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Higher Education Legislation Amendment Bill (No.2) 2004

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Higher Education Legislation Amendment Bill (No.2) 2004

Date Introduced: 22 June 2004

House: House of Representatives

Portfolio: Education, Science and Training

Note: The Bill was passed by Parliament on 24 June 2004 and received Royal Assent on 13 July 2004 (Act No. 114 of 2004).

Purpose¹

To amend a range of legislation for a number of purposes associated with higher education. In particular:

- to adjust funding levels to reflect indexation increases and other factors;
- to ensure that Open Learning Australia (OLA) is subject to the necessary quality and accountability provisions in the *Higher Education Support Act 2003* so that the FEE-HELP² scheme can be appropriately administered for OLA students;
- to enable the Australian National University to comply with the national governance protocols.³

Background

Higher education institutions currently receive assistance from the Commonwealth under the provisions of the *Higher Education Funding Act 1988* (HEFA). From 2005 onwards this assistance will be provided predominantly through the *Higher Education Support Act 2003* (HESA), which implemented the new higher education funding arrangements announced by the Government in the policy statement, *Backing Australia's Future*.⁴

The Bill amends the HEFA to adjust 2004 operating grants to reflect over enrolment estimates and to index transitional funds for 2005, 2006 and 2007. The changes result in an increase in the overall appropriation of \$16.037 million.

Warning:

This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

The Bill amends the HESA to adjust grants for indexation increases, to reflect a number of policy developments (which are listed in the *Explanatory Memorandum*), and to insert base funding levels for 2008. These changes will increase the appropriation for 2005 to 2007 by \$398.9 million, and will provide \$5.261 billion for 2008.

Main Provisions

Schedule 1 contains the amendments to the HEFA.

Schedule 2 contains the amendments to the HESA.

Schedule 4 amends the *Australian National University Act 1991*.⁵

Endnotes

- 1 As this Bill received its Third Reading in the Senate on 24 June 2004, this Digest has been produced in an abbreviated form.
- 2 The FEE-HELP scheme provides loans for tuition fees.
- 3 Commonwealth grants for higher education institutions are conditional on those institutions meeting the national governance protocols, which are requirements relating to their governing structure.
- 4 The policy statement and related documents can be consulted at <http://www.backingaustraliasfuture.gov.au/>

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