

1980/81

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

AUSTRALIAN CENTRE FOR INTERNATIONAL

AGRICULTURAL RESEARCH BILL 1981

EXPLANATORY MEMORANDUM

(Circulated by the authority of the
Minister for Foreign Affairs,
the Hon. Tony Street, M.P.)

OUTLINE

The purpose of this Bill is to provide for the establishment of the Australian Centre for International Agricultural Research as a statutory authority of the Commonwealth. The Centre will be given the responsibility of identifying priority agricultural and related research needs in developing country regions, developing proposals to meet those needs and mobilising and expanding Australian capacity to implement approved programs of research. The Centre itself will not engage in research

A Policy Advisory Council will advise the Minister on general policy matters relating to the Centre, including priorities in agricultural research and development in developing countries and relevant Australian research capacity and will review the progress of the Centre's programs and activities and advise the Minister accordingly. In addition, a Board of Management will be established to be responsible for the conduct of the affairs of the Centre.

An important element in the Bill is the establishment of a Trust Fund established within the public account to which funds appropriated under the aid program will be paid and from which the expenses of the Centre will be met. The Government has indicated a commitment to provide \$25 million over the first four years for the purposes of the Centre. The existence of this fund will allow the Centre to enter into long term research contracts with Australian institutions and to make firm forward funding commitments. Because of the long lead times involved in agricultural research, both aspects are considered essential for the success of the Centre.

Clause 1 : Short title

This clause cites the Act as the Australian Centre for International Agricultural Research Act 1981.

Clause 2 : Commencement

This clause provides for the commencement of the Act on a date to be fixed by Proclamation. This is to enable necessary appointments to be arranged and other administrative matters to be attended to before the Act comes into operation.

Clause 5 : Functions

This clause describes the functions of the Centre as being to identify the priority agricultural research needs in developing countries, to develop research proposals to meet those needs and to facilitate and expand Australian capacity to implement approved programs of research by Australian institutions in collaboration with institutions in developing countries and relevant international institutions.

Sub-clause (3) makes clear that the Centre is not authorised, or permitted, to carry out research on its own behalf.

In communicating the results of its agricultural research programs an element of training may be provided by the Centre. It is important to note however that such training would be associated only with an individual's participation in a research project. It would not involve formal, degree-related training, which is available under the Government's development training program.

Clause 7 : Establishment and functions
of Board

This clause provides for the establishment of a Board of Management which is responsible, subject to any directions he may give, to the Minister for the conduct and control of the affairs of the Centre.

Clause 8 : Constitution of Board

This clause defines the composition and method of appointment of the members of the Board of Management. The Board comprises the President of the Policy Advisory Council, the Director of the Centre, the Director of the Australian Development Assistance Bureau (ADAB) (all ex officio) and three other members of the Policy Advisory Council appointed by the Governor General. It is anticipated that the latter three members of the Board will reflect the importance of Universities, CSIRO and State Departments of Agriculture as Australia's prime sources of expertise in agricultural research. Under Clause 9 the Governor-General will appoint one of the members of the Board to be its Chairman

Clause 15 : Delegation by Board

This clause provides for the delegation of the powers of the Board to a member of the Board or to a member of the staff of the Centre. This will enable the Director or staff of the Centre to act on behalf of the Board on appropriate matters.

Clause 16 : Directions by Minister

This clause enables the Minister to give directions to the Board on matters relating to the powers and functions of the Centre. It is intended that these directions be made with due regard to relevant advice received from the Policy Advisory Council. The annual report of the Centre will be required to contain all directions given by the Minister to the Centre.

Clause 18 : Function of Council

This clause describes the function of the Council as being to advise the Minister on general policy matters including problems and priorities in agricultural research in developing countries and relevant Australian research capacity. It also requires that the advice given to the Minister will be made available to the Board. The formal line of communication from the Council to the Board will therefore be through the Minister. (Note also that under clause 20 the President will have a duty to keep the Council informed of the affairs of the Centre).

Clause 19 : Constitution of Council

The Council shall be an expert body with members serving in their personal capacities. The total membership should be broadly representative of the expertise and interests of institutions concerned with research and other activities of relevance to the functions of the Centre. The Council shall include members from Australian institutions, institutions in developing countries and the international scientific community. The Council will consist of the Director of the Centre and the Director of ADAB ex officio and up to 17 Ministerially appointed members, one of whom shall be the President. While in a minority, a substantial number of members will be representative of developing countries or other overseas research institutions. The majority of Council members will thus be representative of Australian institutions and organisations, in particular the Universities, State Departments of Agriculture and the CSIRO. In practice it is expected that the Ministers for Primary Industry and Science and Technology will each be invited to nominate one member of the Council. Appointments will be for terms of up to three years.

PART V. THE DIRECTOR OF THE CENTRE

Clause 24 : Office of Director

This clause provides for the appointment, by the Governor General, of a Director of the Centre. The Director will be the chief executive officer of the Centre and will, subject to the direction of the Board of Management, manage the affairs of the Centre.

Clause 29 : Acting Director

This clause provide for the Minister to appoint a person as Acting Director when the position is vacant or when the holder of the position is absent from duty or from Australia. Acting appointments shall be for not longer than twelve months and may be terminated at any time by the Minister.

PART VI. STAFF AND CONSULTANTS

Clause 30 : Staff

This clause provides for the appointment of staff of the Centre to be employed under the Public Service Act. It is proposed that the Centre will be served by a secretariat of high professional quality. It will consist of approximately ten people with relevant scientific expertise in agricultural research and development for developing countries. This clause also provides for the Director to have the powers of Permanent Head under the Public Service Act in relation to the staff of the Centre. (Administrative support will be provided by the Department of Foreign Affairs on a common services basis.)

Clause 31 : Arrangements relating to staff

This clause provides for the Board to make arrangements with other Commonwealth or State Departments for the services of officers or employees of those Departments to be made available to the Centre.

Clause 32 : Engagement of Consultants, etc.

This clause provides that the Director may, on behalf of the Centre, engage persons with suitable qualifications and experience as consultants or experts to the Centre. It is envisaged that the terms and conditions of the engagement of such persons will be similar to those used by ADAB and that delegations by the Public Service Board will be sought to enable it to so act.

PART VII. FINANCE

Clause 33 : Establishment of Fund

This clause provides for the establishment of a Trust Account within the public account and under the Audit Act for the purposes of the Centre. It is envisaged that this fund will be replenished annually by Appropriation as part of the aid budget.

Clause 35 : Payments from Fund

This clause authorises payments from the Trust Account to meet the expenses of the Centre. It is envisaged that all expenses, both in relation to the research activities sponsored by the Centre, and its administrative and operating expenses, will be met from this Account.

PART VIII. MISCELLANEOUS

Clause 39 : Annual report

This clause requires that the Board of Management prepare and furnish to the Minister an annual report on the operations of the Centre and that this report be presented to Parliament.

Clauses 43 and 44 : Cessation of operations
of Act and Review

These sections provide that the Act shall cease to be in force 12 years from the date of its commencement unless, following a review of the Centre's functions and operations commencing in the tenth year, legislation is enacted to continue the Centre in existence. This will ensure that a full examination is made of the continued need for the Centre after it has been operating for ten years.

