

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

---

*(As read a first time)*

**STATES GRANTS (SCHOOLS ASSISTANCE) AMENDMENT BILL  
(No. 2) 1989**

**TABLE OF PROVISIONS**

Section	
1.	Short title etc.
2.	Commencement
3.	Interpretation
4.	Grants for capital projects in connection with government schools etc.
5.	Additional conditions of grants under Part
6.	Approval of block grant authorities
7.	Approval of capital projects in connection with non-government schools etc.
8.	Grants for capital projects in connection with non-government schools etc.
9.	Additional conditions of grants under Part
10.	Insertion of new Part:

**PART VIIA—GRANTS FOR RURAL STUDENT HOSTELS**

40A.	Approval of capital projects in relation to rural student hostels
40B.	Grants for capital projects in relation to rural student hostels
40C.	Conditions of grants—grants for capital projects in relation to State conducted hostels
40D.	Conditions of grants—grants for capital projects in relation to non-State conducted hostels
11.	Payments to be made out of Consolidated Revenue Fund or Loan Fund
12.	Authority to borrow
13.	Application of money borrowed
14.	Reimbursement of Consolidated Revenue Fund from Loan Fund
15.	Repeal of Schedules and substitution of new Schedules

**SCHEDULE**

**NEW SCHEDULES TO THE PRINCIPAL ACT**



1987-88-89

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

---

Presented and read a first time, 26 October 1989

*(Minister for Employment, Education and Training)*

**A BILL**

FOR

**An Act to amend the *States Grants (Schools Assistance) Act 1988*, and for related purposes**

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

**Short title etc.**

5       1. (1) This Act may be cited as the *States Grants (Schools Assistance) Amendment Act (No. 2) 1989*.

      (2) In this Act, "Principal Act" means the *States Grants (Schools Assistance) Act 1988*<sup>1</sup>.

**Commencement**

10       2. This Act commences on the day on which it receives the Royal Assent.

MRM

**Interpretation**

3. (1) Section 3 of the Principal Act is amended:
- (a) by omitting “or a non-government centre” from the definition of “approved authority” in subsection (1) and substituting “, a non-government centre or a rural non-government student hostel”; 5
  - (b) by omitting “or of that centre” from the definition of “approved authority” in subsection (1) and substituting “, of that centre or of that hostel”;
  - (c) by inserting “or a rural student hostel” after “school” in paragraph (h) of the definition of “capital project” in subsection (1); 10
  - (d) by omitting paragraph (c) of the definition of “eligible new arrival” in subsection (1) and substituting the following paragraph:
    - “(c) in relation to whom either of the following subparagraphs applies:
      - (i) the person arrived in Australia within 6 months before the start of the program year; 15
      - (ii) the person arrived in Australia within 18 months before the start of the program year and either:
        - (A) the person is receiving, or is enrolled to receive, primary education at a standard (however described) provided to persons in their first year of primary education; or 20
        - (B) the Minister is satisfied that the person is receiving intensive instruction in the English language and will, within a reasonable time after completing that instruction, be enrolled to receive primary education at a standard (however described) provided to persons in their first year of primary education;” 25
  - (e) by omitting from subsection (1) the definitions of “block grant authority” and “full fee paying private overseas secondary student” and substituting the following definitions: 30
    - “‘block grant authority’ means:
      - (a) in relation to a school:
        - (i) a body corporate in relation to which an approval under section 19 is in force in relation to the school; or 35
        - (ii) a body corporate that was, immediately before the commencement of this Act, a block grant authority in relation to the school under the former Act and that has not been declared by the Minister by written determination not to be a block grant authority; and 40
      - (b) in relation to a rural student hostel—a body corporate

in relation to which an approval under section 19 is in force in relation to the hostel;

**'full fee paying private overseas student'** means a person in relation to whom all of the following paragraphs apply:

- 5 (a) the person is receiving primary education or secondary education at a school and, if the person is receiving primary education, the person started receiving that primary education at a school in Australia after 1989;
- 10 (b) the person is, within the meaning of the *Migration Act 1958*, the holder of a valid temporary entry permit;
- (c) the full cost of the person's education at the school is being met by the person's guardian, the person or the person together with the person's guardian;"

(f) by inserting in subsection (1) the following definitions:

15 **"BGA rural student hostel'** means a rural non-government student hostel in relation to which there is a block grant authority;

**'non-BGA rural student hostel'** means a rural non-government student hostel in relation to which there is not a block grant authority;

20 **'rural government student hostel'** means a rural student hostel in a State that provides accommodation for students at government schools in the State (whether or not it also provides accommodation for other students);

25 **'rural non-government student hostel'** means a rural student hostel in a State that provides accommodation for students at non-government schools in the State (whether or not it also provides accommodation for other students);

30 **'rural student hostel'** means a hostel the primary purpose of which is to provide accommodation for students from rural areas who are undertaking secondary education at schools, but does not include a hostel that is conducted for profit;"

(g) by inserting in subsection (4) " , a rural student hostel" after "centre";

(h) by omitting from subsection (10) "secondary".

35 (2) If this Act commences before the commencement of section 4 of the *Migration Legislation Amendment Act 1989*, the definition of "full fee paying private overseas student" in subsection 3 (1) of the Principal Act as amended by this Act has effect, until that commencement, as if paragraph (b) of that definition were omitted and the following paragraph substituted:

40 "(b) the person holds a temporary entry permit in force under the *Migration Act 1958*;"

(3) The amendments of the Principal Act made by paragraphs (1) (e) and (h) apply in relation to the program year commencing on 1 January 1990 and subsequent program years.

**Grants for capital projects in connection with government schools etc.**

4. Section 12 of the Principal Act is amended by inserting in subsection (1) “and rural government student hostels” after “schools”.

**Additional conditions of grants under Part**

5. Section 18 of the Principal Act is amended by inserting in subparagraph (2) (a) (ii) “or government schools and rural government student hostels” after “schools”. 5

**Approval of block grant authorities**

6. Section 19 of the Principal Act is amended by inserting “and rural student hostels” after “schools”. 10

**Approval of capital projects in connection with non-government schools etc.**

7. Section 20 of the Principal Act is amended:

(a) by omitting from subsection (1) “or a non-government centre” and substituting “a non-government centre or a rural non-government student hostel”; 15

(b) by omitting from subsection (2) “or a non-government centre” and substituting “, a non-government centre or a non-BGA rural student hostel”;

(c) by inserting in subsection (5) “or a BGA rural student hostel” after “school”. 20

**Grants for capital projects in connection with non-government schools etc.**

8. Section 21 of the Principal Act is amended by omitting from subsection (3) “or non-government centres” and substituting “, non-government centres or rural non-government student hostels”. 25

**Additional conditions of grants under Part**

9. Section 29 of the Principal Act is amended:

(a) by omitting from paragraph (1) (b) “or of a non-government centre” and substituting “, of a non-government centre or of a rural non-government student hostel”; 30

(b) by inserting in subparagraph (3) (a) (ii) “or non-government schools and rural non-government student hostels” after “schools”.

10. After Part VII of the Principal Act the following Part is inserted:

**“PART VIIA—GRANTS FOR RURAL STUDENT HOSTELS**

**Approval of capital projects in relation to rural student hostels 35**

“40A. The Minister may, by written determination, approve a capital project in relation to a program year and a rural student hostel.

**Grants for capital projects in relation to rural student hostels**

5 “40B. (1) Subject to subsection (2), the Minister may, by written determination, authorise the payment to the States under this section, by way of financial assistance in relation to a program year and capital projects approved under section 40A in relation to the year, of an amount not exceeding the amount (if any) set out in Schedule 17 that relates to the year.

10 “(2) The Minister must not authorise a payment to a State in relation to a program year and a capital project in relation to a rural student hostel that is, or will be, conducted by or on behalf of the State unless the State has entered into an agreement (of a kind determined by the Minister) with the Commonwealth in relation to the program year, or in relation to a number of program years including that year, being an agreement that sets out conditions on which financial assistance is granted to the State under  
15 this section.

**Conditions of grants—grants for capital projects in relation to State conducted hostels**

20 “40C. Financial assistance is granted to a State under section 40B in relation to a program year and a capital project in relation to a rural student hostel that is, or will be, conducted by or on behalf of the State:

(a) on the conditions set out in the agreement concerned mentioned in subsection 40B (2); and

25 (b) on the condition that, if the State does not fulfil a condition under the agreement in relation to the grant within the time (if any) specified for fulfilment of the condition:

(i) the State will, if the Minister so determines, repay to the Commonwealth such amount (not exceeding the total amount of financial assistance paid to the State under section 40B in relation to the program year and the project) as the Minister specifies in the determination; and  
30

(ii) the Minister may delay the making of any further payment to the State under section 40B until the State fulfils the condition.

35 **Conditions of grants—grants for capital projects in relation to non-State conducted hostels**

“40D. Financial assistance is granted to a State under section 40B in relation to a program year and a capital project in relation to a rural student hostel that is, or will be, conducted otherwise than by or on behalf of the State on the following conditions:

40 (a) that, subject to paragraph (d), the State, as soon as possible, pays to the approved authority of the hostel each amount of the financial assistance received by the State in relation to the project;

(b) that the State describes each amount paid to the approved authority

as required by paragraph (a) as a payment in relation to the project made out of money provided to the State by the Commonwealth under section 40B;

- (c) that, if the State does not fulfil the conditions referred to in paragraphs (a) and (b), the State will, if the Minister so determines, repay to the Commonwealth such amount (not exceeding the total amount of financial assistance paid to the State under section 40B in relation to the program year and the project) as the Minister specifies in the determination; 5
- (d) that the State does not make a payment to the approved authority under this section in relation to the year and the project unless the authority has entered into an agreement (of a kind determined by the Minister) with the Commonwealth in relation to the program year, or a number of program years including that year; 10
- (e) that, if the approved authority does not fulfil an obligation under the agreement in relation to the grant within the time (if any) specified for fulfilment of the obligation, the Minister may delay the making of any further payment to the State in relation to the authority until the authority fulfils the obligation.”. 15

**Payments to be made out of Consolidated Revenue Fund or Loan Fund** 20

11. Section 45 of the Principal Act is amended by omitting from paragraph (a) “or 31” and substituting “, 31 or 40B”.

**Authority to borrow**

12. Section 46 of the Principal Act is amended by omitting “and 31” and substituting “, 31 and 40B”. 25

**Application of money borrowed**

13. Section 47 of the Principal Act is amended by omitting from paragraph (a) “or 31” and substituting “, 31 or 40B”.

**Reimbursement of Consolidated Revenue Fund from Loan Fund**

14. Section 48 of the Principal Act is amended by omitting from subsection (1) “or 31” and substituting “, 31 or 40B”. 30

**Repeal of Schedules and substitution of new Schedules**

15. The Schedules to the Principal Act are repealed and the Schedules set out in the Schedule to this Act are substituted.

---



**SCHEDULE**

Section 15

**NEW SCHEDULES TO THE PRINCIPAL ACT**

**SCHEDULE 1**

Section 12

**CAPITAL PROJECTS FOR GOVERNMENT SCHOOLS**

Column 1 State	Column 2 1989	Column 3 1990
	\$	\$
New South Wales . . . . .	61,677,000	61,957,000
Victoria . . . . .	43,937,000	43,506,000
Queensland . . . . .	30,697,000	31,089,000
Western Australia . . . . .	16,997,000	17,173,000
South Australia . . . . .	15,306,000	15,104,000
Tasmania . . . . .	5,342,000	5,346,000
Australian Capital Territory . . . . .	1,901,000	3,329,000
Northern Territory . . . . .	2,182,000	2,148,000
Total . . . . .	178,039,000	179,652,000

**SCHEDULE 2**

Section 13

**GENERAL RECURRENT EXPENDITURE OF GOVERNMENT SCHOOLS**

**PART 1—PRIMARY EDUCATION**

Column 1 1989	Column 2 1990	Column 3 1991	Column 4 1992
\$226	\$238	\$248	\$259

**PART 2—SECONDARY EDUCATION**

Column 1 1989	Column 2 1990	Column 3 1991	Column 4 1992
\$312	\$350	\$367	\$382

**SCHEDULE—continued**

**SCHEDULE 3**

Section 14

**EDUCATION IN ENGLISH AS A SECOND LANGUAGE—  
 GOVERNMENT SCHOOLS**

**PART 1—ESL—GENERAL EDUCATION**

Column 1 State	Column 2 1989	Column 3 1990
	\$	\$
New South Wales . . . . .	12,724,000	13,040,000
Victoria . . . . .	10,764,000	11,031,000
Queensland . . . . .	2,645,000	2,711,000
Western Australia . . . . .	2,647,000	2,713,000
South Australia . . . . .	2,753,000	2,822,000
Tasmania . . . . .	361,000	369,000
Australian Capital Territory . . . . .	361,000	701,000
Northern Territory . . . . .	320,000	328,000
Total . . . . .	32,575,000	33,715,000

**PART 2—ESL—NEW ARRIVALS**

Column 1 1989	Column 2 1990
\$2,271	\$2,328

**SCHEDULE—continued**

**SCHEDULE 4**

Sections 15 and 27

**DISADVANTAGED SCHOOLS**

**PART 1—1989**

Column 1 State	Column 2 Disadvantaged government schools	Column 3 Disadvantaged non-government schools
	\$	\$
New South Wales . . . . .	13,541,000	2,727,000
Victoria . . . . .	11,558,000	2,937,000
Queensland . . . . .	4,002,000	611,000
Western Australia . . . . .	3,180,000	522,000
South Australia . . . . .	3,298,000	346,000
Tasmania . . . . .	942,000	101,000
Australian Capital Territory . . . . .	23,000	8,000
Northern Territory . . . . .	992,000	35,000
Total . . . . .	37,536,000	7,287,000

**PART 2—1990**

Column 1 State	Column 2 Disadvantaged government schools	Column 3 Disadvantaged non-government schools
	\$	\$
New South Wales . . . . .	13,878,000	2,795,000
Victoria . . . . .	11,845,000	3,011,000
Queensland . . . . .	4,102,000	626,000
Western Australia . . . . .	3,259,000	535,000
South Australia . . . . .	3,380,000	354,000
Tasmania . . . . .	965,000	103,000
Australian Capital Territory . . . . .	45,000	15,000
Northern Territory . . . . .	1,016,000	36,000
Total . . . . .	38,490,000	7,475,000

SCHEDULE 5  
SPECIAL EDUCATION  
PART 1—1989

Sections 16, 28, 36 and 37

Column 1 State	Column 2 Government special education (including integration activities)	Column 3 Government integration activities	Column 4 Non-government special education (including integration activities)	Column 5 Non-government integration activities	Column 6 Special Education Services	Column 7 Children with severe disabilities	Column 8 Early special education
	\$	\$	\$	\$	\$	\$	\$
New South Wales . . . . .	7,546,000	585,000	1,947,000	166,000	4,137,000	1,582,000	1,660,000
Victoria . . . . .	5,375,000	416,000	1,785,000	152,000	5,258,000	1,193,000	1,207,000
Queensland . . . . .	3,755,000	291,000	842,000	72,000	1,902,000	801,000	821,000
Western Australia . . . . .	2,079,000	161,000	442,000	38,000	1,083,000	446,000	473,000
South Australia . . . . .	1,873,000	145,000	381,000	33,000	3,105,000	380,000	394,000
Tasmania . . . . .	654,000	51,000	125,000	11,000	284,000	134,000	141,000
Australian Capital Territory . . . . .	191,000	2,000	7,000	7,000	145,000	45,000	44,000
Northern Territory . . . . .	267,000	21,000	36,000	3,000	144,000	55,000	63,000
Totals . . . . .	21,740,000	1,672,000	5,565,000	482,000	16,058,000	4,636,000	4,803,000

SCHEDULE—continued

SCHEDULE—continued

PART 2—1990							
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8
State	Government special education (including integration activities)	Government integration activities	Non-government special education (including integration activities)	Non-government integration activities	Special Education Services	Children with severe disabilities	Early special education
	\$	\$	\$	\$	\$	\$	\$
New South Wales . . . . .	7,759,000	601,000	1,988,000	170,000	4,573,000	1,627,000	1,707,000
Victoria . . . . .	5,448,000	422,000	1,818,000	155,000	5,389,000	1,214,000	1,236,000
Queensland . . . . .	3,893,000	302,000	870,000	74,000	2,211,000	826,000	839,000
Western Australia . . . . .	2,151,000	167,000	463,000	40,000	1,232,000	462,000	491,000
South Australia . . . . .	1,891,000	146,000	391,000	33,000	2,527,000	386,000	401,000
Tasmania . . . . .	670,000	52,000	126,000	11,000	356,000	135,000	142,000
Australian Capital Territory . . . . .	417,000	32,000	13,000	13,000	264,000	86,000	86,000
Northern Territory . . . . .	269,000	21,000	39,000	3,000	158,000	55,000	63,000
Totals . . . . .	22,498,000	1,743,000	5,708,000	499,000	16,710,000	4,791,000	4,965,000

**SCHEDULE—continued**

**SCHEDULE 6**

Section 21

**NON-GOVERNMENT SCHOOLS AND CENTRES—CAPITAL PROJECTS**

Column 1 Year	Column 2 General capital projects	Column 3 Capital projects for children with disabilities
	\$	\$
1989 . . . . .	59,456,000	2,776,000
1990 . . . . .	62,254,000	3,436,000

**SCHEDULE 7**

Subsection 22 (1)

**GENERAL RECURRENT EXPENDITURE OF NON-GOVERNMENT SCHOOLS**

**PART 1—PRIMARY EDUCATION**

Column 1 Level of assistance	Column 2 1989	Column 3 1990	Column 4 1991	Column 5 1992
	\$	\$	\$	\$
1 . . . . .	347	364	364	364
2 . . . . .	463	486	486	486
3 . . . . .	539	591	599	604
4 . . . . .	699	735	735	735
5 . . . . .	774	830	840	846
6 . . . . .	826	910	925	935
7 . . . . .	884	988	1,014	1,026
8 . . . . .	1,036	1,107	1,114	1,118
9 . . . . .	1,074	1,157	1,170	1,178
10 . . . . .	1,115	1,208	1,229	1,238
11 . . . . .	1,155	1,262	1,288	1,299
12 . . . . .	1,195	1,313	1,346	1,359

**PART 2—SECONDARY EDUCATION**

Column 1 Level of assistance	Column 2 1989	Column 3 1990	Column 4 1991	Column 5 1992
	\$	\$	\$	\$
1 . . . . .	550	578	578	578
2 . . . . .	733	771	771	771
3 . . . . .	812	876	887	891
4 . . . . .	1,112	1,169	1,169	1,169
5 . . . . .	1,163	1,236	1,244	1,248
6 . . . . .	1,251	1,357	1,374	1,381
7 . . . . .	1,338	1,473	1,503	1,517
8 . . . . .	1,553	1,641	1,647	1,650
9 . . . . .	1,618	1,725	1,734	1,740
10 . . . . .	1,683	1,804	1,821	1,828
11 . . . . .	1,741	1,878	1,906	1,917
12 . . . . .	1,796	1,949	1,989	2,007

**SCHEDULE—continued**

**SCHEDULE 8**

Subsection 22 (2)

**ESTABLISHMENT GRANTS**

**PART 1—NON-GOVERNMENT PRIMARY SCHOOLS**

Column 1 Year of establishment	Column 2 1989	Column 3 1990	Column 4 1991
	\$	\$	\$
1986 . . . . .	58	0	0
1987 . . . . .	116	60	0
1988 . . . . .	174	120	60
1989 . . . . .	174	120	60

**PART 2—NON-GOVERNMENT SECONDARY SCHOOLS**

Column 1 Year of establishment	Column 2 1989	Column 3 1990	Column 4 1991
	\$	\$	\$
1986 . . . . .	92	0	0
1987 . . . . .	184	96	0
1988 . . . . .	276	192	96
1989 . . . . .	276	192	96

**SCHEDULE 9**

Section 24

**SHORT TERM EMERGENCY ASSISTANCE FOR  
NON-GOVERNMENT SCHOOLS**

Column 1	Column 2
1989	1990
\$418,000	\$428,000

**SCHEDULE 10**

Sections 25 and 26

**EDUCATION IN ENGLISH AS A SECOND LANGUAGE—  
NON-GOVERNMENT SCHOOLS**

Column 1 Year	Column 2 ESL-general education	Column 3 ESL-new arrivals
	\$	\$
1989 . . . . .	11,673,000	2,271
1990 . . . . .	12,405,000	2,328

**SCHEDULE—continued**

**SCHEDULE 11**

Section 31

**CAPITAL PROJECTS FOR SCHOOLS SERVING PREDOMINANTLY  
ABORIGINAL OR TORRES STRAIT ISLANDER COMMUNITIES**

Column 1	Column 2	Column 3
Year	Government schools	Non-government schools
	\$	\$
1989 . . . . .	7,196,000	2,878,000
1990 . . . . .	13,699,000	2,982,000

**SCHEDULE 12**

Section 33

**PROGRAMS OF ETHNIC EDUCATION**

Column 1	Column 2
Year	Maximum amount per student
	\$
1989 . . . . .	35
1990 . . . . .	38.50

**SCHEDULE 13**

Section 34

**PRESCRIBED COUNTRY AREAS**

Column 1	Column 2	Column 3
State	1989	1990
	\$	\$
New South Wales . . . . .	3,095,000	3,172,000
Victoria . . . . .	1,830,000	1,876,000
Queensland . . . . .	2,974,000	3,047,000
Western Australia . . . . .	2,188,000	2,242,000
South Australia . . . . .	1,288,000	1,321,000
Tasmania . . . . .	430,000	440,000
Australian Capital Territory . . . . .	—	—
Northern Territory . . . . .	460,000	472,000
<b>Total . . . . .</b>	<b>12,265,000</b>	<b>12,570,000</b>



SCHEDULE—continued

SCHEDULE 14

Section 35

CHILDREN IN RESIDENTIAL INSTITUTIONS

Column 1 State	Column 2 1989	Column 3 1990
	\$	\$
New South Wales . . . . .	987,000	1,015,000
Victoria . . . . .	744,000	757,000
Queensland . . . . .	500,000	515,000
Western Australia . . . . .	278,000	289,000
South Australia . . . . .	237,000	241,000
Tasmania . . . . .	84,000	84,000
Australian Capital Territory . . . . .	7,000	54,000
Northern Territory . . . . .	34,000	34,000
Total . . . . .	2,871,000	2,989,000

SCHEDULE 15

Section 38

APPROVED EDUCATION CENTRES

Column 1 Year	Column 2 Amount
	\$
1989 . . . . .	2,013,000
1990 . . . . .	2,063,000

SCHEDULE 16

Section 39

PROJECTS OF NATIONAL SIGNIFICANCE

Column 1 Year	Column 2 Amount
	\$
1989 . . . . .	1,962,000
1990 . . . . .	2,208,000

**SCHEDULE—continued**

**SCHEDULE 17**

Section 40B

**CAPITAL PROJECTS IN RELATION TO RURAL  
STUDENT HOSTELS**

---

Column 1  
1990

---

\$1,000,000

---

**NOTE**

1. No. 1, 1989, as amended. For previous amendments, see No. 79, 1989.

B

B

B

B



B

B

B

B

B

B

B

B

B

B

B

B

