

1989

THE PARLIAMENT OF THE  
COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

STATES GRANTS  
(NON-GOVERNMENT BUSINESS COLLEGES)  
BILL 1989

EXPLANATORY MEMORANDUM

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

States Grants  
(Non-Government Business Colleges) Bill 1989

OUTLINE

The purpose of this Bill is to make provision for grants of financial assistance to the States for non-government business colleges for 1989. The Bill gives effect to the decision, announced in TAFE 1989 Commonwealth Programs and Priorities, to phase out the scheme of assistance to non-government business colleges.

FINANCIAL IMPACT

This Bill will provide for a monthly subsidy for non-government business colleges in 1989 of \$114.04 per capita in respect of students commencing approved courses before 23 August 1988, at an estimated total of \$0.537m in 1989; it will also provide for additional assistance of \$1.5m to assist colleges in the first half of 1989 to adjust their financial bases following the withdrawal of the subsidies and meet commitments already made to students in respect of 1989.

## 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.

### PART 2 - SPECIAL GRANTS FOR NON-GOVERNMENT BUSINESS COLLEGES.

- Clause 6 : Grants for approved courses 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 7 : 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 - MISCELLANEOUS

- Clause 8 : 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 9 : Additional conditions etc.: This clause empowers the Minister to take action in the event of a breach of the conditions of grant.

- Clause 10 : 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 11 : Disallowable instruments: This clause specifies that determinations made by the Minister under section 6 or 7 are disallowable instruments for the purpose of Section 46A of the Acts Interpretation Act 1901.
- Clause 12 : 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 13 : Delegation: This clause enables the Minister to delegate powers under the legislation to officers of the Department of Employment, Education and Training.
- Clauses 14 to 16 : Financial Machinery Provisions: These clauses provide standard mechanisms for the appropriation and payment of moneys under the Act.