

1988

THE PARLIAMENT OF THE
COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

States Grants
(Technical and Further Education Assistance)
Bill 1988

EXPLANATORY MEMORANDUM

(circulated by authority of the Minister for
Employment, Education and Training,
the Hon J S Dawkins, MP)

States Grants
(Technical and Further Education Assistance) Bill 1988

OUTLINE

The purpose of this Bill is to make provision for grants of financial assistance to the States and the Northern Territory for technical and further education for 1989. The Bill gives effect to a number of funding measures announced in TAFE 1989 Commonwealth Programs and Priorities.

FINANCIAL IMPACT

The Government's 1988/89 Budget decisions provided for a total of \$302.93 million in December 1987 cost levels to be made available in 1989 under technical and further education programs.

This Bill will appropriate some \$313.152 million (Recurrent \$127.087 and Capital \$186.065) for the funding of technical and further education in the States and the Northern Territory (excluding non-government business colleges). These cost levels reflect the known outcomes of the recent National Wage Case in relation to salary components. The level of grant provided will be further supplemented in the Autumn session to reflect movements in non salary related items to December 1988 in accordance with agreed supplementation procedures.

NOTES ON CLAUSES OF THE BILL

PART 1 - Preliminary

- Clause 1 : Short title
- Clause 2 : Commencement: The Act comes into operation on Royal Assent.
- Clause 3 : Interpretation: Defines words and terms used in the Bill.
- Clause 4 : Making of determinations, etc: This clause requires that any determinations given by the Minister are given in writing.
- Clause 5 : Variation of instruments: This clause enables the Minister to vary any instrument.
- Clause 6 : References to Northern Territory: This clause provides for the Northern Territory.
- Clause 7 : Arrangements with States: This clause enables the Minister to enter into an arrangement with a State in respect of financial assistance provided by this Bill.
- Clause 8 : Student fees: This clause enables the Minister to respond to approaches from the States for the relaxation of the fees prohibition for students who are, or have been, established in employment and who wish to return to study to improve their qualifications or employment prospects. This is consistent with the arrangements in place in 1988.

PART 2 - Recurrent Grants

Division 1 - General Recurrent Grants

- Clause 9 : Grants for recurrent expenditure: The clause provides for the Minister to approve recurrent grants to the States and Northern Territory and sets out the conditions attaching to the grant. These conditions are the same as those in previous legislation.
- Clause 10 : Grants for adult education: This clause provides for the Minister to approve grants for expenditure on adult education courses, including adult literacy programs, to bodies recommended by the States.

Clause 11 : Grants for advanced English language courses for migrants: This clause provides for the Minister to approve grants for the provision of courses of advanced English for migrants.

Division 2 - Special grants for non-government business colleges.

Clause 12 : Grants for approved course provided by non-government business colleges: This clause empowers the Minister to authorise payment to a State in 1989 for recurrent expenditure incurred by a non-government business college in providing an approved course.

Clause 13 : Additional grants for approved courses provided by non-government business colleges: This clause provides for the Minister to authorise the payment of additional grants for recurrent expenditure incurred by non-government business colleges in meeting commitments to students entered into prior to the Budget announcement of the phasing out of the subsidy scheme.

PART 3 - BUILDINGS AND EQUIPMENT

Clause 14 : Grants for building or equipment expenditure: This clause provides for the Minister to approve grants for expenditure on buildings or equipment in connection with the provision of technical and further education and sets out the conditions attaching to grants. These conditions are the same as those in previous legislation.

PART 4 - MISCELLANEOUS

Clause 15 : Benefits of, and opportunities created by, grants to be equally available to male and female students: This clause specifies conditions for equality of opportunity arising from grants under this legislation.

Clause 16 : Additional conditions etc.: This clause empowers the Minister to take action in the event of a breach of the conditions of grant.

Clause 17 : Amendments affecting State entitlements to grants: This clause limits the Minister issuing determinations whereby the State may become liable to pay an amount to the Commonwealth.

Clause 18 : Disallowable instruments: This clause specifies that determinations made by the Minister under section 9,10,11,12,13 & 14 are disallowable instruments for the purpose of Section 46A of the Acts Interpretation Act 1901

Clause 19 : Time and manner of payments: This clause enables the Minister to determine the timing and amounts of payments to the States and the Northern Territory.

Clause 20 : Delegation: This clause enables the Minister to delegate powers under the legislation to officers of the Department of Employment, Education and Training.

Clauses 21 to 26 : Financial Machinery Provisions: These clauses provide standard mechanisms for the appropriation and payment of moneys under the Act.

PART 5 - AMENDMENTS OF THE STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) ACT 1987

Clauses 27 to 30 : These clauses amend specific provisions of the States Grants(Tertiary Education Assistance) Act 1987 relating to grants for the TAFE sector to adjust for cost movements.

