

RESPONSIBLE OFFICERS' RESPONSIBILITIES

WITHOUT PREJUDICE

Responsible Officers (RO) are senior managers appointed by the Administering Institution to be responsible for the administration of NHMRC Funds, the ethical conduct of Research Activities or other matters. Not all responsibilities are listed. ROs should identify further areas of responsibility in the Agreement and Schedules.

1. NOTIFY NHMRC IMMEDIATELY IN WRITING

- ROs must immediately notify NHMRC in writing if the **Administering Institution**:
- i. ceases to comply with the Administering Institutions Policy, the NHMRC Approved Standards and Guidelines, a Funding Policy that applies to a Research Activity, or any other requirement specified in this Agreement
 - ii. becomes aware that a Participating Institution has ceased to comply fully with NHMRC Approved Standards and Guidelines, a Funding Policy that applies to a Research Activity, or any other requirement specified in its Formal Agreement
 - iii. becomes aware of the withdrawal or non-renewal of any Institutional Approval during the Funding Period for a Research Activity
 - iv. changes its trading or business name or legal status
 - v. becomes aware of a Probity Event, including a Conflict of Interest
 - vi. becomes aware of any delay of six months or more that is likely to occur in relation to the performance of a Research Activity, including failure to spend Infrastructure Scheme Funds within six months of receipt
 - vii. becomes aware of a breach or possible breach of any of its obligations under clause 25
 - viii. has determined it will terminate the Funding Agreement or cease a Research Activity.

ROs must notify NHMRC in writing if the **Administering Institution** or a **Participating Institution**:

- ix. is unable to purchase an Asset
- x. becomes unable to pay all its debts as and when they become due and payable
- xi. has applied to come under, received a notice requiring it to show cause why it should not come under, or has otherwise come under one of the forms of external administration referred to in Chapter 5 of the *Corporations Act 2001* (Cth) or equivalent provisions in legislation of States and Territories pertaining to incorporated associations or Chapter 11 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth) or an order has been made for the purpose of placing the Administering Institution or Participating Institution under external administration
- xii. undergoes a Change of Control
- xiii. does not spend all the Funds provided for a Research Activity
- xiv. is unable to perform, or to continue to perform, all or part of a Research Activity.

ROs must immediately notify NHMRC in writing if:

- xv. a **Formal Agreement** with a Participating Institution is terminated, suspended or lapses.

Clauses to read	30.4	25	28	5.6					
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2. ENSURE COMPLIANCE

- ROs must ensure compliance with:
- Reporting requirements
 - Obligations regarding the administration of NHMRC Funds, interest earned on Funds, Assets purchased with Funds and payment of Taxes and Duties
 - Obligations regarding the performance of Research Activities
 - Provision of information to NHMRC and access to premises and documents
 - Obligations regarding the management of Intellectual Property
 - Any notice to suspend, terminate or reduce the scope of the Agreement or a Research Activity
 - Obligations relating to Records Keeping, protection of Personal Information and Confidential Information
 - Insurance and Indemnity requirements
 - NHMRC Approved Standards and Guidelines.

ROs must ensure compliance by the Participating Institutions with:

- their Formal Agreements with the Administering Institution
- the Funding Agreement and its Schedules.

ROs must ensure that:

- no Variations to the Agreement or items in Schedules occur without written NHMRC approval
- NHMRC Funding is acknowledged and no unauthorised use of the NHMRC logo occurs
- Administering and Participating Institution Personnel do not represent themselves as officers, employees, partners or agents of the Commonwealth.

Clauses to read	9	5	4	7	8	10	11	12	13
	14	17	18 & 19	20	24	25	26	22	27