

1984

**THE PARLIAMENT OF THE
COMMONWEALTH OF AUSTRALIA**

HOUSE OF REPRESENTATIVES

STATES GRANTS (EDUCATION ASSISTANCE -
PARTICIPATION AND EQUITY)

AMENDMENT BILL (NO 2) 1984

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Education and
Youth Affairs, Senator the Hon. Susan Ryan)

September 1984

STATES GRANTS (EDUCATION ASSISTANCE -
PARTICIPATION AND EQUITY) AMENDMENT BILL (NO 2) 1984

OUTLINE

The main purpose of this Bill is to amend the States Grants (Education Assistance - Participation and Equity) Act 1983 to:

- . supplement for cost increases the grants available to government and non-government education authorities in the States and the Northern Territory to conduct projects and programs under the Participation and Equity Program (PEP) in the years 1984, 1985 and 1986.
- . allocate some 1985 funds specifically for PEP projects and programs related to Aboriginal education as recommended by the Commonwealth Schools Commission and for projects of national significance.
- . allocate the balance of 1985 funds amongst the States for PEP projects and programs in government and non-government schools and TAFE institutions.
- . provide an additional \$4 million for PEP projects and programs in TAFE institutions in 1985 and 1986 as previously announced in the Guidelines to the Commonwealth Tertiary Education Commission for the 1985-87 Triennium.

NOTES ON CLAUSES

- Clause 1 Short title.
- Clause 2 provides that legislation will come into operation on the day on which it receives Royal Assent.
- Clause 3 amends Section 4 of the Principal Act. It provides for a definition of 'approved project or program related to Aboriginal education'.
- Clause 4 amends Section 6 of the Principal Act. It provides for the Minister to make a declaration that she is satisfied that a PEP project or program is related to Aboriginal education and that it should be funded.
- Clause 5 provides a new Section 8A in the Principal Act which places a limit on payments to the States in respect of Government schools projects and programs in 1985.
- Clause 6 provides a new Section 12A in the Principal Act which places a limit on payments to the States in respect of non-government schools projects and programs in 1985.
- Clause 7 provides a new Clause 15A in the Principal Act which places a limit on payments to the States in respect of TAFE institutions projects and programs in 1985.
- Clause 8 amends Section 18 of the Principal Act. It places a limit on payments to the States in 1984 and 1985 in respect of projects and programs which are not conducted in schools or TAFE institutions. Such projects may be conducted by community organizations and are funded from the amounts provided for government schools and TAFE institutions.
- Clause 9 amends Section 21 of the Principal Act. It places a limit on payments to the States in 1984 and 1985 in respect of projects and programs of national significance.
- Clause 10 provides a new Part VIA of the Principal Act and new sections 22A, 22B and 22C. These sections will:
- (a) provide for the Minister to authorize the payment of financial assistance to a State in respect of projects and programs related to Aboriginal education;
 - (b) place a limit on payments to the States in respect of such projects and programs in 1985; and
 - (c) prescribe the conditions of such financial assistance. These are the standard conditions for Commonwealth grants.

- Clause 11 repeals the existing Section 24 of the Principal Act which places limits on total payments to the States under the Act in 1985 and 1986 and replaces it with a new Section 24 which places limits on payments in 1986 only. Limits on payments in 1985 are now provided as described in Clauses 5, 6, 7, 8, 9 and 10 above.
- Clause 12 provides for a new Section 25A in the Principal Act which allows the Commonwealth Minister, acting on a request from a State Education Minister to transfer funds provided for 1985 between the government schools sector and the TAFE sector. Existing Section 25 provides for such action in relation to 1984 funds.
- Clause 13 provides for the word 'repayable' to be replaced by the word 'payable' in Section 27 of the Principal Act which provides for funds advanced to a State to be returned if a condition of the Act has not been fulfilled. This is a minor wording change to achieve consistency of language in the legislation.
- Clause 14 provides for a new Section 27A to the Principal Act which will enable the Commonwealth to recover any amounts payable by a non-government school authority to the Commonwealth.
- Clause 15 provides for new financial tables which will cost supplement 1984 funds and provide funds for government schools, non-government schools and TAFE institutions in 1985. Schedules 1 and 3 have been adjusted to incorporate for Western Australia a transfer of \$240,000 from the government schools sector to the TAFE sector requested by the Western Australian Minister for Education and approved by the Commonwealth Minister for Education under Section 25(1).
- Clause 16 provides for minor and consequential amendments.
- Clause 17 provides that payments made under the Principal Act shall be deemed to have been made for the purposes of the Act as amended by the changes proposed in this Bill.