

EDUCATION, SCIENCE AND TRAINING

SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE 2006-2007 BUDGET ESTIMATES HEARING

Outcome: 1
Output Group: ARC

DEST Question No: E504_07

Senator Stott Despoja asked on 31 May 2006, EWRE Hansard page 56 (1).

Question:

ARC Amendment Bill 2006

Senator STOTT DESPOJA—...

Please do not get me wrong—on the issue of consultation, I understand that that may occur anyway, but I just want to clarify: can the ARC's CEO initiate an inquiry without the sign-off of the minister, without the minister's permission?

Mr Marsden—Senator, would you mind if we took that question on notice so we can provide a clear, specific answer? I would like to be able to consult more widely, if we need to—with, say, the Australian Government Solicitor's office and that sort of thing—because you have raised a small doubt in my mind, which did not exist until recently.

Senator STOTT DESPOJA—You can see why I have had a doubt in my mind on this one; I cannot seem to get an unequivocal comment on it. Can I also ask you, Mr Marsden—and, if you cannot answer at the moment, can you take it on notice—to provide me with the reference to the Public Service Act, because my understanding is that it does not refer to the ability of the CEO to initiate inquiries, and it is that specificity that I am after. Thank you for that.

Answer:

The ARC has provided the following response.

The objects of the *Australian Research Council Act 2001* include “the provision of high quality advice to the Minister about matters related to research” (s.3(a)(iii) of the Act). The functions of the CEO of the ARC include providing “advice to the Minister on research matters” (s.33B(c) of the Act). Undertaking this function and furthering the objects of the Act necessarily include the gathering of data and opinions, including by undertaking inquiries. The Act does not make the Minister's approval a precondition for doing this.