth grant funding for the same activities.

4.6. Eligible projects

Eligible projects must:

- align with the Defence CRC's goals and objectives
- meet the requirements of the grant agreement between the Commonwealth and the Defence CRC company

- be approved by the board prior to commencement and
- include eligible expenditure.

4.7. Eligible expenditure

Grant funding must be used only for expenditure that is authorised by the grant agreement or otherwise approved by the program delegate.

Eligible expenditure is intended to be spent primarily in Australia and may be used for:

- the management and operational costs of the Defence CRC (including consumables, such as software licences)
- the costs involved in conducting approved projects as set out in a project agreement
- education and training costs, fellowships and student stipends and
- capital items, such as equipment, prototypes and other research platforms, but not to purchase or pay for the construction of facilities such as buildings, laboratories etc.

Where grant funding is to be spent overseas, the Defence CRC needs to ensure that the international capabilities will make a positive contribution to the program. All international partnerships and arrangements must comply with Defence White Paper objectives and [Defence Export Controls](#)⁴.

5. Participants in a Defence CRC

Following the announcement of the establishment of a Defence CRC by the Minister and on an ongoing basis, each Defence CRC will publish details of participant opportunities on the [Defence Innovation Portal](#)⁵. Organisations may apply to become a participant at any time.

Participants contribute to a Defence CRC's schedule of work and are eligible to apply to participate in its approved projects.

Participants may become members of the Defence CRC company. To become a member an entity must be a participant.

An entity must satisfy the participant eligibility criteria to apply to become a participant.

5.1. Eligibility criteria for participants

The following entity types are eligible to become participants in a Defence CRC:

- companies incorporated in Australia (as industry participants) and
- PFROs or entities incorporated in Australia that conduct research and development (as research participants).

To be eligible to become a participant, an entity must also:

- be prepared to enter into an industry participant agreement or a research participant agreement
- accept the terms of the Defence CRC project agreement template. The agreement template is

⁴ <http://www.defence.gov.au/ExportControls>

⁵ <https://www.business.gov.au/Centre-for-Defence-Industry-Capability/Defence-Innovation-Portal/>

available at [business.gov.au](https://www.business.gov.au)⁶

- be prepared to actively participate in the Defence CRC and
- be willing and able to pay the annual fee to the Defence CRC.

Applicant eligibility for founding participants will be determined by the chair, and following formation, by the CEO.

5.2. Merit criteria for participant applications

The chair will assess eligible applications for founding participants, and following formation the board will assess eligible applications for participants, in each case against the following merit criteria which are equally weighted:

- the research excellence and significance of contributions in a technology area of relevance to the Defence CRC's goals and objectives
- the capacity to contribute to the achievement of the Defence CRC's goals and objectives and
- the capacity and capability to effectively contribute to a collaborative team.

To be successful, applications must rate highly against the merit criteria.

Following assessment of the applications, the chair decides which entities are accepted as founding participants, with all other eligible applications decided by the board. In making a decision advice may be obtained from technical or industry experts. In each case, the decision is final.

Participants must satisfy the eligibility and merit criteria for the duration of their participation in a Defence CRC. If the board considers that a participant no longer meets these criteria, they may require the participant to retire from the Defence CRC (subject to the terms of any project agreement to which the participant is a party).

5.3. Participants' rights and obligations

Participants must enter into an industry participant agreement or a research participant agreement which sets out the terms of their participation. Sample agreements are available at [business.gov.au](https://www.business.gov.au)⁷.

Participants will be entitled to receive information about the Defence CRC's activities.

Participants do not obtain any right to participate in a project. Where invited by the board, participants may apply to take part in projects. Research participants undertake research for projects in which they take part on a fee for service basis.

Participants are required to pay an annual fee to the Defence CRC. This fee will be determined by the board according to the nature, size and turnover of the entity. Participants are not required to commit any other funds to a Defence CRC to become a participant. Participants will be required to provide an in-kind contribution when participating in a project. A funding contribution to projects from participants is not mandatory but may be taken into account when determining the participants to take part in a project.

Participants are not required to participate in a Defence CRC for a fixed term, and may retire from the Defence CRC at any time by giving the notice set out in their participant agreement. Where a retiring participant is also a member of the Defence CRC company, it must also retire as a

⁶ <https://www.business.gov.au/assistance/defence-cooperative-research-centres-program>

⁷ <https://www.business.gov.au/assistance/defence-cooperative-research-centres-program>

member. Where a participant is a project participant, its retirement from the project will be subject to the terms of the project agreement.

6. Project IP and Projects

6.1. Project IP

Management of project IP within Defence CRCs will be consistent with the principles of the [Defence Innovation Hub IP Strategy](#)⁸ to: maximise incentives to innovate, attract investment, develop leading-edge innovation, and support sovereign industry capabilities.

The IP strategy outlines Defence's approach to the treatment and protection of IP used or created in connection with projects funded by the Defence Innovation Hub, including through this program.

Consistent with the principles outlined in the IP strategy, project IP will belong to the relevant industry project participant unless there are compelling reasons for Defence ownership.

When a Defence CRC reaches the end of its funding term, project IP will continue to be available to Defence for Defence purposes and to third parties under licensing or other arrangements. SMEs will have access to project IP to meet a key outcome of the program which is to increase SMEs participation in collaborative research and capability to supply to Defence.

The rules relating to the commercialisation of project IP will reserve exclusive rights to project participants and reserve to Defence a royalty free licence to use the project IP for Defence purposes.

6.2. Project development and approval

A Defence CRC's CEO and Chief Scientist and Engineer will develop project proposals that align with the goals and objectives, in consultation with participants and the Defence CRC Scientific and Engineering Advisory Panel, as appropriate.

Project proposals must be consistent with the IP principles set out above and will include a project plan and budget, and address:

- how the project aligns with the goals and objectives
- the game-changing capabilities and technologies that will arise from the project
- the benefits to Defence and defence industry, the commercial potential of the expected outputs, and any spill-over benefits to Australian industry or government
- the methodology to be applied to achieve the outcomes and adoption of the new technologies
- the level of Defence CRC funding required, the intended term, and how it will be used
- the number and nature of the parties expected to be required to conduct the project (including industry participants, research participants and/or third parties)
- whether there is potential for the research to become classified or face export control limitations, in which case a management plan must be provided
- the background IP to be made available to the project, including any restrictions on use
- the ownership of project IP
- the commercialisation of project IP and

⁸ <https://www.business.gov.au/~media/Business/CDIC/Innovation-Hub-IP-Strategy.pdf?la=en>

- proposed education and/or training opportunities, including how the project will contribute to capacity and capability building in the Australian defence industry and related industry and research sectors.

The board will approve all projects and must only approve projects that align with the goals and objectives. Project proposals can be submitted for approval at any time.

6.3. Selection of project participants

Once the board has approved a project proposal, the board will invite participants to apply to take part in the project and become project participants.

A participant's application must be consistent with the IP principles set out above and will need to address:

- the capacity, capability and resources that can be brought to the project
- any funding that can be contributed to the project
- the fees payable for the provision of their research services, including a budget breakdown (for research participants)
- the nature and extent of any licences to use background IP made available for the project, including any restrictions on use
- the ownership and rights to use project IP and
- if seeking commercialisation rights, how project IP will be commercialised.

The board may also invite third parties to apply to participate in a project where it considers that existing participants do not have the necessary expertise to conduct the project or where a party (including an international entity) has valuable expertise but is not eligible to become a participant. A third party's involvement in a project does not confer Defence CRC participant status to that organisation.

The board will consider the participant and third party applications and determine which organisations will participate in the project. The board's decision is final.

Approved project participants will need to enter into a project agreement with the Defence CRC company.

7. How grant funding is paid

The Defence CRC company will enter into a grant agreement with the Commonwealth. The grant agreement will state:

- the maximum grant amount payable to the Defence CRC
- the term over which the grant will be paid
- the goals and objectives to be met and
- the deliverables and milestones.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

An initial payment of grant funding will be made to the Defence CRC company on execution of the grant agreement into a nominated bank account. The initial payment will cover the expected set-up and operational expenses for the first six months.

Subsequent payments will be made quarterly in advance based on forecast eligible expenditure

and adjusted for unspent amounts from previous payments. Payments are subject to satisfactory progress against the Defence CRC's goals and objectives and schedule of work.

7.1. Monitoring activities and projects

Reporting activities will be managed by the department on behalf of Defence. Reports must be submitted to the department in line with the grant agreement. Sample templates for these reports will be provided as appendices in the grant agreement. They can also be downloaded from business.gov.au. Defence CRCs will be reminded of reporting obligations before a report is due.

The progress of eligible activities will be monitored by assessing reports submitted and site visits may be conducted to confirm details of the reports, if necessary. Occasionally further information may be sought or an independent audit of claims and payments requested.

7.2. Quarterly reports

Quarterly reports must:

- include evidence of progress towards meeting the goals and objectives
- include evidence of meeting grant agreement deliverables and milestones, and progress of projects
- show the eligible expenditure incurred to date and forecast for the next quarter
- identify any contributions of participants directly related to activities and
- be submitted by the report due date.

Payments will only be made when satisfactory progress reports have been received.

A Defence CRC must discuss any reporting delays with the department as soon as it becomes aware of them.

7.3. Annual report

Defence CRCs will produce an annual report every financial year.

The annual report must give an account of the Defence CRC's activities and its financial performance throughout the preceding year.

7.4. Final report

When a Defence CRC's funding term is completed, a final report must be submitted to the department.

Final reports must:

- include the agreed evidence as specified in the grant agreement and
- be submitted within four months after the end of the funding term.

7.5. Ad-hoc reports

Defence, acting through the department, may request ad-hoc reports from Defence CRCs. These reports may be required to provide an update on progress, or any significant delays or difficulties in completing eligible activities or projects.

7.6. Financial report

An independently audited financial acquittal report will be required with the final report. The

financial acquittal report will verify that the grant funding was spent in accordance with the grant agreement. The financial acquittal report template is attached to the sample grant agreement.

7.7. Compliance visits

The department may visit a Defence CRC during the term of a grant agreement to review compliance with the grant agreement. The department may also inspect the records required to be kept under the grant agreement. Reasonable notice of any compliance visit will be provided to the Defence CRC.

7.8. Variations

Unexpected events may affect progress or a Defence CRC may want to respond to new opportunities related to its NGTF priorities. In these circumstances, a variation to the grant agreement can be requested, including:

- changing the grant funding
- changing milestones
- changing activities
- changing the goals and objectives or
- extending the timeframe for a Defence CRC but within the maximum 10 year period.

If a Defence CRC wants to propose changes to the grant agreement, it must put them in writing at least 12 months before the grant agreement end date. The department can provide the Defence CRC with a variation request template.

Variation requests related to milestones and eligible activities will be considered by Defence and the department. Any variation related to grant funding, goals and objectives, or timeframes must be considered by the Minister. The Defence CRC should not assume that a variation request will be successful.

Requests will be considered based on factors such as:

- how it affects or enhances the ability of the Defence CRC to achieve its goals and objectives and
- consistency with the program outcomes.

Extension of a Defence CRC will also be subject to available program funds and the outcome of an external evaluation.

7.9. Evaluation and external evaluation

Defence may undertake annual evaluations of each Defence CRC to determine effectiveness, areas for improvement, and the continuation of grant funding.

An external evaluation by an independent panel must be undertaken by each Defence CRC and provided to Defence in the second to last year of a Defence CRC's funding term. The board will propose the independent panel that will conduct the external evaluation for Defence's approval.

The external evaluation will include an assessment and gap analysis of the Defence CRC's deliverables and outcomes against its goals and objectives. Defence will set the terms of reference for the external evaluation and will issue a template to be used for such purposes.

The external evaluation will inform the Minister's decision in relation to any request from a Defence CRC for additional funding or an extension to its funding term, as well as any decision in relation to proposals for the transition of a Defence CRC's activities at the end of its funding term.

Defence may evaluate the program to determine the extent to which the activities of the Defence CRCs are contributing to the program objectives and outcomes.

Information from project proposals and reports may be used for the purposes of evaluations. The Defence CRCs and project participants may be interviewed or asked for more information to help with evaluations, including to understand how grant funding has impacted a Defence CRC and how effective the program has been in achieving its outcomes.

7.10. Keeping the department informed

A Defence CRC should let the department know in the first instance if anything is likely to affect its activities.

A Defence CRC must also inform the department of any changes to its:

- name
- address
- nominated contact details and
- bank account details.

If any Defence CRC becomes aware of a breach of terms and conditions under the grant agreement, it must contact the department immediately.

Defence CRCs must notify the department of key events relating to projects and provide an opportunity for the Minister or their representative to attend.

7.11. Tax obligations

Each Defence CRC company will be registered for the Goods and Services Tax (GST), and GST will be added to grant payments and a recipient created tax invoice will be provided.

Defence CRC company grant payments are assessable income for taxation purposes, unless exempted by a taxation law. A Defence CRC should seek independent professional advice on its taxation obligations or seek assistance from the [Australian Taxation Office](https://www.ato.gov.au/)⁹. The department does not provide advice on tax.

8. Conflicts of interest

8.1. Conflict of interest responsibilities

A conflict of interest will occur where private interests conflict with obligations required under the program. Conflicts of interest could affect participation in the program. A conflict of interest can be:

- real (or actual)
- apparent (or perceived), or
- potential.

Each Defence CRC company will be asked to declare when executing the grant agreement, any perceived or existing conflicts of interests or that, to the best of its knowledge, there is no conflict of interest. Participants will be asked to make a similar declaration when executing their participant agreement and project agreements. The chair will also be asked to make a similar declaration

⁹ <https://www.ato.gov.au/>

when appointed by the Minister.

Conflicts of interest will be managed by the Defence CRC in accordance with standard corporate governance as summarised by the Australian Securities and Investments Commission.

If an actual, apparent, or potential conflict of interest in relation to participation in the program is later identified, the affected party must inform the department in writing immediately.

8.2. The department's and Defence's conflict of interest responsibilities

The department and Defence recognise that conflicts of interest may arise with staff, technical experts and others administering the program between:

- their program duties, roles and responsibilities and
- their private interests.

The department and Defence manage its conflicts of interest according to the *APS Code of Conduct (section 13 (7) of the Public Service Act 1999)*. The department publishes its conflict of interest policy on the [Department of Industry, Innovation and Science¹⁰](#) website.

Program officials, technical experts and others administering the program must declare any conflicts of interest. If the department considers a conflict of interest is a cause for concern, that official will not take part in affected activities under the program.

9. How information provided is used

Unless the information provided is:

- confidential information as per 9.1 or
- personal information as per 9.2,

the department and Defence may share the information with other government agencies for a relevant Commonwealth purpose such as

- to improve the effective administration, monitoring and evaluation of Australian Government programs
- for research or
- to announce the awarding of grants.

9.1. Confidential information

Information provided to the department and Defence will be treated as sensitive and therefore confidential if it meets one of the four conditions below:

- A Defence CRC clearly identifies the information as confidential and explains why it should be treated as confidential.
- The information is commercially sensitive.
- Revealing the information would cause unreasonable harm to a Defence CRC, participants or someone else.

¹⁰

<https://industry.gov.au/AboutUs/InformationPublicationScheme/Ourpolicies/Documents/ConflictofInterestandInsideTradeExpectationsofInnovationEmployees.pdf>

- A Defence CRC provides the information with an understanding that it will stay confidential.

The department and Defence may disclose confidential information:

- within the department and Defence on a need to know basis
- to Commonwealth employees and contractors to help manage the program effectively
- to the Auditor-General, Ombudsman or Privacy Commissioner
- to the responsible Minister or Assistant Minister and
- to a House or a Committee of the Australian Parliament.

The department and Defence may also disclose confidential information if:

- required or authorised by law to disclose it
- a Defence CRC or other disclosing party agrees to the information being disclosed, or
- someone other than the department or Defence has made the confidential information public.

9.2. Personal information

The department and Defence must treat personal information according to the Australian Privacy Principles (APPs) and the *Privacy Act 1988*. This includes letting the Defence CRC know:

- what personal information we collect
- why personal information is collected and
- to whom personal information is given.

The department and Defence may give the personal information collected from a Defence CRC to their employees and contractors, and other Commonwealth employees and contractors, for the purposes of:

- managing the program and
- researching, assessing, monitoring and analysing the program and activities.

The department and Defence, or their responsible Ministers, may publish personal information on their websites.

The Defence CRCs may read the department's and Defence's applicable privacy policy on their websites for more information on:

- what is personal information
- how personal information is collected, used, disclosed and stored and
- how to access and correct personal information.

9.3. Public announcement

Defence may publish non-sensitive details of funded Defence CRCs, including on its website and GrantConnect, as required by the CGRGs and the [Australian Government Public Data Policy Statement](#)¹¹, unless otherwise prohibited by law. This information may include:

- name of the Defence CRC company
- amount of grant funding awarded

¹¹ <http://www.dpmc.gov.au/resource-centre/data/australian-government-public-data-policy-statement>

- Australian Business Number
- business location and
- NGTF priorities.

This information may be published to ensure open access to non-sensitive data within Australian Government agencies to enable greater innovation and productivity across all sectors of the Australian economy.

9.4. Freedom of information

The *Freedom of Information Act 1982* (FOI Act) applies to all documents created, received or stored by the department and Defence about the program. If someone requests a document under the FOI Act, the department or Defence (as the case may be) will release it (though it may be necessary to consult with the relevant Defence CRC and/or other parties first) unless it meets one of the exemptions set out in the FOI Act.

9.5. National security and classified work

Any information which has national security implications will be dealt with in accordance with Defence policy and applicable law.

Defence may require participants, on a project by project basis, to have a security clearance to undertake a part of the program. If this is the case, the participants must implement security arrangements and obtain security clearances for staff as required by Defence.

10. Grant acknowledgement

If a Defence CRC makes a public statement about activities funded under the program, the department requires the Defence CRC to acknowledge the grant by using the following:

‘This project received grant funding from the Australian Government.’

11. Enquiries and feedback

For further information or clarification, the department can be contacted on 13 28 46 or by [web chat](#)¹² or through the [online enquiry form](#)¹³ on business.gov.au.

Answers to questions may be published on the department’s website as Frequently Asked Questions.

The AusIndustry [Customer Service Charter](#)¹⁴ is available at business.gov.au. AusIndustry uses customer satisfaction surveys to improve its business operations and service.

If you have a complaint, you can call the department on 13 28 46. The complaint will be referred to the appropriate manager.

If you are not satisfied with the way the complaint is handled, you can contact:

Head of Division

¹² <https://www.business.gov.au/>

¹³ <https://www.business.gov.au/contact-us>

¹⁴ <https://www.business.gov.au/about/customer-service-charter>

AusIndustry – Business Services
Department of Industry, Innovation and Science
GPO Box 2013
CANBERRA ACT 2601

You can also contact the [Commonwealth Ombudsman¹⁵](#) with your complaint (call 1300 362 072). There is no fee for making a complaint, and the Ombudsman may conduct an independent investigation.

¹⁵ <http://www.ombudsman.gov.au/>

Appendix A. Definitions of key terms

Term	Definition
AusIndustry	The division of the same name within the department. AusIndustry is responsible for administering components of the program.
CEO	The chief executive officer of a Defence CRC company.
Defence	The Department of Defence.
Defence purposes	<p>Any purpose within the power of the Commonwealth with respect to the defence of the Commonwealth, and includes activities for the purposes of peacekeeping and emergency aid to the civil community, and purposes that are necessary or incidental to any of those purposes.</p> <p>Without limiting this definition, Defence purposes includes:</p> <ul style="list-style-type: none"> • scientific, technical or applied research and development activities • studies, analysis and investigation in relation to current and future technology and capability (including the technology developed under project agreements) • assessment, investigation and development of options to meet Defence's capability needs and operational requirements • development and definition of functional and performance requirements to support the procurement of technology or capability and • the provision by third party contractors of goods or services to or for Defence. <p>Defence purposes does not include commercialisation of IP by Defence in return for a royalty or other commercial return.</p>
department	The Department of Industry, Innovation and Science.
eligible activities	The activities undertaken by a Defence CRC that are eligible for funding support.
eligible expenditure	The expenditure incurred by a Defence CRC on eligible activities including approved projects.
goals and objectives	The goals and objectives for a Defence CRC developed by the chair that address the NGTF priorities, set out in the plan approved by the Minister.
grant agreement	A legally binding contract between the Commonwealth and a Defence CRC company for the receipt of grant funding.

Term	Definition
grant funding or grant funds	The grant funding made available by the Commonwealth under the program.
guidelines	These guidelines that the Minister gives to Defence and the department to provide the framework for the administration of the program, as in force from time to time.
industry participant	An entity that has entered into an industry participant agreement.
industry participant agreement	An agreement between a Defence CRC company and an industry participant.
intellectual property or IP	Includes all copyright (including rights in relation to phonograms and broadcasts), and all rights in relation to inventions (including patents), plant varieties, registered and unregistered trade marks, registered designs, confidential information (including trade secrets and know-how) and circuit layouts and all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.
Minister	The Minister for Defence Industry.
Next Generation Technologies Fund or NGTF	The Next Generation Technologies Fund described in the 2016 Defence Industry Policy Statement.
NGTF priorities	<p>The research and development priority areas for the NGTF, as outlined below:</p> <ul style="list-style-type: none"> • integrated intelligence, surveillance and reconnaissance • space capabilities (de-risking Defence's dependence on space) • enhanced human performance • medical countermeasure products • multidisciplinary material sciences • quantum technologies • trusted autonomous systems • cyber and • advanced sensors, hypersonics and directed energy capabilities.
participant	An industry participant or a research participant that contributes to the work of a Defence CRC and is eligible to apply to participate in projects.
personal information	Has the same meaning as in the <i>Privacy Act 1988</i> (Cth).

Term	Definition
plan	The plan prepared by the chair for the formation of a Defence CRC, to be approved by the Minister.
program	The Defence Cooperative Research Centres Program.
program delegate	An officer in Defence empowered by the Minister to carry out functions for the program.
program funding or program funds	The funding made available by the Commonwealth for the program.
project agreement	A legally binding contract between a Defence CRC company and the project participants to undertake a project.
project intellectual property or IP	All intellectual property or IP related to a Defence CRC project.
project participant	A participant in a Defence CRC project, including industry participants, research participants, and any third party.
publicly funded research organisation (PFRO)	All higher education providers listed at Table A and Table B of the <i>Higher Education Support Act 2003</i> (Cth) as well as corporate Commonwealth entities, and state and territory government departments or agencies which undertake publicly funded research.
research participant	An entity that has entered into a research participant agreement.
research participant agreement	An agreement between a Defence CRC company and a research participant.
small or medium enterprises or SMEs	An entity which employs up to 200 staff.
third party	A party that is not a Defence CRC participant.