The Queensland University of Technology (QUT) is grateful for the opportunity to respond to the consultation drafts of the legislation to establish and operate the proposed Commonwealth Integrity Commission (CIC).

QUT is of the view that the inclusion of most Australian universities *as entities* in the purview of the CIC is unwarranted, redundant and counter-productive. The inclusion of Australian universities *as recipients of Commonwealth funds* is both redundant and misaligned with other recipients of Commonwealth funding.

1. Coverage of universities *qua* public sector entities

The inclusion of most Australian universities within the proposed legislation aimed at regulating agencies of the Commonwealth is based on an error of fact: with the one exception of the Australian National University (ANU), Australian universities are not part of the Commonwealth public sector, nor are they analogous to Commonwealth public sector agencies. QUT, for instance, is a public sector entity of the state of Queensland.

In the first instance, it is not clear that the Commonwealth has or should have jurisdiction over the governance, management and operation of institutions that exist by virtue of state legislation (other than in the context of their receipt and expenditure of Commonwealth funds, which we address below).

One consequence of that state-based legislative basis is that universities are already responsible to their state parliaments for integrity matters and are subject to their state-based anti-corruption regimes. In our case, QUT is already accountable for integrity through an established and sophisticated anti-corruption regime through the Crime and Corruption Commission Queensland (CCC). There is no apparent rationale for the use of the CIC to add an additional layer of enforcement to those obligations.

Nor is there any rationale for designating the Vice-Chancellor a Commonwealth office-holder, when she is in fact accountable through QUT Council and the Queensland Parliament to the state of Queensland.

Like all other higher education providers, QUT is accountable nationally to the Tertiary Education Quality and Standards Agency (TEQSA) to adhere to the TEQSA Standards including the obligation to maintain standards of financial integrity. There is no apparent rationale for the use of the CIC to add an additional layer of enforcement to those obligations.

Universities therefore already operate within an effective framework for managing their integrity as institutions at both state and federal levels. The CIC will not cover any activities not already covered by the CCC. The addition of the CIC to this regime would only add a layer of bureaucracy for no apparent benefit. Indeed, it is likely that the duplication will reduce the effectiveness of integrity monitoring within universities in real terms, not only by diverting attention from substantive matters to an unproductive duplication of reporting and compliance obligations, but also due to the additional levels of analysis and decision-

making imposed by the creation of a second overlapping but non-identical regime, with its subtle differences of coverage, approach and procedure.

2. Coverage of universities *qua* recipients of Commonwealth public funding

The application of the proposed CIC to universities as recipients of Commonwealth public funding is a different matter. QUT is of course always prepared to be accountable for its use of Commonwealth funds in our capacity as a recipient of those funds. It is our considered view that our obligations under the various federal program rules, combined without corporate integrity responsibilities to the state as supervised by the CCC, more than adequately protect integrity and suffice to address any potential corruption matters that may arise.

However, should the Australian Parliament wish to introduce its own anti-corruption regime to further ensure integrity with respect to the expenditure of Commonwealth funds, there is no conceivable rationale for limiting that coverage to higher education providers and research bodies. If the Australian Parliament takes the view that Commonwealth public funds warrant this extra degree of protection, that principle is surely agnostic with respect to either its purpose or the identity of the recipient. Any rationale for the scope of the CIC to capture the integrity of the expenditure of Commonwealth funds must therefore extend to any recipient of those funds, regardless of their sector or the purpose for which the funds are granted.

QUT therefore recommends that the draft Bills be altered prior to introduction:

1) to remove the CIC's proposed jurisdiction over the governance, management and operation of higher education providers (except the Australian National University); and
2) either:
    a) to remove the CIC's redundant proposed jurisdiction over universities as recipients of Commonwealth funding; or, if the Parliament requires this coverage,
    b) to extend the CIC's proposed jurisdiction over the integrity of the expenditure of Commonwealth funds beyond universities and research organisations to all recipients of Commonwealth funding.

The adoption of these recommendations will not avoid or reduce accountability; on the contrary, it will improve the extent and efficacy of accountability. We commend to the Department these sensible proposals for improving the enabling legislation.