

1980-81-82

THE PARLIAMENT OF THE
COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

*States Grants (Tertiary Education Assistance)
Legislation Amendment Bill 1982*

EXPLANATORY MEMORANDUM

(circulated by authority of the
Minister for Education the Hon. Wal. Fife)

12 March 1982

OUTLINE

States Grants (Tertiary Education Assistance) Legislation Amendment Bill 1982

The primary purpose of this Bill is to supplement tertiary education recurrent grants to the States and the Northern Territory for cost increases by amending the States Grants (Tertiary Education Assistance) Act 1978. This Act provides grants to the States and the Northern Territory for financial assistance to universities, colleges of advanced education and technical and further education for the triennium 1979-81.

The total amount of supplementation to be provided by this Bill is \$53.7m. It is expected that this amount will be the final supplementation appropriation for the 1979-81 triennium.

In addition, the Bill provides for:

- . amendments to the States Grants (Tertiary Education Assistance) Act 1981 to reflect Government decisions concerning the consolidation of colleges of advanced education.
- . minor amendments to the 1978 and 1981 Acts; these amendments do not alter the conditions under which the grants are made.

DETAILED DESCRIPTION OF BILL AND
NOTES ON CLAUSES

*States Grants (Tertiary Education Assistance)
Legislation Amendment Bill 1982*

PART I - PRELIMINARY

This Part contains legislative machinery provisions.

PART II - AMENDMENTS TO STATES GRANTS (TERTIARY EDUCATION
ASSISTANCE) ACT 1981

This Part will:

- (a) incorporate a series of amendments to schedules following on implementation of government decisions reached on the consolidation of colleges of advanced education. The amendments reflect understandings reached between the Commonwealth and New South Wales and Victorian Ministers for Education;
- (b) provide a transition provision to enable the recognition of certain institutions which have been the subject of name changes as a result of consolidation of colleges of advanced education;
- (c) reduce the amount of \$16m appearing in the Act for grants in the triennium for Research Centres of Excellence to reflect that the Australian National University has been selected for a grant of \$1.2m (the Australian National University is funded via Appropriation Bills 1, 2 3, 4 etc as appropriate);
- (d) reduce the amount of \$0.9m appearing in the Act for annual grants in the triennium for Community Language Courses to reflect that the Australian National University has been selected for an annual grant of \$80,000 (the Australian National University is funded via Appropriation Bills 1, 2, 3, 4 etc as appropriate);
- (e) provide for minor technical amendments to be made to certain provisions in the Act; these minor amendments do not alter the intention of the original provisions.

PART III - AMENDMENTS TO STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) ACT 1978

This Part will:

- (a) in accordance with the Government's earlier commitment to supplement retrospectively for cost increases the programs of assistance to the States and the Northern Territory for tertiary education in the 1979-81 triennium, supplement 1980 and 1981 grants to the following cost levels:

<u>Cost Levels</u>		
<u>Grants</u>	<u>Salary Costs</u>	<u>Non-salary Costs</u>
. 1980 recurrent grants	Dec Qtr '80 (revised)	Dec Qtr '79
. 1981 recurrent grants	Dec Qtr '81	Dec Qtr '80

The total amount of supplementation to be provided by this Bill is \$53.7m. This amount is expected to be the final supplementation appropriation for the 1979-81 triennium. If this is the case, the tertiary education grants program for triennium 1979-81 will total \$4,304m with the 1980 amount being \$1,406m and the 1981 amount \$1,601m.

The supplementation is provided by way of amendments to the relevant sections of the Act in the case of recurrent grants in respect of student residences and affiliated colleges of universities and colleges of advanced education, grants for courses of teacher education provided by non-government teachers colleges, grants in respect of contributions to the National Institute of Dramatic Art and grants for special teacher training initiatives. In the case of all other recurrent grants, supplementation is provided by way of replacement schedules of grants (see Schedules 7 to 14 of the Bill).

- (b) provide for a minor technical amendment to Section 15B of the Act; the amendment does not alter the intention of the original provision.

CLAUSES OF THE BILL

Notes on the clauses follow.

CLAUSES OF THE BILL

PART I - PRELIMINARY

Clause 1 : Short title.

Clause 2 : Commencement: In addition to the coming into force of the various provisions in this Bill as from the date of Royal Assent, certain of the minor amendments are required to come into force on a retrospective basis; the retrospective effect of these amendments will not adversely affect recipients of the grants.

PART II - AMENDMENTS TO THE STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) ACT 1981

Clause 3 : Principal Act: Defines abovementioned Act as Principal Act for this Part.

Clause 4 : Research Centres of Excellence: This clause reduces the \$16m maximum grants payable to the States in the triennium by \$1.2m to take account of the fact that a Centre at the Australian National University has been selected for a grant of this value. The total amount originally provided in the Principal Act included the global provision for all institutions whether they be State or Commonwealth.

Clause 5 : Interpretation: This clause inserts an amendment to clarify a point in Section 14 of the Principal Act; the amendment (in conjunction with Clause 2(2)) has a retrospective effect but does not alter the intention of the original provisions.

Clause 6 : Carry-forward of amounts specified under Schedule 8: This clause corrects a technical error in Section 17 of the Principal Act; the amendment (in conjunction with Clause 2(3)) has a retrospective effect but does not alter the intention of the original provisions.

Clause 7 : Grants for courses of teacher education provided by non-government teachers colleges: This clause provides for a minor technical amendment to Section 23 of the Principal Act.

Clause 8 : Grants for community language courses: For the same general reasons outlined for Clause 4 above, the \$0.9m maximum grants payable annually to the States has been reduced by \$80,000 to take account of a grant to the Australian National University.

Clause 9 : Substitution of Schedules (Consolidation of colleges of advanced education): This clause provides for the replacement of Schedules in the Principal Act to effect revision of the amounts of grants resulting from implementation of Government decisions reached on the consolidation of colleges of advanced education. The decisions reached mean that it is mandatory that Schedules 4, 7II, 7V and 9 be amended. Amendments to the remaining schedules have been incorporated for the public record.

Clause 10 : Certain directions to cease to have effect - (Directions under the Principal Act): This clause cancels directions made by the Minister or by the Commonwealth Tertiary Education Commission which have been invalidated by the insertion of new schedules in the Principal Act.

Clause 11 : Payments made before Royal Assent: This clause ensures that payments for grants under the Principal Act are not duplicated by payments under the Principal Act as amended.

Clause 12 : Transitional: This clause provides a transition provision to enable the recognition of certain colleges of advanced education which have been the subject of name changes since the Principal Act obtained Assent.

PART III - AMENDMENTS TO THE STATES GRANTS (TERTIARY EDUCATION ASSISTANCE) ACT 1978

Clause 13 : Principal Act: Defines abovementioned Act as Principal Act for purposes of this Part.

Clause 14 : Recurrent grants in respect of student residences and affiliated colleges (universities): This clause replaces, in full, with one minor technical amendment, the provisions relating to 1980 and 1981 grants for student residences and affiliated colleges. The clause effects revised (i.e. increased) base and per capita amounts to

take account of cost increases since the Act was previously amended in the 1981 Budget sittings. (The minor technical amendment does not alter the intention of the original provisions).

Clause 15 : Grants for recurrent expenditure in Northern Territory on advanced education: This clause effects a minor technical amendment to section 15B of the Principal Act (this minor technical amendment does not alter the intention of the original provisions).

Clause 16 : Recurrent grants in respect of student residences and affiliated colleges (advanced education): This clause replaces, in full, with one minor technical amendment, the provisions relating to 1980 and 1981 grants for student residences and affiliated colleges. The clause effects revised (i.e. increased) base and per capita amounts to take account of cost increases since the Act was previously amended in the 1981 Budget sittings. (The minor technical amendment does not alter the intention of the original provisions).

Clause 17 : Grants for courses of teacher education provided by non-government teachers colleges: This clause supplements for cost movements the amount available for assistance to non-government teachers colleges in the States in respect of recurrent expenditure in connection with the provision of teacher education courses.

Clause 18 : Grants in respect of contributions to National Institute of Dramatic Art: This clause supplements for cost increases the amounts payable to New South Wales in respect of the years 1980 and 1981 to enable the New South Wales Higher Education Board to contribute towards costs incurred by the National Institute of Dramatic Art (NIDA) in providing courses.

Clause 19 : Grants for special teacher training initiatives: This clause amends the amounts provided for projects related to the training of technical and further education teachers to take account of cost increases since the Act was previously amended in the 1981 Budget sittings.

- Clause 20 : Substitution of schedules - (Supplementation for cost increases): This clause provides for the replacement of schedules in the principal Act to effect revision of the amounts of the grants to take into account supplementation for cost increases.
- Clause 21 : Certain directions to cease to have effect - (Directions under the Principal Act): This clause cancels directions made by the Minister or by the Commonwealth Tertiary Education Commission which have been invalidated by the insertion of new schedules in the Principal Act.
- Clause 22 : Payments made before Royal Assent: This clause ensures that payments for grants under the Principal Act are not duplicated by payments under the Principal Act as amended.