

1991

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

ABORIGINAL EDUCATION (SUPPLEMENTARY ASSISTANCE) AMENDMENT
BILL 1991

EXPLANATORY MEMORANDUM

(Circulated by the authority of the
Minister for Employment, Education and Training
the Honourable John S Dawkins, MP)



ABORIGINAL EDUCATION (SUPPLEMENTARY ASSISTANCE) AMENDMENT
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OUTLINE

The purpose of this Bill is to amend the Principal Act - Aboriginal Education (Supplementary Assistance) Act 1989, which endorses the Government's Aboriginal and Torres Strait Islander Education Policy (AEP).

The present Bill makes four changes to the Principal Act.

1.) Clarifies Section 13 of the Act.

The Bill clarifies the indexation clause of the Act.

2). Reflects the transfer of monies from the Principal Act 1989 to the Higher Education Funding Act.

The Bill amends the amounts appropriated in the 1991 and 1992 calendar years to reflect the transfer of the higher education component of the Aboriginal Education Strategic Initiatives Program (AESIP), the program which gives effect to the Principal Act, to the Higher Education Funding Act. The Higher Education Funding Act has already been amended (the Higher Education Funding Amendment Act (No.2) 1990) to reflect the transfer.

3). Removes the demand driven element.

The Bill adjusts the amount appropriated under the Special Appropriation for the 1992 calendar year to reflect the transfer of the demand driven element - the Aboriginal Student Support and Parent Awareness (ASSPA) scheme from the Principal Act to Appropriation Bill No.1.

4.) Removes funds formerly allocated to the National Aboriginal Languages Program (NALP).

The Bill adjusts the amount appropriated under the Special Appropriation for the 1992 calendar year to reflect the transfer of funds formerly allocated to NALP from the Principal Act to Appropriation Bill No.2.

FINANCIAL IMPACT

The Bill will not appropriate any additional funds. The amendments to the amounts appropriated under the Principal Act reflect Budget neutral transfers between the Special Appropriation and the annual Appropriation Bills.

NOTES ON CLAUSES

Clause 1: Short title etc.

Clause 1(1) sets out the short title of the proposed Act.

Clause 1(2) identifies the Aboriginal Education (Supplementary Assistance) Act 1989 as the Principal Act.

Clause 2: Commencement.

Clause 2 provides for the commencement of the Bill.

Clause 3: Appropriation for 1990-92

Clause 3 amends section 12 of the Principal Act.

Clause 3(a) replaces section 12(1) (b) and (c) so that the amounts appropriated for 1991 and 1992 are in 1991 dollars.

Clause 3(a) also reflects the financial effect of the transfer of higher education funds to the Higher Education Funding Act and the transfer of funds for the Aboriginal Student Support and Parent Awareness (ASSPA) scheme and the National Aboriginal Languages Program (NALP) to the annual Appropriation Bills.

Clause 3(b) replaces section 12(2) of the Principal Act. This clause continues to stipulate that the amount appropriated during 1992 should be in whole dollars only and if the appropriated amount includes a number of cents, the number of cents should be disregarded. Clause 3(b) also omits the reference to a "1990 percentage", as that year has now past.

Clause 4: 1991 deflator percentage.

Clause 4 amends section 13 of the Principal Act to clarify the indexation arrangements applying to the appropriation under the Act.

Clause 4(a) omits the definition of "publish" in section 13(1) and replaces it with a definition for "relevant publication". This clarifies the publication from which information relating to the relevant deflator is to be extracted from.

Clause 4(b) replaces subsections (2), (3) and (4) of section 13.

Part (a) of Clause 4(b) sets out the required formula to use to calculate the 1991 deflator percentage (to one decimal place) needed for indexation purposes. It also defines the period applicable to the "current deflator" and the "previous deflator", and sets out the rounding requirements when calculating the 1991 deflator percentage.

Part (b) of Clause 4(b) stipulates that if the deflator percentage for a particular year is negative, it should be taken as being nil.

Clause 4(c) omits subsection (6) of the Principal Act as this is in clause 3(b) of the Bill.