

1987-88-89

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Presented and read a first time, 2 November 1989

(*Minister for Employment, Education and Training*)

A BILL

FOR

An Act to amend the *Higher Education Funding Act 1988*

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title etc.

1. (1) This Act may be cited as the *Higher Education Funding Amendment Act (No. 3) 1989*.

(2) In this Act, "Principal Act" means the *Higher Education Funding Act 1988*¹.

Commencement

2. This Act commences on the day on which it receives the Royal Assent.

3. After section 107 of the Principal Act the following section is inserted:

State not to prevent imposition by governing bodies of institutions of fees for student organisations etc.

"107A. (1) A payment under this Act to a State for the purpose of financial assistance is granted on the condition that the State will not, in

respect of the year to which the payment relates, take, or refuse or fail to reverse, action having the effect, directly or indirectly, of preventing or hindering:

- (a) the imposition, by the governing body of an institution, of fees for an organisation that represents the interests generally of students at the institution; or 5
- (b) the collection of fees so imposed.

“(2) If, in respect of a year, the Minister:

- (a) informs a State under paragraph 108 (a) that the Minister is satisfied that the State has failed to fulfil the condition mentioned in subsection (1); and 10
- (b) specifies under that paragraph an amount that the State will pay to the Commonwealth;

the Minister may determine that an amount is payable by the Commonwealth to an institution in the State for an organisation that represents the interests generally of students at the institution. 15

“(3) The total of the amounts determined by the Minister under subsection (2) in relation to the State must not exceed the amount mentioned in paragraph (2) (b).

“(4) Payments under this section may be made out of the Consolidated Revenue Fund.”. 20

NOTE

1. No. 2, 1989, as amended. For previous amendments, see No. 138, 1988; and Nos. 80 and 00, 1989.