



Higher Education Legislation Amendment Bill (No.3) 2004

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Higher Education Legislation Amendment Bill (No.3) 2004

Date Introduced: 17 November 2004

House: House of Representatives

Portfolio: Education, Science and Training

Commencement: Royal Assent (with some minor exceptions)

Purpose

This Bill will amend the *Higher Education Support Act 2003* to:

- vary the level of maximum grants under the Commonwealth Grant Scheme (CGS) to reflect the assumption of funding responsibility by the Department of Education, Science and Training (DEST) for radiation oncology places;
- extend access to assistance under the OS-HELP scheme, which provides student loans for overseas study;
- enable higher education providers to continue to operate summer schools as they have in the past;
- enable students who are enrolled on a cross-institutional basis to be Commonwealth supported students, and
- make a number of other minor and technical amendments.

The Bill also amends the *Australian Research Council Act 2001* to adjust appropriations to reflect revised forward estimates.

Background

The *Higher Education Support Act 2003* (the HESA) provides Commonwealth funding for the higher education sector from 2005 onwards. It enacted the Government's higher education reform package which was announced in May 2003 as *Our Universities: Backing Australia's Future*.¹

This Bill was originally introduced on 5 August 2004. The Senate referred it to the Employment, Workplace Relations and Education Legislation Committee which reported in September 2004.² The committee's consideration of the Bill was limited to a provision which would have allowed Melbourne University Private (MUP) to access Commonwealth funding for research and FEE-HELP assistance (which provides student loans for tuition fees). The committee supported the passage of the Bill without amendment, although a minority report from Opposition Senators recommended that the

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MUP provision be removed from the Bill and dealt with separately. The new version of the Bill does not contain the MUP provision.

The *Australian Research Council Act 2001* (the ARCA) provides the legislative basis for the research schemes funded and administered by the Australian Research Council. The Bill will update the appropriations in the Act for 2004 to 2006 to reflect revised forward estimates and will insert appropriations for 2007. These provisions will increase the overall appropriation by \$501.973 million.

Main Provisions

Schedule 1 contains the amendments to the HESA:

- **Item 4** adjusts grants to reflect the assumption of responsibility by the Commonwealth for radiation oncology places at the University of Newcastle and RMIT University
- **Item 9** contains amendments to permit the operation of summer schools on their current basis
- **Items 30 to 34** broaden the purpose of the OS-HELP scheme to cover those students based in Australia who wish to do part of their course overseas.

Schedule 3 amends the Australian University Act 1991 to increase the time available for the Minister to make appointments to the Council of the University.

Schedule 4 amends the ARCA to adjust grants for 2004 to 2006 and to provide grants for 2007.

Endnotes

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- 1 Details of the package and its implementation can be obtained from <http://www.backingaustraliasfuture.gov.au/>
 - 2 Employment, Workplace Relations and Education Legislation Committee, *Provisions of the Higher Education Legislation Amendment Bill (No.3) 2004* (September 2004).

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