



# Science and Industry Research Act 1949

## Act No. 13 of 1949 as amended

This compilation was prepared on 1 July 2004  
taking into account amendments up to Act No. 27 of 2004

The text of any of those amendments not in force  
on that date is appended in the Notes section

The operation of amendments that have been incorporated may be  
affected by application provisions that are set out in the Notes section

Prepared by the Office of Legislative Drafting,  
Attorney-General's Department, Canberra



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# An Act relating to the Commonwealth Scientific and Industrial Research Organisation

## Part I—Preliminary

### 1 Short title [see Note 1]

This Act may be cited as the *Science and Industry Research Act 1949*.

### 2 Commencement [see Note 1]

This Act shall come into operation on a date to be fixed by Proclamation.

### 7 Interpretation

In this Act, unless the contrary intention appears:

***advisory committee*** means an advisory committee established under subsection 24(1).

***annual operational plan*** means an annual operational plan formulated under subsection 35(1).

***appoint*** includes re-appoint.

***Board*** means the Board of the Organisation.

***Chairperson*** means the Chairperson of the Board.

***Chief Executive*** means the Chief Executive of the Organisation.

***member*** means a member of the Board and includes the Chairperson and the Chief Executive.

***officer*** means an officer of the Organisation.

***Organisation*** means the Commonwealth Scientific and Industrial Research Organisation established under this Act.

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*part-time member* means a member of the Board other than the Chief Executive.

*science* includes technology.

*strategic plan* means a strategic plan formulated under subsection 34(1).

## **Part II—The Commonwealth Scientific and Industrial Research Organisation**

### **8 Commonwealth Scientific and Industrial Research Organisation**

- (1) There shall be a Commonwealth Scientific and Industrial Research Organisation.
- (2) The Organisation shall consist of the members of the Board, and of the officers, of the Organisation and shall be a body corporate with perpetual succession and a common seal.  

Note: The *Commonwealth Authorities and Companies Act 1997* applies to the Organisation. That Act deals with matters relating to Commonwealth authorities, including reporting and accountability, banking and investment and conduct of officers.
- (3) The Organisation may acquire, hold and dispose of real and personal property and shall be capable of suing and being sued in its corporate name.
- (4) All courts, judges and persons acting judicially shall take judicial notice of the seal of the Organisation affixed to any document and shall presume that it was duly affixed.

### **9 Functions of the Organisation**

- (1) The functions of the Organisation are:
  - (a) to carry out scientific research for any of the following purposes:
    - (i) assisting Australian industry;
    - (ii) furthering the interests of the Australian community;
    - (iii) contributing to the achievement of Australian national objectives or the performance of the national and international responsibilities of the Commonwealth;
    - (iv) any other purpose determined by the Minister;
  - (b) to encourage or facilitate the application or utilization of the results of such research;

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- (ba) to encourage or facilitate the application or utilisation of the results of any other scientific research;
  - (bb) to carry out services, and make available facilities, in relation to science;
  - (c) to act as a means of liaison between Australia and other countries in matters connected with scientific research;
  - (d) to train, and to assist in the training of, research workers in the field of science and to co-operate with tertiary-education institutions in relation to education in that field;
  - (e) to establish and award fellowships and studentships for research, and to make grants in aid of research, for a purpose referred to in paragraph (a);
  - (f) to recognize associations of persons engaged in industry for the purpose of carrying out industrial scientific research and to co-operate with, and make grants to, such associations;
  - (h) to collect, interpret and disseminate information relating to scientific and technical matters; and
  - (j) to publish scientific and technical reports, periodicals and papers.
- (2) The Organisation shall:
- (a) treat the functions referred to in paragraphs (1)(a) and (b) as its primary functions; and
  - (b) treat the other functions referred to in subsection (1) as its secondary functions.

**9AA Powers of the Organisation**

- (1) The Organisation has power to do all things necessary or convenient to be done for or in connection with the performance of its functions and, in particular, may:
- (a) arrange for scientific research or other work to be undertaken, on behalf of the Organisation, by any person or body;
  - (b) join in the formation of a partnership or company;
  - (c) make available to a person, on such conditions and on payment of such fees or royalties, or otherwise, as the Chief

Executive determines, a discovery, invention or improvement the property of the Organisation;

- (d) pay to officers, or to persons undertaking work on behalf of the Organisation, such bonuses as the Chief Executive, with the approval of the Minister, determines in respect of discoveries or inventions made by them; and
- (e) charge such fees, and agree to such conditions, as the Chief Executive determines for research and other services carried out, or facilities made available, by the Organisation at the request of any person.

### **9A Organisation may accept gifts etc. and act as trustee**

- (1) Subject to the approval of the Minister and subject to any regulations that are applicable, the Organisation may, in or in connection with the performance of its functions and the exercise of its powers:
  - (a) accept money or other property given, devised, bequeathed, assigned or otherwise made available to the Organisation (whether on trust or otherwise); and
  - (b) agree to any conditions subject to which money or other property is given, devised, bequeathed, assigned or otherwise made available to the Organisation; and
  - (c) act as trustee of money or other property vested in the Organisation upon trust.
- (1A) The Organisation need not obtain the Minister's approval if the value of the money or other property given, devised, bequeathed, assigned or otherwise made available to the Organisation is not more than \$1 million or such other amount as is prescribed for the purpose of this subsection.
- (2) Notwithstanding anything contained in this Act, where the Organisation has agreed to any conditions subject to which moneys have, or other property has, been given, devised, bequeathed, assigned or otherwise made available to the Organisation or the Organisation holds any moneys or other property upon trust, the moneys or other property shall be dealt with by the Organisation in

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accordance with those conditions or in accordance with the powers and duties of the Organisation as trustee, as the case may be.

**10 Co-operation with other organizations**

The Organisation shall, as far as possible, co-operate with other organizations and authorities in the co-ordination of scientific research, with a view to:

- (a) the prevention of unnecessary overlapping; and
- (b) the most effective use of available facilities and staffs.

## **Part IIA—The Chief Executive of the Organisation**

### **10A Chief Executive of the Organisation**

- (1) There shall be a Chief Executive of the Organisation.
- (2) The affairs of the Organisation shall, subject to subsection (3), be conducted by the Chief Executive.
- (3) The Chief Executive shall, in conducting any of the affairs of the Organisation and in exercising any powers conferred on the Chief Executive by this Act or the regulations or by the *Science and Industry Endowment Act 1926*, act in accordance with any policies determined, and any directions given, by the Board.
- (4) All acts and things done in the name of, or on behalf of, the Organisation by or with the authority of the Chief Executive shall be deemed to have been done by the Organisation.

### **10B Appointment of Chief Executive etc.**

- (1) The Chief Executive shall be appointed by the Governor-General and, subject to this Act, holds office on a full-time basis for such period, not exceeding 5 years, as is specified in the instrument of appointment.
- (2) The Minister shall, before an appointment is made to the office of Chief Executive, consult with the Board in relation to the appointment.
- (4) The Chief Executive holds office on such terms and conditions (if any) in respect of matters not provided for by this Act as are determined by the Minister.

### **10C Leave of absence**

- (1) The Chief Executive has such recreation leave entitlements as are determined by the Remuneration Tribunal.

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- (2) The Minister may grant the Chief Executive leave of absence, other than recreation leave, on such terms and conditions as to remuneration or otherwise as the Minister determines.

**10D Resignation**

The Chief Executive may resign the office of Chief Executive by writing signed by the Chief Executive and delivered to the Governor-General.

**10E Termination of appointment**

- (1) The Governor-General may terminate the appointment of the Chief Executive for misbehaviour or physical or mental incapacity.
- (2) If the Chief Executive:
- (a) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit;
  - (b) fails, without reasonable excuse, to comply with section 10F of this Act or section 27F or 27J of the *Commonwealth Authorities and Companies Act 1997*;
  - (c) is absent from duty, except on leave of absence, for 14 consecutive days or for 28 days in any period of 12 months;
  - (d) is absent, except on leave granted by the Minister, from 3 consecutive meetings of the Board; or
  - (e) engages in paid employment outside the duties of the office of Chief Executive without the consent of the Minister;
- the Governor-General may terminate the appointment of the Chief Executive.

**10F Disclosure of interests**

The Chief Executive shall give written notice to the Minister of all direct or indirect pecuniary interests that the Chief Executive has or may have in any business or in any body corporate carrying on a business.

**10G Acting Chief Executive**

- (1) The Minister may appoint a person to act in the office of Chief Executive:
  - (a) during a vacancy in that office, whether or not an appointment has previously been made to that office; or
  - (b) during any period, or during all periods, when the person holding that office is absent from duty or from Australia or is, for any other reason, unable to perform the functions of that office.
- (2) An appointment of a person under subsection (1) may be expressed to have effect only in such circumstances as are specified in the instrument of appointment.
- (3) A person appointed under subsection (1) to act during a vacancy shall not continue so to act for more than 12 months.
- (4) Where a person is acting in the office of Chief Executive in accordance with paragraph (1)(b) and the office becomes vacant while the person is so acting, then, subject to subsection (2), the person may continue so to act until the Minister otherwise directs, the vacancy is filled or a period of 12 months from the date on which the vacancy occurs ends, whichever first happens.
- (5) While a person is acting in the office of Chief Executive, the person has and may exercise all the powers, and shall perform all the functions, of Chief Executive under this Act or the regulations or under the *Science and Industry Endowment Act 1926*.
- (6) The Minister may:
  - (a) determine the terms and conditions of appointment, including remuneration and allowances, of a person acting in the office of Chief Executive; and
  - (b) terminate such an appointment at any time.
- (7) A person appointed under subsection (1) may resign the appointment by writing signed by the person and delivered to the Minister.

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- (8) Nothing done by or in relation to a person purporting to act under subsection (1) is invalid on the ground that:
- (a) the occasion for the person's appointment had not arisen;
  - (b) there was a defect or irregularity in connection with the person's appointment;
  - (c) the person's appointment had ceased to have effect; or
  - (d) the occasion for the person to act had not arisen or had ceased.

### 10H Remuneration of Chief Executive

- (1) The Chief Executive shall be paid such remuneration as is determined by the Remuneration Tribunal, but, if no determination of that remuneration is in operation, the Chief Executive shall be paid such remuneration as is prescribed.
- (2) The Chief Executive shall be paid such allowances as are prescribed.
- (3) This section has effect subject to the *Remuneration Tribunal Act 1973*.

### 10J Delegation

- (1) The Chief Executive may, either generally or as otherwise provided by the instrument of delegation, by writing signed by the Chief Executive, delegate to an eligible person, or to a committee of eligible persons, all or any of the Chief Executive's powers under this Act or the regulations, other than this power of delegation.
- (2) The Chief Executive shall not delegate a power under subsection (1) except with the approval of the Board.
- (3) A power so delegated, when exercised by the delegate, shall, for the purposes of this Act and the regulations, be deemed to have been exercised by the Chief Executive.
- (4) A delegate is, in the exercise of a power so delegated, subject to the directions of the Chief Executive.

- (5) Where the Chief Executive delegates a power to a committee of persons, the Chief Executive:
- (a) shall appoint one of the members of the committee to be the Chairperson of the committee; and
  - (b) may determine the procedure to be followed in relation to meetings of the committee, including matters with respect to:
    - (i) the convening of meetings of the committee;
    - (ii) the number of members of the committee who are to constitute a quorum;
    - (iii) the selection of a member of the committee to preside at meetings of the committee at which the Chairperson of the committee is not present; and
    - (iv) the manner in which questions arising at a meeting of the committee are to be decided.
- (6) A delegation under this section does not prevent the exercise of a power by the Chief Executive.
- (7) In this section, *eligible person* means:
- (a) an officer; or
  - (b) a director or employee of a company where:
    - (i) the company and the Organisation are partners in a partnership; or
    - (ii) the Organisation holds a controlling interest in the company.

## **Part III—The Board of the Organisation**

### **11 Establishment of Board**

There is established a Board of the Organisation.

### **12 Functions of Board**

The functions of the Board are:

- (a) to ensure the proper and efficient performance of the functions of the Organisation;
- (b) to determine the policy of the Organisation with respect to any matter;
- (c) to give directions to the Chief Executive under subsection 10A(3); and
- (d) such other functions as are conferred on it by this Act.

### **13 Directions and guidelines given by Minister**

- (1) The Minister may give to the Board, in writing, directions and guidelines with respect to the performance of the functions, or the exercise of the powers, of the Board or of the Organisation, and the Board shall ensure that any directions or guidelines so given are complied with.
- (2) The power of the Minister to give a direction or guideline to the Board under subsection (1) in relation to an act or thing may be exercised notwithstanding that the doing of the act or thing (whether by the Board or the Chief Executive) is subject to the approval of the Minister or of another person.
- (3) Nothing in section 14 limits the generality of subsection (1) of this section.

### **14A Constitution of Board**

- (1) The Board shall consist of:
  - (a) the Chief Executive; and
  - (b) not fewer than 7 and not more than 9 other members.
- (2) The members of the Board other than the Chief Executive hold office on a part-time basis.
- (3) The part-time members shall be appointed by the Governor-General.
- (4) The Governor-General shall appoint one of the part-time members to be the Chairperson of the Board.
- (5) A part-time member appointed as Chairperson:
  - (a) subject to paragraph (c), holds office as Chairperson until the end of his or her term of office as a part-time member;
  - (b) may resign the office of Chairperson by writing signed by the part-time member and delivered to the Governor-General;
  - (c) ceases to be Chairperson if he or she ceases to be a part-time member; and
  - (d) ceases to be a part-time member if he or she resigns the office of Chairperson.
- (7) The performance of a function, or the exercise of a power, by the Board is not affected by reason only of:
  - (a) the number of part-time members falling below 7 for a period of not more than 6 months; or
  - (b) there being a vacancy in the office of Chairperson or in the office of Chief Executive.

Note: For the manner in which the Chairperson may be referred to, see section 18B of the *Acts Interpretation Act 1901*.

### **15 Meetings**

- (1) The Board shall hold such meetings as are necessary for the performance of its functions.

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- (2) The Chairperson may, at any time, convene a meeting of the Board, and shall do so if so directed by the Minister.
- (3) At a meeting, a quorum is constituted:
  - (a) where the Board consists of 9 or 10 members—by 5 members; or
  - (b) in any other case—by 4 members.
- (4) The Chairperson shall preside at all meetings at which he or she is present.
- (5) In the event of the absence of the Chairperson from a meeting, the members present shall elect one of their number to preside at that meeting.
- (6) A question arising at a meeting shall be decided by a majority of the votes of members present and voting.
- (7) At a meeting, the Chairperson or other member presiding has a deliberative vote and, in the event of votes being equal, also has a casting vote.

**16 Terms and conditions of appointment etc. of part-time members**

- (1) Subject to this Act, a part-time member holds office for such period, not exceeding 5 years, as is specified in the instrument of appointment.
- (2) A part-time member holds office on such terms and conditions (if any) in respect of matters not provided for by this Act as are determined by the Governor-General.

**17 Remuneration of Chairperson**

- (1) The Chairperson shall be paid such remuneration as is determined by the Remuneration Tribunal, but, if no determination of that remuneration is in operation, the Chairperson shall be paid such remuneration as is prescribed.
- (2) The Chairperson shall be paid such allowances as are prescribed.

- (3) This section has effect subject to the *Remuneration Tribunal Act 1973*.

### **19 Remuneration of other part-time members**

- (1) A part-time member shall be paid such remuneration as is determined by the Remuneration Tribunal, but, if no determination of that remuneration by the Tribunal is in operation, the member shall be paid such remuneration as is prescribed.
- (2) A part-time member shall be paid such allowances as are prescribed.
- (3) This section has effect subject to the *Remuneration Tribunal Act 1973*.
- (4) A reference in this section to a part-time member does not include a reference to the Chairperson.

### **20 Resignation of part-time members**

A part-time member may resign the office of member by writing signed by the member and delivered to the Governor-General.

### **22 Termination of appointment**

- (1) The Governor-General may terminate the appointment of a part-time member by reason of misbehaviour or physical or mental incapacity.
- (2) If a part-time member:
- (a) becomes bankrupt, applies to take the benefit of any law for relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit;
  - (b) is absent, except on leave granted by the Minister, from 3 consecutive meetings of the Board; or

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(c) fails, without reasonable excuse, to comply with section 27F or 27J of the *Commonwealth Authorities and Companies Act 1997*;

the Governor-General may terminate the appointment of the member.

## Part IV—Advisory committees

### 24 Advisory committees

- (1) The Board may establish advisory committees, consisting of such persons as the Board appoints, to give advice to the Board on particular matters or classes of matters relating to the functions of the Organisation.
- (2) The Board shall appoint one of the members of each advisory committee to be the Chairperson of that committee.
- (3) The Board may determine:
  - (a) the manner in which an advisory committee is to perform its functions; and
  - (b) the procedure to be followed in relation to meetings of an advisory committee, including matters with respect to:
    - (i) the convening of meetings of the advisory committee;
    - (ii) the number of members of the advisory committee who are to constitute a quorum;
    - (iii) the selection of a member of the advisory committee to preside at meetings of the advisory committee at which the Chairperson of the advisory committee is not present; and
    - (iv) the manner in which questions arising at a meeting of the advisory committee are to be decided.
- (4) If the Board decides that the members of an advisory committee should be remunerated, those members shall be paid by the Organisation such remuneration as is determined by the Remuneration Tribunal.
- (5) Members of an advisory committee shall be paid by the Organisation such allowances as are prescribed by the regulations.
- (6) Subsections (4) and (5) have effect subject to the *Remuneration Tribunal Act 1973*.

## **Part VI—Staff**

### **32 Staff**

- (1) The Chief Executive may appoint such persons to be officers of the Organisation as the Chief Executive determines are necessary for the purposes of this Act.
- (2) The terms and conditions of service (other than in respect of matters provided for by this Act) of officers appointed under this section are such as are determined by the Chief Executive.

## **Part VII—Strategic plans and annual operational plans**

### **33 Planning periods**

- (1) In this Part, *planning period* means a period not exceeding 5 years that the Board declares to be a planning period for the purposes of this Part.
- (2) The Board shall cause a copy of each declaration made under subsection (1) to be given to the Minister.
- (3) Where:
  - (a) the Board declares a period (in this subsection referred to as the *first period*) to be a planning period for the purposes of this Part; and
  - (b) the Board subsequently declares a period (in this subsection referred to as the *second period*) commencing during the first period and ending after the end of the first period to be a planning period for the purposes of this Part;the following plans cease to have effect on the commencement of the second period:
  - (c) the strategic plan relating to the first period;
  - (d) an annual operational plan relating to the strategic plan referred to in paragraph (c).

### **34 Strategic plans**

- (1) The Board shall:
  - (a) before the commencement of each planning period, formulate a strategic plan, for the planning period concerned, setting out:
    - (i) the broad objectives of the Organisation in performing its functions during the planning period; and

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- (ii) a broad outline of the policies and strategies to be pursued by the Organisation to achieve those objectives; and
  - (b) from time to time, review and revise the strategic plan.
- (2) A strategic plan, or a revision of a strategic plan, shall be submitted to the Minister as soon as practicable after it is formulated and before it comes into effect.

**35 Annual operational plans**

- (1) The Chief Executive shall:
  - (a) before the commencement of each financial year that is included in a planning period, formulate an annual operational plan, for the financial year concerned, setting out the details of:
    - (i) the strategies the Organisation proposes to pursue;
    - (ii) the activities the Organisation proposes to carry out; and
    - (iii) the resources the Organisation proposes to allocate to each such activity;during the financial year in giving effect to the strategic plan that relates, or the intended strategic plan that will relate, to the financial year; and
  - (b) from time to time, review and revise the annual operational plan.
- (2) An annual operational plan, or a revision of an annual operational plan:
  - (a) shall be submitted to the Board as soon as practicable after it is formulated; and
  - (b) has no effect until approved by the Board.
- (3) Where a part only of a financial year is included in a particular planning period, subsection (1) applies to that part of the year as if a reference in that subsection to a financial year were a reference to that part of the year.

**36 Compliance with plans**

- (1) Subject to subsection 49(2), when a strategic plan or an annual operational plan is in effect, the Organisation shall not perform its functions otherwise than in accordance with that plan.
- (2) Nothing done by the Organisation is invalid on the ground that the Organisation has failed to comply with subsection (1).

## Part VIII—Finance

### 46 Moneys payable to Organisation

- (1) There are payable to the Organisation such moneys as are appropriated by the Parliament for the purposes of this Act.
- (2) The Minister for Finance may give directions as to the amounts in which, and the times at which, moneys referred to in subsection (1) are to be paid to the Organisation.

### 48 Application of moneys

- (1) The moneys of the Organisation shall be applied only:
  - (a) in payment or discharge of the costs, expenses and other obligations of the Organisation; and
  - (b) in payment of remuneration and allowances payable to any person under this Act.
- (2) Subsection (1) does not prevent investment of surplus money of the Organisation under section 18 of the *Commonwealth Authorities and Companies Act 1997*.

### 50 Contracts

The Organisation shall not, except with the approval of the Minister, enter into a contract involving the payment or receipt by the Organisation of an amount exceeding \$250,000 or, if a higher amount is prescribed, that higher amount.

### 51 Extra matters to be included in annual report

- (2) In each report on the Organisation under section 9 of the *Commonwealth Authorities and Companies Act 1997*, the members must set out:

- (a) a statement of the policies of the Organisation in relation to the carrying out of the scientific research of the Organisation that were current at the beginning of the year;
- (b) a description of any developments in those policies that occurred during the year;
- (c) any determinations made by the Minister under subparagraph 9(1)(a)(iv) during the year;
- (d) any directions or guidelines given by the Minister under subsection 13(1) during the year; and
- (e) any policies notified by the Minister under section 28 of the *Commonwealth Authorities and Companies Act 1997* during the year.

### **53 Liability to taxation**

The Organisation is not subject to taxation under any law of the Commonwealth or of a State or Territory.

## Part IX—Miscellaneous

### 54 Inventions etc. by officers

- (1) A discovery, invention or improvement of or in any process, apparatus or machine made by an officer of the Organisation in the course of the officer's official duties is the property of the Organisation.
- (2) An officer of the Organisation shall not, except with the consent in writing of the Chief Executive, make application for a patent for an invention that is made by the officer in the course of the officer's official duties or that relates to any matter or work connected with the officer's official duties.

### 56 Consultative Council

- (1) There is established a Consultative Council comprising:
  - (a) persons nominated by the Board to represent the management of the Organisation; and
  - (b) representatives of organisations of officers.
- (2) The functions of the Council are to consider, and to report to the Board on, any matter affecting, or of general interest to, the officers of the Organisation, including any such matter that is referred to the Council by the Board.
- (3) The regulations shall prescribe the manner in which the Council is to be constituted, the manner in which the Council is to carry out its functions and any other matter relevant to the operations of the Council.

### 58 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to

be prescribed, or necessary or convenient to be prescribed, for carrying out or giving effect to this Act.



**Table of Acts****Notes to the *Science and Industry Research Act 1949*****Note 1**

The *Science and Industry Research Act 1949* as shown in this compilation comprises Act No. 13, 1949 amended as indicated in the Tables below.

All relevant information pertaining to application, saving or transitional provisions prior to 1 October 2001 is not included in this compilation. For subsequent information *see* Table A.

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Science and Industry Research Act 1949</i>	13, 1949	25 Mar 1949	19 May 1949 (see <i>Gazette</i> 1949, p. 1306A)	
<i>Science and Industry Research Act 1959</i>	78, 1959	1 Dec 1959	1 Jan 1960 (see <i>Gazette</i> 1959, p. 4435)	—
<i>Statute Law Revision (Decimal Currency) Act 1966</i>	93, 1966	29 Oct 1966	1 Dec 1966	—
<i>Science and Industry Research Act 1968</i>	7, 1968	8 May 1968	8 May 1968	—
<i>Science and Industry Research Act (No. 2) 1968</i>	52, 1968	24 June 1968	1 July 1968	S. 12
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9(1) and 10
<i>Administrative Changes (Consequential Provisions) Act 1976</i>	91, 1976	20 Sept 1976	20 Sept 1976 (a)	S. 4
<i>Administrative Changes (Consequential Provisions) Act 1978</i>	36, 1978	12 June 1978	12 June 1978	S. 8
<i>Science and Industry Research Amendment Act 1978</i>	143, 1978	24 Nov 1978	14 Dec 1978 (see <i>Gazette</i> 1978, No. S276)	S. 10
<i>Statute Law (Miscellaneous Amendments) Act (No. 2) 1982</i>	80, 1982	22 Sept 1982	Part LXVI (ss. 248–252): 20 Oct 1982 (b)	—

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Statute Law (Miscellaneous Provisions) Act (No. 1) 1985</i>	65, 1985	5 June 1985	S. 3: 3 July 1985 (c)	—
<i>Science and Industry Research Legislation Amendment Act 1986</i>	121, 1986	2 Dec 1986	5 Dec 1986 (see <i>Gazette</i> 1986, No. S622)	Ss. 4(2), (3), 8(2) and 30
<i>Industry, Technology and Commerce Legislation Amendment Act 1991</i>	66, 1991	15 June 1991	15 June 1991	S. 2(2)–(4)
<i>Industrial Relations Legislation Amendment Act 1991</i>	122, 1991	27 June 1991	Ss. 4(1), 10(b) and 15–20: 1 Dec 1988 Ss. 28(b)–(e), 30 and 31: 10 Dec 1991 (see <i>Gazette</i> 1991, No. S332) Remainder: Royal Assent	S. 31(2)
<i>Prime Minister and Cabinet Legislation Amendment Act 1991</i>	199, 1991	18 Dec 1991	18 Dec 1991	—
<i>Industry, Technology and Commerce Legislation Amendment Act 1992</i>	168, 1992	11 Dec 1992	Part 5 (ss. 14, 15): 30 July 1975 Remainder: Royal Assent	—
<i>Statute Law Revision Act 1996</i>	43, 1996	25 Oct 1996	Schedule 4 (items 131–134): Royal Assent (d)	—
<i>Industry, Science and Tourism Legislation Amendment Act 1997</i>	91, 1997	30 June 1997	Schedule 1 (item 24): 1 July 1997 (e)	—
<i>Audit (Transitional and Miscellaneous) Amendment Act 1997</i>	152, 1997	24 Oct 1997	Schedule 2 (items 1178–1192): 1 Jan 1998 (see <i>Gazette</i> 1997, No. GN49) (f)	—
<i>Public Employment (Consequential and Transitional) Amendment Act 1999</i>	146, 1999	11 Nov 1999	Schedule 1 (item 807): 5 Dec 1999 (see <i>Gazette</i> 1999, No. S584) (g)	—
<i>Corporate Law Economic Reform Program Act 1999</i>	156, 1999	24 Nov 1999	Schedule 10 (items 116, 117): 13 Mar 2000 (see <i>Gazette</i> 2000, No. S114) (h)	—

**Table of Acts**

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Abolition of Compulsory Age Retirement (Statutory Officeholders) Act 2001</i>	159, 2001	1 Oct 2001	29 Oct 2001	Sch. 1 (item 97) [see Table A]
<i>National Measurement Amendment Act 2004</i>	27, 2004	25 Mar 2004	Schedule 1 (item 66): 1 July 2004 (see <i>Gazette</i> 2004, No. GN22)	—

## Act Notes

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- (a) By virtue of subsection 2(7) of the *Administrative Changes (Consequential Provisions) Act 1976* the amendment made by that Act to the *Science and Industry Research Act 1949* is deemed to have come into operation on 22 December 1975.
- (b) The *Science and Industry Research Act 1949* was amended by Part LXVI (sections 248–252) only of the *Statute Law (Miscellaneous Amendments) Act (No. 2) 1982*, subsection 2(16) of which provides as follows:
- (16) The remaining provisions of this Act shall come into operation on the twenty-eighth day after the day on which this Act receives the Royal Assent.
- (c) The *Science and Industry Research Act 1949* was amended by section 3 only of the *Statute Law (Miscellaneous Provisions) Act (No. 1) 1985*, subsection 2(1) of which provides as follows:
- (1) Subject to this section, this Act shall come into operation on the twenty-eighth day after the day on which it receives the Royal Assent.
- (d) The *Science and Industry Research Act 1949* was amended by Schedule 4 (items 131–134) only of the *Statute Law Revision Act 1996*, subsection 2(1) of which provides as follows:
- (1) Subject to subsections (2) and (3), this Act commences on the day on which it receives the Royal Assent.
- (e) The *Science and Industry Research Act 1949* was amended by Schedule 1 (item 24) only of the *Industry, Science and Tourism Legislation Amendment Act 1997*, subsection 2(3) of which provides as follows:
- (3) The amendment of the *Science and Industry Research Act 1949* made by Schedule 1 commences on 1 July 1997.
- (f) The *Science and Industry Research Act 1949* was amended by Schedule 2 (items 1178–1192) only of the *Audit (Transitional and Miscellaneous) Amendment Act 1997*, subsection 2(2) of which provides as follows:
- (2) Schedules 1, 2 and 4 commence on the same day as the *Financial Management and Accountability Act 1997*.
- (g) The *Science and Industry Research Act 1949* was amended by Schedule 1 (item 807) only of the *Public Employment (Consequential and Transitional) Amendment Act 1999*, subsections 2(1) and (2) of which provide as follows:
- (1) In this Act, **commencing time** means the time when the *Public Service Act 1999* commences.
- (2) Subject to this section, this Act commences at the commencing time.
- (h) The *Science and Industry Research Act 1949* was amended by Schedule 10 (items 116 and 117) only of the *Corporate Law Economic Reform Program Act 1999*, subsection 2(2)(c) of which provides as follows:
- (2) The following provisions commence on a day or days to be fixed by Proclamation:
- (c) the items in Schedules 10, 11 and 12.

**Table of Amendments****Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
Title .....	am. No. 121, 1986
<b>Part I</b>	
S. 3 .....	rs. No. 52, 1968 rep. No. 216, 1973
Ss. 4-6 .....	am. No. 143, 1978 rep. No. 121, 1986
S. 7 .....	am. No. 52, 1968 rs. No. 143, 1978 am. No. 80, 1982 rs. No. 121, 1986
<b>Part II</b>	
Heading to Part II .....	am. No. 121, 1986
S. 8 .....	am. No. 52, 1968; No. 121, 1986
Note to s. 8(2).....	ad. No. 152, 1997
S. 9 .....	am. No. 216, 1973 rs. No. 143, 1978 am. No. 121, 1986; No. 27, 2004
S. 9AA .....	ad. No. 143, 1978 am. No. 121, 1986; No. 152, 1997
S. 9AB .....	ad. No. 143, 1978 am. No. 121, 1986 rep. No. 91, 1997
S. 9A .....	ad. No. 52, 1968 am. No. 121, 1986; No. 66, 1991
S. 10 .....	am. No. 121, 1986
<b>Part IIA</b>	
Part IIA .....	ad. No. 121, 1986
S. 10A .....	ad. No. 121, 1986
S. 10B .....	ad. No. 121, 1986 am. No. 168, 1992; No. 159, 2001
S. 10C .....	ad. No. 121, 1986 rs. No. 122, 1991 am. No. 146, 1999
S. 10D .....	ad. No. 121, 1986
S. 10E .....	ad. No. 121, 1986 am. No. 122, 1991; No. 152, 1997; No. 156, 1999
Ss. 10F, 10G .....	ad. No. 121, 1986
S. 10H .....	ad. No. 121, 1986 am. No. 43, 1996
S. 10J .....	ad. No. 121, 1986

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
<b>Part III</b>	
Heading to Part III .....	am. No. 121, 1986
Part III .....	rs. No. 143, 1978
S. 11 .....	am. No. 78, 1959 rs. No. 143, 1978; No. 121, 1986
S. 12 .....	rs. No. 143, 1978; No. 121, 1986
S. 13 .....	am. No. 78, 1959 rs. No. 143, 1978; No. 121, 1986
S. 14 .....	am. No. 52, 1968 rs. No. 143, 1978; No. 121, 1986 rep. No. 152, 1997
S. 14A .....	ad. No. 121, 1986 am. No. 152, 1997
Note to s. 14A.....	ad. No. 152, 1997
S. 15 .....	rs. No. 143, 1978 am. No. 121, 1986
S. 16 .....	am. No. 52, 1968 rs. No. 143, 1978; No. 121, 1986
S. 17 .....	rs. No. 143, 1978; No. 121, 1986 am. No. 43, 1996
S. 18 .....	rs. No. 143, 1978 rep. No. 121, 1986
S. 19 .....	rs. No. 143, 1978 am. No. 121, 1986; No. 43, 1996
S. 20 .....	rs. No. 143, 1978; No. 121, 1986
S. 21 .....	am. No. 93, 1966; No. 52, 1968 rs. No. 143, 1978 rep. No. 121, 1986
S. 22 .....	am. No. 216, 1973 rs. No. 143, 1978 am. No. 121, 1986; No. 152, 1997; No. 156, 1999
S. 23 .....	rs. No. 143, 1978; No. 121, 1986 rep. No. 152, 1997
<b>Part IV</b>	
Heading to Part IV .....	rep. No. 121, 1986
Part IV .....	rs. No. 143, 1978; No. 121, 1986
S. 24 .....	rs. No. 143, 1978; No. 121, 1986 am. No. 43, 1996
Part V .....	rs. No. 143, 1978 rep. No. 121, 1986
S. 25 .....	rs. No. 52, 1968 am. No. 36, 1978 rs. No. 143, 1978 rep. No. 121, 1986

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
S. 26 .....	rs. No. 52, 1968; No. 143, 1978 rep. No. 121, 1986
Ss. 26A, 26B .....	ad. No. 52, 1968 rep. No. 143, 1978
S. 26C .....	ad. No. 52, 1968 am. No. 36, 1978 rep. No. 143, 1978
Ss. 26D–26F .....	ad. No. 52, 1968 rep. No. 143, 1978
S. 26G .....	ad. No. 52, 1968 am. No. 216, 1973 rep. No. 143, 1978
Ss. 27–29 .....	rs. No. 143, 1978 rep. No. 121, 1986
S. 30 .....	rs. No. 52, 1968 am. No. 36, 1978 rs. No. 143, 1978 rep. No. 121, 1986
S. 31 .....	rs. No. 143, 1978 rep. No. 121, 1986
<b>Part VI</b>	
Part VI .....	rs. No. 52, 1968; No. 143, 1978
S. 32 .....	am. No. 78, 1959; No. 7, 1968 rep. No. 91, 1976 ad. No. 143, 1978 am. No. 121, 1986; No. 199, 1991
<b>Part VII</b>	
Part VII .....	rs. No. 143, 1978; No. 121, 1986
S. 33 .....	rs. No. 143, 1978; No. 121, 1986
Ss. 34–36 .....	ad. No. 143, 1978 rs. No. 121, 1986
Ss. 37, 38 .....	ad. No. 143, 1978 rep. No. 121, 1986
S. 38A .....	ad. No. 80, 1982 rep. No. 121, 1986
Ss. 39, 40 .....	ad. No. 143, 1978 am. No. 80, 1982 rep. No. 121, 1986
Ss. 41–44 .....	ad. No. 143, 1978 rep. No. 121, 1986
<b>Part VIII</b>	
Part VIII .....	ad. No. 143, 1978
S. 45 .....	ad. No. 143, 1978 rep. No. 152, 1997
S. 46 .....	ad. No. 143, 1978 am. No. 121, 1986

**Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

Provision affected	How affected
S. 47 .....	ad. No. 143, 1978 rep. No. 121, 1986
S. 48 .....	ad. No. 143, 1978 am. No. 121, 1986; No. 152, 1997
S. 49.....	ad. No. 143, 1978 am. No. 121, 1986 rep. No. 152, 1997
S. 50.....	ad. No. 143, 1978 am. No. 121, 1986
Heading to s. 51 .....	rs. No. 152, 1997
S. 51 .....	ad. No. 143, 1978 rs. No. 121, 1986 am. No. 152, 1997
S. 52 .....	ad. No. 143, 1978 rep. No. 121, 1986
S. 53 .....	ad. No. 143, 1978 am. No. 121, 1986
<b>Part IX</b>	
Part IX .....	ad. No. 143, 1978
S. 54 .....	ad. No. 143, 1978 am. No. 121, 1986
S. 55 .....	ad. No. 143, 1978 rep. No. 65, 1985
S. 56 .....	ad. No. 143, 1978 am. No. 121, 1986
S. 57 .....	ad. No. 143, 1978 rep. No. 121, 1986
S. 58 .....	ad. No. 143, 1978
<b>Schedules</b>	
First Schedule	
Renumbered Schedule 1 .....	No. 143, 1978
Schedule 1 .....	rep. No. 121, 1986
Second Schedule .....	rep. No. 143, 1978

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**Table A**

**Table A**

**Application, saving or transitional provisions**

*Abolition of Compulsory Age Retirement (Statutory Officeholders) Act 2001*  
(No. 159, 2001)

**Schedule 1**

**97 Application of amendments**

The amendments made by this Schedule do not apply to an appointment if the term of the appointment began before the commencement of this item.