

TERMS OF REFERENCE

AUSTRALIAN ASTRONOMICAL OBSERVATORY ADVISORY COMMITTEE (AAOAC)

These Terms of Reference set out the responsibilities and mode of operation of the Australian Astronomical Observatory Advisory Committee (AAOAC).

CONTEXT

The Australian Astronomical Observatory (AAO) provides world-class optical and infrared observing facilities enabling Australian and international astronomers to undertake excellent science. The AAO is a world leader in astronomical research and in the development of innovative astronomical instrumentation for its own facilities and for major international observatories.

The AAO operates the Anglo-Australian Telescope (AAT), commissioned in 1974 and the UK Schmidt Telescope (UKST) at the Siding Spring Observatory near Coonabarabran in New South Wales. The AAO's headquarters and instrument laboratories are located in Epping, NSW.

The AAO was formerly known as the Anglo-Australian Observatory. From February 1971 to 30 June 2010 it was owned, operated and overseen by the Anglo-Australian Telescope Board (AATB), a bi-national entity established under the *Anglo-Australian Telescope Agreement Act 1970* (now repealed) and funded by the governments of Australia and the United Kingdom.

LEGISLATIVE BASIS

The Australian Astronomical Observatory is established by the *Australian Astronomical Observatory Act 2010* ('the Act'). It operates as a business unit of the Department of Industry, Innovation, Science, Research and Tertiary Education ('the Department').

Section 11 of the Act defines the astronomical functions of the Secretary of the Department (see below).

Section 9 of the Act creates the position of Director of the Australian Astronomical Observatory. Under Section 23 the Secretary may delegate his or her functions and powers to the Director.

The AAOAC is established by Section 13 of the Act. Section 14 of the Act provides for the AAOAC to advise the Secretary about the performance of the astronomical functions.

The Secretary's astronomical functions

The Secretary has functions relating to optical astronomy, as follows:

- (a) to operate, construct, develop and maintain national optical astronomy facilities;
- (b) to support optical astronomy facilities;
- (c) to consult and co operate with other persons, organisations and governments on matters relating to optical astronomy;
- (d) to facilitate access to optical astronomy facilities;

- (e) to develop, manufacture and provide instrumentation for optical astronomy facilities;
- (f) to support the development, manufacture and provision of instrumentation for optical astronomy facilities;
- (g) to support, encourage, conduct and evaluate research about matters relating to optical astronomy;
- (h) to support, encourage, conduct and evaluate educational, promotional and community awareness programs that are relevant to optical astronomy;
- (i) to publish (whether on the internet or otherwise) reports, papers and information relating to optical astronomy;
- (j) to advise the Minister about matters relating to optical astronomy;
- (k) to implement Australia's international obligations in relation to optical astronomy;
- (l) such other functions (if any) as are specified in the regulations;
- (m) to do anything incidental to or conducive to the performance of any of the above functions.

Appointment of AAOAC members, terms and conditions

Section 15 of the Act provides for the Secretary to appoint members of the Advisory Committee by written instrument, for a period of up to 3 years, on a part-time basis.

Sections 17 to 21 of the Act provide for particular terms and conditions under which the members of the Advisory Committee will operate, including remuneration, leave of absence, resignation, and disclosure of interests.

Procedures and other terms and conditions

These Terms of Reference and other written directions of the Secretary to the AAOAC about its procedures and the matters on which the AAOAC is to provide advice are provided in accordance with sections 16 and 22 of the Act.

THE ROLE OF THE ADVISORY COMMITTEE

The role of the AAOAC will be:

- monitoring and providing advice to the Secretary and the Director on the quality and status of the AAO research facilities and supporting infrastructure and delivery of services to the astronomy community, including identification of emerging issues.
- providing strategic advice to the Secretary and the Director on the overall scientific direction of the AAO, including identification of emerging scientific opportunities and appropriate future research roles for the AAO, in the national and international context.
- in consultation with the Director, developing and reviewing periodically a set of performance indicators for the AAO, to be approved by the Secretary. These indicators should encompass, but not be limited to, the areas of telescope operations, research, instrumentation, the use of AAO resources and external communications.
- in consultation with the Director, developing and reviewing periodically an AAO Client Service Charter, to be approved by the Secretary.

- where requested by the Secretary, providing advice to the Secretary and the Director on the prioritisation and use of available AAO funding and resources in the maintenance and upgrading of AAO facilities, the performance of AAO research functions and collaborations, or the provision of improved services to AAO users.
- providing advice to the Director on Terms of Reference and appointments to the Australian Time Assignment Committee, AAO Users Committee and any other sub-committees the Director may wish to establish.
- maintaining a high level of engagement with the Australian astronomy community and reflecting the community's views in providing its advice to the Secretary on all of the above matters.

REPORTING STRUCTURE

The AAOAC will report to the Secretary, through the Deputy Secretary, by means of a written executive summary following each meeting, and through ad hoc written advice on specific matters as the Secretary may request from time to time.

The AAOAC will also assist the Director to provide material and information on the performance of the AAO against its agreed benchmarks and Client Service Charter, for Departmental reports, for reports to Parliamentary Committees as required, and for the production of AAO external communications.

In addition to the Secretary's executive summary, AAOAC will be able, at its discretion, to produce a public record of its meetings, which must be approved by the Director and Secretary, in order to keep the astronomical community and the public informed on its activities. The AAOAC may also provide to the Director input to external communications, as instructed by the Secretary.

SUB-COMMITTEES

The AAOAC may from time to time, with the approval of the Secretary, establish sub-committees to provide specialist advice on particular issues pertaining to the operations and strategic scientific directions of the AAO.

MEMBERSHIP

The AAOAC will be composed of no fewer than seven (7) members, in the following manner:

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| <i>Astronomers:</i> | <ul style="list-style-type: none"> • 3 senior Australian astronomers representing the community of users of the AAO; • 1 senior international astronomer; |
| <i>Broader community:</i> | <ul style="list-style-type: none"> • 1 senior scientist from a related field with significant experience in research leadership, facility management or research administration; • 1 industry or private sector representative with a broad experience in governance, service delivery and management of complex organisations; and • 1 person with relevant management experience at senior executive levels of government or government agencies. |

Process for appointment

A new Chair, or new members of the Advisory Committee will be appointed by the Secretary, for a term of up to three years, as soon as practicable after an existing position falls vacant.

The selection of the new Chair or new member must be agreed by the Secretary, on the recommendation of the Department, following a process of consultation with key stakeholders in the Astronomy community, including the AAOAC, and taking into account the requirements of the position and the experience and qualifications of the nominee(s).

In the normal course of events, it is expected that a new Chair would be appointed for a period of up to two years, and would be an existing member of the Advisory Committee, of at least six months' standing.

In accordance with section 15(1) of the Act, each Advisory Committee member will be appointed by the Secretary by means of a letter of appointment from the Secretary, specifying the Terms of Reference of the Advisory Committee, the responsibilities of the member and the terms and conditions of the appointment. The conditions will detail the term of appointment, remuneration rate and travel allowances, requirements for resignation or requesting leave of absence from the Advisory Committee, procedures to declare interests that may conflict with the performance of a member's functions, and circumstances under which the appointment may be terminated. This letter and a signed letter of acceptance from the Advisory committee member will together constitute the written instrument of appointment required by the Act.

RESPONSIBILITIES OF MEMBERS

In the performance of their duties, AAOAC members are required to:

- consult with the Australian astronomical community;
- provide expert advice based on their own experience and research on matters of interest to the Advisory Committee;
- be available for consultation and consideration of matters relating to Advisory Committee business between meetings;
- provide input to reports as required, including at times outside of scheduled meetings;
- where necessary, undertake research on specific topics of concern to the Advisory Committee;
- attend meetings as required if possible, or inform the Chair and Secretariat if they are unavailable for a meeting;
- inform the Chair as soon as practicable of any conflicts of interests that have arisen between meetings; and
- in the absence of the Chair, act as Chair if requested for a particular meeting and carry out the responsibilities of the Chair prior to such a meeting.

RESPONSIBILITIES OF CHAIR

As well as having the responsibilities outlined above for all members, the Chair will be required to:

- be available to represent the views of the Advisory Committee to external bodies. This may require liaising with these bodies outside of session times;
- chair all meetings and ensure, as far as practicable, that all members are fulfilling their responsibilities;
- approve any reports the Advisory Committee may be asked to produce;
- set the agenda for each meeting in consultation with the Secretariat, Director and where necessary the Secretary; and
- if the Chair can not attend a meeting, he/she will be required to appoint a member of the Advisory Committee to act in the position.

OPERATING PROCEDURES

Meetings

The AAOAC will meet twice yearly through face-to-face meetings. However, the Secretary may convene extra meetings as necessary, from time to time.

Where practicable, the agenda together with reports and documents that relate to the meeting will be forwarded to members in sufficient time to enable consideration prior to meetings. Accurate minutes will be kept by the secretariat from each meeting. Full copies of the minutes, including attachments, shall be provided to all Advisory Committee members no later than 10 working days following each meeting. The minutes of a meeting shall be submitted to Advisory Committee members for ratification at the next meeting.

Quorum

A quorum for an AAOAC meeting will be a minimum of four (4) members, which must include the Chair or acting Chair.

Decision making

Decisions on advice to provide to the Secretary will be reached by consensus.

Secretariat

The Executive Officer of the AAO will act as Secretariat for the AAOAC. The Secretariat will be responsible for all administrative and logistical activities associated with supporting the AAOAC. Amongst other things, the secretariat will be required to:

- Prepare agendas for all Advisory Committee meetings;
- Record minutes and prepare them for approval and distribution to members;
- Inform all Advisory Committee members of time, date and venues for meetings;
- Arrange meeting venues;

- Maintain records of all documents associated with the activities of the AAOAC; and
- Prepare and distribute any reports requested of the AAOAC.

Conflicts of interest & disclosure of interests

Under Section 20 of the Act an Advisory Committee member must give written notice to the Secretary of all interests, pecuniary or otherwise, that the member has or acquires and that conflict or could conflict with the proper performance of the member's functions. The Department will provide each prospective member with a 'Declaration of Interests' form which must be completed.

The disclosure of any potential conflict of interest must be made as soon as possible after the member becomes aware of the potential conflict. All disclosures will be recorded in the minutes of the next Advisory Committee meeting. The Chair may excuse an Advisory Committee member from a meeting or part of a meeting if there is potential for conflict of interest.

Advisory Committee members will be required to declare any lobbyist activities and where necessary will need to disclose registration on the Australian Government Lobbyist Register (<http://lobbyists.pmc.gov.au/lobbyistsregister>).

VARIATIONS TO THE TERMS OF REFERENCE

The Secretary may when necessary amend the Terms of Reference.