

1991

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

STATES GRANTS (SCHOOLS ASSISTANCE) AMENDMENT BILL 1991

EXPLANATORY MEMORANDUM

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



GENERAL OUTLINE

This Bill amends the States Grants (Schools Assistance) Act 1988 to supplement existing appropriations for 1991 schools programs for price increases over 1991 and to appropriate funds for 1992 schools programs. The Bill also gives effect to decisions on Commonwealth programs for schools in 1992 announced in the March 12 Industry Statement and in the 1991-92 Budget:

- . providing additional funds under a new National Element of the Country Areas Program, announced in the March 12 Industry Statement, for national projects to increase the number of students in country areas completing 12 years of schooling;
- . providing additional funds for a new School Language and Literacy Program, announced in the context of the White Paper on the Australian Language and Literacy Policy, comprising four elements (the existing Ethnic Schools and Literacy and Learning Programs will be subsumed under this new program from 1992):
 - Under the Priority Languages Incentive Element schools will be eligible for \$300 for each Year 12 student completing a course in a priority language, up to a maximum of 25 per cent of all Year 12 students;
 - Under the Community Languages Element funds will be provided to support the study of community languages at school level;
 - \$1.024 million will be available under the Literacy and Learning National Element in 1992 to support national projects aimed at enhancing language, literacy and learning; and
 - Professional development programs related to enhancing literacy and learning at secondary level will be supported under the Literacy and Learning General Element.
- . deferring part of planned 1992 expenditure on government schools under the Senior Secondary Support Element of the Capital Grants Program until the 1993 program year;
- . providing for stage one in the four year implementation of the phasing out of prospective cost supplementation arrangements for non-government schools;

The Bill also provides additional funds under the Award Restructuring Assistance Program to meet the Commonwealth's share of the cost of the introduction of Advanced Skills Teacher positions, and of the increase in the salary benchmark for 4 year trained teachers to \$38,000 per year.

Recent amendments of the Migration Act 1958 necessitate consequential amendments to the States Grants (Schools Assistance) Act 1988 to ensure that refugees remain eligible for the relevant schools programs.

The Bill also aligns eligibility under the Act for residents of the Cocos (Keeling) Islands with the provisions currently in place for residents of Christmas Island.

FINANCIAL IMPACT STATEMENT

The Bill appropriates additional funds for 1991 programs as part of current supplementation arrangements to bring total funding for 1991 programs to an estimated \$2,503 million.

The Bill also appropriates an estimated \$2,592 million for schools programs in calendar year 1992, consisting of an estimated \$1,930 million for general recurrent grants, \$289 million for capital grants and \$373 million for targeted program grants.

NOTES ON CLAUSES

- Clause 1 **Short Title etc.** provides for the Act to be cited as the States Grants (Schools Assistance) Amendment Act 1991
- Clause 2 **Commencement** provides for the majority of the clauses of the Bill to come into effect on the day of Royal Assent.
- Subclause 2(2) makes a consequential amendment to the Principal Act following the renumbering of sections in the Migration Act 1958 in 1989.
- The changes to the definition of 'eligible new arrival', 'full fee paying private overseas student', 'permanent resident', 'student', and 'general education in English as a second language', are to come into effect on the date of effect of section 12 of the Migration Amendment Act 1991.
- Clause 3 **Interpretation** amends certain definitions currently existing in the Principal Act and inserts new definitions for the purposes of the School Language and Literacy Program.
- Subclauses (c), (d) and (h) provide for the continued eligibility of refugees under certain programs authorised under the Principal Act, consequential on amendments made to the Migration Act 1958 made by the Migration Amendment Act 1991.
- Subclause (e) corrects a minor error in the Principal Act caused by the renumbering of sections of the Migration Act 1958 in 1989.
- Subclause (g) provides for consistency in treatment under the Principal Act between residents of Christmas Island and residents of the Cocos (Keeling) Islands.
- Clause 4 **Recognised temporary entry permits** inserts a new section in the Principal Act providing the Minister for Employment, Education and Training with the ability to maintain refugees' eligibility for various programs following changes to the Migration Act 1958.
- Clause 5 **Priority languages** inserts a new section in the Principal Act allowing the Minister for Employment, Education and Training to make a list of priority languages for the purposes of the Priority Languages Element of the School Language and Literacy Program. State Ministers may also declare languages from the list to be priority languages in that State.

- Clause 6 **Grants for programs of ethnic education** restricts the application of section 32 of the Act to the program years 1989, 1990 and 1991. ~~Funds for programs of ethnic education provided~~ under section 33 of the Act will now be appropriated under the new School Language and Literacy Program.
- Clause 7 **Grants for national projects assisting secondary education in prescribed country areas** inserts a new section in the Principal Act providing for a new national element of the Country Areas Program to fund projects aimed at increasing the number of students in prescribed country areas who complete 12 years of schooling.
- Clause 8 **School language and literacy program** provides for the insertion of new sections in the Principal Act authorising expenditure on the four elements of the new School Language and Literacy Program.
- The Priority Languages Incentive Element** (proposed sections 39C and 39D) provides \$300 per annum for each Year 12 student studying priority languages in government and non-government schools, up to a maximum of 25 per cent of all Year 12 students.
- The Community Languages Element** (proposed section 39E) provides funds to support the study of community languages at school level. This element replaces the existing Ethnic Schools Program.
- The Literacy and Learning National Element** (proposed section 39F) provides funds to support national projects aimed at enhancing language, literacy and learning. This element replaces the existing national element of the Literacy and Learning Program.
- The Literacy and Learning General Element** (proposed section 39G) provides for the continuation of the existing general element of the Literacy and Learning program within the new School Language and Literacy Program.
- Variations of Schedule 20** allows for funds to be transferred between the Community Languages and the Literacy and Learning National Elements of the Program where circumstances vary during a program year.

- Clause 9** **Reductions for false and misleading statements** extends section 43 of the Principal Act so that it applies to nominated authorities of aggregations of non-systemic schools for the purposes of the Priority Languages Incentive Element. It also provides for a minor alteration of the wording of paragraph 43(2)(b) of the Act to accommodate the fact that false and misleading statements submitted now will not affect funding categories of non-government schools until the 1997 to 2000 funding period.
- Clause 10** **Minor amendments of Principal Act** The amendments detailed in Schedule 1 to subsection 12(1), 12(1B), 34(2) and 40G(3) alter references to various financial schedules to reflect a revised structure for 1992.
- The amendments detailed in Schedule 1 to subsections 39A(2), (3), (4), (5) and (6), and 39B(1), (2), (3) and (4) restrict the application of the sections authorising the National Element of the Literacy and Language Program (section 39A) and the General Element of the Literacy and Language Program (section 39B) so that these programs do not continue in their present form in 1992. These programs are subsumed under the new School Language and Literacy Program.
- The amendment detailed in Schedule 1 to subsection 16A(1) corrects a minor technical error.
- Clause 11** **Repeal of schedules and substitution of new schedules** provides for revised schedules reflecting:
- increased appropriations for 1991 due to price increases;
- initial appropriations for the 1992 calendar year; and
- adjustments arising from new policy and savings measures announced in the March 12 Industry Statement and the 1991-92 Budget.
- Clause 12** **Minor amendment of other Act** amends the States Grants (Schools Assistance) Amendment Act 1990 to correct a printing error.

