

**Senate Standing Committee on Education Employment and Workplace  
Relations**

**QUESTIONS ON NOTICE  
Supplementary Budget Estimates 2010-2011**

**Outcome 2 - Schools**

**DEEWR Question No.EW0545\_11**

*Refers to previous DEEWR Question No [EW0150\\_11](#).*

**Senator Xenophon provided in writing.**

**Question**

Given the specific example of water tanks I raised last Estimates, does the Department not have concerns that Federal money is being used to meet DECS (State) requirements – requirements that DECS would otherwise have to fund in addition to the BER?

i. Where does the Department draw the line in relation to BER funding being used to pay for State Government-based infrastructure?

**BER FUNDING**

**Answer**

The BER funding agreements require Education Authorities to comply with all relevant statutes, regulations, by-laws and requirements of any Commonwealth, state, territory or local authority, including fire regulations. In the specific example of water tanks, the South Australian Government acted in accordance with its funding agreement with the Commonwealth to ensure buildings funded under the BER are compliant with the relevant fire regulations.

The Commonwealth has measures in place to ensure BER funds are not used to undertake already planned capital worksthrough its *National Partnership Agreement on the Nation Building and Jobs Plan*, plus bilateral agreements with State and Territory governments.