

1987-88

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 27 April 1988

(Minister for Employment, Education and Training)

A BILL

FOR

An Act to amend the *States Grants (Schools Assistance) Act 1984*

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

Short title etc.

5 1. (1) This Act may be cited as the *States Grants (Schools Assistance) Amendment Act 1988*.

 (2) In this Act, "Principal Act" means the *States Grants (Schools Assistance) Act 1984*¹.

Commencement

10 2. (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

 (2) Subsection 5 (2) shall be taken to have commenced on 16 December 1987.

New non-government systemic schools etc.—1986 and subsequent years

3. Section 6A of the Principal Act is amended:

(a) by inserting after subsection (1) the following subsection:

“(1A) This section does not apply in relation to a change in the location of a systemic school or of a part of a systemic school initiated during the year 1990 or a subsequent year if: 5

(a) the change is to a location adjacent to the location of the school or of that part of the school immediately before the change; and

(b) education is provided at the new location at the same level or levels at which it was provided at the previous location.”; 10

(b) by omitting subsection (10) and substituting the following subsection:

“(10) The Minister shall not make a determination under paragraph 9 (b) in relation to a relocation or partial relocation of a school after the expiration of the period of 2 years from the commencement of the year in which the relocation or partial relocation was proposed to be initiated unless the Minister is satisfied that there are exceptional circumstances justifying the making of the determination after the expiration of that period.”; 15 20

(c) by omitting subsection (12) and substituting the following subsection:

“(12) The Minister shall not make a determination under subsection (11) in relation to the provision of education at a particular level at a school after the expiration of the period of 2 years from the commencement of the year in which the provision of education at that level at the school was proposed to be initiated unless the Minister is satisfied that there are exceptional circumstances justifying the making of the determination after the expiration of that period.”; 25 30

(d) by inserting in subsection (20) “of the period of 2 years from the commencement” after “expiration” (first occurring);

(e) by omitting from subsection (20) “year” (last occurring) and substituting “period”.

New non-government non-systemic schools etc.—1986 and subsequent years 35

4. Section 7A of the Principal Act is amended:

(a) by inserting after subsection (1) the following subsection:

“(1A) This section does not apply in relation to a change in the location of a non-systemic school or of a part of a non-systemic school initiated during the year 1990 or a subsequent year if: 40

(a) the change is to a location adjacent to the location of the school or of that part of the school immediately before the change; and

- (b) education is provided at the new location at the same level or levels at which it was provided at the previous location.”;
- (b) by omitting subsection (10) and substituting the following subsection:
- 5 “(10) The Minister shall not make a determination under paragraph 9 (b) in relation to a relocation or partial relocation of a school after the expiration of the period of 2 years from the commencement of the year in which the relocation or partial relocation was proposed to be initiated unless the Minister is satisfied that there are exceptional circumstances justifying the making of the determination after the expiration of that period.”;
- 10 (c) by omitting subsection (12) and substituting the following subsection:
- 15 “(12) The Minister shall not make a determination under subsection (11) in relation to the provision of education at a particular level at a school after the expiration of the period of 2 years from the commencement of the year in which the provision of education at that level at the school was proposed to be initiated unless the Minister is satisfied that there are exceptional circumstances justifying the making of the determination after the expiration of that period.”;
- 20 (d) by inserting in subsection (20) “of the period of 2 years from the commencement” after “expiration” (first occurring);
- (e) by omitting from subsection (20) “year” (last occurring) and substituting “period”.

Amendment of certain provisions of the Principal Act

- 25 5. (1) The Principal Act is amended as set out in Schedule 1.
(2) The Principal Act is amended as set out in Schedule 2.
- (3) Anything done at any time after 15 December 1987 and before the day on which this Act received the Royal Assent that would have been authorised by the Principal Act as amended by virtue of subsection (2) if that Act as so amended had been in force at that time shall, for all purposes, be deemed to have been lawfully done at that time.
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Amendment of Schedules

6. (1) Schedule 1 to the Principal Act is amended by omitting Part IV and substituting the Part set out in Schedule 3 to this Act.
- 35 (2) Schedule 2 to the Principal Act is repealed and the Schedule set out in Schedule 4 to this Act is substituted.
- (3) Schedule 3 to the Principal Act is amended by omitting Part IV and substituting the Part set out in Schedule 5 to this Act.
- (4) Schedule 4 to the Principal Act is amended by omitting Part IV and substituting the Part set out in Schedule 6 to this Act.
- 40 (5) Schedule 5 to the Principal Act is amended by omitting Part IV and substituting the Part set out in Schedule 7 to this Act.

(6) Schedule 11 to the Principal Act is amended by omitting Part IV and substituting the Part set out in Schedule 8 to this Act.

(7) Schedule 14 to the Principal Act is amended by omitting Part IV and substituting the Part set out in Schedule 9 to this Act.

(8) Schedule 15 to the Principal Act is amended by omitting Part IV and substituting the Part set out in Schedule 10 to this Act. 5

Payments made before Royal Assent

7. Payments (including advances) by way of financial assistance made to a State or to the Northern Territory under the Principal Act shall be deemed to have been made for the purposes of the Principal Act as amended by this Act. 10



SCHEDULE 1

Subsection 5 (1)

AMENDMENTS OF CERTAIN PROVISIONS OF THE PRINCIPAL ACT

Subsection 3 (1) (paragraph (a) of the definition of “full fee paying private overseas secondary student”):

Insert “full-time or part-time” before “student”.

Subsection 3 (1) (paragraph (a) of the definition of “general education in English as a second language”):

Insert “who are permanent residents and” after “students”.

Subsection 3 (1) (paragraph (b) of the definition of “general education in English as a second language”):

Insert “who are permanent residents” after “students” (second occurring).

Subsection 5 (4):

Omit “\$2,057”, substitute “\$2,082”.

Subsection 27 (3C):

Omit “\$52,276,000”, substitute “\$54,302,000”.

Subsection 27 (3D):

Omit “\$3,037,000”, substitute “\$3,155,000”.

Paragraphs 28 (1) (g) and (h):

Omit “is situated in”, substitute “serves”.

Paragraphs 29 (1) (g) and (h):

Omit “is situated in”, substitute “serves”.

Paragraph 53 (4) (a):

Omit “\$6,422,000”, substitute “\$6,671,000”.

Paragraph 53 (4) (b):

Omit “\$2,569,000”, substitute “\$2,668,000”.

Subsection 70C (2):

Omit “\$211,000”, substitute “\$214,000”.

SCHEDULE 2

Subsection 5 (2)

AMENDMENTS OF CERTAIN PROVISIONS OF THE PRINCIPAL ACT

Subsection 3 (1) (paragraph (b) of the definition of “permanent resident”):

Insert “in relation” after “person”.

Subsections 26 (1), (1A), (2), (2B), (3) and (4):

Insert “or 25B” after “25” (wherever occurring).

Subparagraph 26 (2B) (b) (v):

Insert “, in relation to each project,” after “will”.

Paragraph 26 (2B) (c):

Omit “, if the Commonwealth Education Minister so requires, pay to the Commonwealth”, substitute “pay to the Commonwealth such amount as the Commonwealth Education Minister specifies, not being an amount exceeding”.

Subsections 26 (2C) and (2D):

Omit “, if the Commonwealth Education Minister so requires, pay to the Commonwealth”, substitute “pay to the Commonwealth such amount as the Commonwealth Education Minister specifies, not being an amount exceeding”.

Subsections 27 (3C) and (3D):

Omit “25”, substitute “25B”.

Subsection 27 (4):

Omit “that section”, substitute “section 26”.

Subsection 27 (4AA):

- (a) Omit “a year to which section 26 applies”, substitute “the year 1988 or a subsequent year”.
 - (b) Omit “that section”, substitute “section 26”.
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SCHEDULE 3

Subsection 6 (1)

NEW PART IV OF SCHEDULE 1 TO THE PRINCIPAL ACT

PART IV—1988

Column 1 Name of State	Column 2 Amounts
	\$
New South Wales	56,887,000
Victoria	41,136,000
Queensland	28,195,000
Western Australia	15,624,000
South Australia	14,499,000
Tasmania	4,975,000
Northern Territory	1,980,000
Total	163,296,000

SCHEDULE 4

Subsection 6 (2)

NEW SCHEDULE 2 TO THE PRINCIPAL ACT

SCHEDULE 2

Section 11

GOVERNMENT SCHOOLS—RECURRENT EXPENDITURE

**PART I—LEVELS OF ASSISTANCE FOR RECURRENT GRANTS FOR PRIMARY SCHOOLS
(INCLUSIVE OF MAXIMUM RESOURCE AGREEMENT ALLOCATIONS)**

Column 1 Amount per student for 1985	Column 2 Amount per student for 1986	Column 3 Amount per student for 1987	Column 4 Amount per student for 1988
\$ 158	\$ 174	\$ 185	\$ 197

**PART II—BASE YEAR LEVELS OF ASSISTANCE FOR RECURRENT GRANTS FOR
PRIMARY SCHOOLS**

Column 1 Amount per student for 1985	Column 2 Amount per student for 1986	Column 3 Amount per student for 1987	Column 4 Amount per student for 1988
\$ 151	\$ 167	\$ 173	\$ 178

SCHEDULE 4—continued

PART III—LEVELS OF ASSISTANCE FOR RECURRENT GRANTS FOR SECONDARY SCHOOLS (INCLUSIVE OF MAXIMUM RESOURCE AGREEMENT ALLOCATIONS)

Column 1	Column 2		
Name of State	Amounts		
student for 1985	student for 1986	student for 1987	student for 1988
\$ 174	\$ 204	\$ 237	\$ 269

PART IV—BASE YEAR LEVELS OF ASSISTANCE FOR RECURRENT GRANTS FOR SECONDARY SCHOOLS

Column 1	Column 2	Column 3	Column 4
Amount per student for 1985	Amount per student for 1986	Amount per student for 1987	Amount per student for 1988
\$ 151	\$ 184	\$ 191	\$ 196

SCHEDULE 5

Subsection 6 (3)

NEW PART IV OF SCHEDULE 3 TO THE PRINCIPAL ACT

PART IV—1988

Column 1	Column 2	Column 3
Name of State	Amounts	Amounts
	\$	\$
New South Wales	10,005,000	1,656,000
Victoria	8,465,000	1,401,000
Queensland	2,080,000	345,000
Western Australia	2,083,000	346,000
South Australia	2,166,000	358,000
Tasmania	285,000	47,000
Northern Territory	251,000	42,000
Total	25,335,000	4,193,000

SCHEDULE 6

Subsection 6 (4)

NEW PART IV OF SCHEDULE 4 TO THE PRINCIPAL ACT

PART IV—1988

Column 1	Column 2	Column 3	Column 4	Column 5
Name of State	Disadvantaged government schools	Disadvantaged non-government schools	Prescribed country areas	Totals
	\$	\$	\$	\$
New South Wales	12,413,000	2,500,000	2,838,000	17,751,000
Victoria	10,595,000	2,693,000	1,678,000	14,966,000
Queensland	3,669,000	560,000	2,725,000	6,954,000
Western Australia	2,916,000	479,000	2,005,000	5,400,000
South Australia	3,023,000	316,000	1,181,000	4,520,000
Tasmania	863,000	92,000	394,000	1,349,000
Northern Territory	908,000	32,000	422,000	1,362,000
Total	34,387,000	6,672,000	11,243,000	52,302,000

SCHEDULE 7

Subsection 6 (5)

NEW PART IV OF SCHEDULE 5 TO THE PRINCIPAL ACT

PART IV—1988

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Name of State	Government special education (including government integration activities)	Government integration activities	Non-government special education (including non-government integration activities)	Non-government integration activities	Special Education Services
	\$	\$	\$	\$	\$
New South Wales	6,883,000	534,000	1,783,000	152,000	3,413,000
Victoria	4,976,000	386,000	1,651,000	142,000	4,820,000
Queensland	3,411,000	264,000	770,000	66,000	1,510,000
Western Australia	1,889,000	146,000	396,000	33,000	884,000
South Australia	1,754,000	136,000	347,000	30,000	2,846,000
Tasmania	602,000	47,000	113,000	9,000	204,000
Northern Territory	239,000	19,000	33,000	3,000	123,000
Total	19,754,000	1,532,000	5,093,000	436,000	13,800,000

SCHEDULE 8

Subsection 6 (6)

NEW PART IV OF SCHEDULE 11 TO THE PRINCIPAL ACT

PART IV—1988

Column 1	Column 2	Column 3	Column 4
Total of all additional grants under section 31 for non-government schools in need of short-term emergency assistance	Total of all grants under sections 32 and 33 for general education in English as a second language in non-government schools	Total of all grants under section 73 for approved education centres	Total of all grants under section 76 for projects or programs of national significance
\$ 382,000	\$ 10,575,000	\$ 1,845,000	\$ 1,860,000

SCHEDULE 9

Subsection 6 (7)

NEW PART IV OF SCHEDULE 14 TO THE PRINCIPAL ACT

PART IV—1988

Column 1	Column 2	Column 3
Name of State	Residential institutions	Handicapped children
	\$	\$
New South Wales	905,000	1,451,000
Victoria	690,000	1,107,000
Queensland	453,000	727,000
Western Australia	248,000	399,000
South Australia	219,000	352,000
Tasmania	77,000	124,000
Northern Territory	30,000	49,000
Total	2,624,000	4,209,000

SCHEDULE 10

Subsection 6 (8)

NEW PART IV OF SCHEDULE 15 TO THE PRINCIPAL ACT

PART IV—1988

Column 1	Column 2
Name of State	Amounts
	\$
New South Wales	1,537,000
Victoria	1,131,000
Queensland	668,000
Western Australia	391,000
South Australia	449,000
Tasmania	127,000
Northern Territory	57,000
Total	4,361,000

NOTE

1. No. 126, 1984, as amended. For previous amendments, see Nos. 60 and 163, 1985; Nos. 66 and 155, 1986; and Nos. 37 and 122, 1987.