

# **States Grants (Schools) Act 1973**

**No. 214 of 1973**

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# States Grants (Schools) Act 1973

No. 214 of 1973

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## AN ACT

To grant Financial Assistance to the States in relation to Schools.

[Assented to 19 December 1973]

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

### PART I—PRELIMINARY

- |                      |   |
|----------------------|---|
| Short title.         | 1. This Act may be cited as the <i>States Grants (Schools) Act</i> 1973.  |
| Commence-<br>ment.   | 2. This Act shall come into operation on the day on which it receives the Royal Assent.   |
| Interpre-<br>tation. | 3. (1) In this Act, unless the contrary intention appears—<br>“Board for Catholic Systemic Schools”, in relation to a State, means the Board for Catholic Systemic Schools established for the State in accordance with the regulations;<br>“building” includes part of a building; |

“ building project ” includes—

- (a) the purchase of land, with or without buildings;
- (b) the planning, erection, alteration or extension of a building or other facilities;
- (c) the development or preparation of land for building or other purposes;
- (d) the installation of water, electricity or other services; and
- (e) the provision of furniture or equipment for a building or other facility;

“ Catholic systemic disadvantaged school ” means a Catholic systemic school in a State which the Board for Catholic Systemic Schools for the State informs the Minister, in writing, is a disadvantaged school, and which is declared by the Minister, in writing, to be a disadvantaged school for the purposes of this Act;

“ Catholic systemic school ” means a non-government primary school that is a Roman Catholic parish school, and includes any other school that is a non-government primary school, or non-government secondary school, administered by a Roman Catholic education authority for a State, or for a region consisting of part of a State, as part of a school system that includes such a parish school;

“ certificate by an authorized person ”, in relation to moneys paid to a State under a provision of this Act, means a certificate signed by a person who is, or by a person included in a class of persons the members of which are, authorized by the State Education Minister for the State to sign certificates in respect of the application by the State of moneys paid to the State under that provision, being a person or class of persons approved by the Minister for the time being administering this Act;

“ certificate by a qualified accountant ” means a certificate signed by—

- (a) a person who is registered as a company auditor or a public accountant under a law of a State or Territory;
- (b) a member of the Institute of Chartered Accountants in Australia or of the Australian Society of Accountants; or
- (c) a person approved by the Minister as a qualified accountant for the purposes of this Act;

“ disadvantaged school ” means a school—

- (a) the students at which, or a substantial proportion of the students at which, are members of a community which, for social, economic, ethnic, geographic, cultural, lingual or any similar reason, has a lower than average ability to take advantage of educational facilities; and

- (b) which requires special facilities (whether in the form of buildings, equipment, teaching staff or in some other form) for the purpose of enabling the school to provide adequate educational opportunities for students at the school;

“government disadvantaged school” means a government primary school, or a government secondary school, in a State which the State Education Minister for the State informs the Minister, in writing, is a disadvantaged school, and which is declared by the Minister, in writing, to be a disadvantaged school for the purposes of this Act;

“government primary school” means—

- (a) a government school at which primary education is provided; or
- (b) in the case of a government school at which primary education and also education of another kind are provided—that school in so far as it provides primary education;

“government school” means a school in a State that is conducted by or on behalf of the Government of the State;

“government secondary school” means—

- (a) a government school at which secondary education is provided; or
- (b) in the case of a government school at which both secondary education and education of another kind are provided—that school in so far as it provides secondary education;

“government special school” means a special school that is a government school;

“handicapped child” means a child or young person who, by reason of his being physically or mentally handicapped, or for any other reason, requires special educational treatment;

“library” means a library building and the library material and equipment for use in the building;

“library building” means a building for the accommodation and use of books and other library material;

“library material” includes books, periodicals, newspapers, films, sound recordings, musical scores, maps, plans, pictures, photographs and prints;

“library project” means a project in connexion with a library, including such a project that is in whole or in part a building project;

“non-government primary school” means—

- (a) a non-government school in a State at which primary education is provided; or

- (b) in the case of a non-government school at which primary education and also education of any other kind are provided—that school in so far as it provides primary education;

“ non-government school ” means a school in a State that is not conducted by or on behalf of the Government of the State, but does not include a school conducted for the profit, direct or indirect, of an individual or individuals;

“ non-government secondary school ” means—

- (a) a non-government school in a State at which secondary education is provided; or
- (b) in the case of a non-government school at which secondary education and also education of any other kind are provided—that school in so far as it provides secondary education;

“ non-government special school ” means a special school that is a non-government school;

“ non-systemic school ” means a non-government primary school, or a non-government secondary school, that is not a Catholic systemic school;

“ period to which this Act applies ” means the period commencing on 1 January 1974 and ending on 31 December 1975;

“ primary education ”—

- (a) in relation to government schools in a State—means full-time education provided for students in primary classes at government schools in the State; and
- (b) in relation to a non-government school in a State—means full-time education provided for students at the school, being education of a kind similar to that provided for students in primary classes at government schools in the State;

“ recurrent expenditure ” means expenditure other than capital expenditure;

“ school ” includes any institution similar to a school, but does not include a school or institution at which education is provided only at a pre-school or kindergarten standard;

“ school authority ” means—

- (a) in relation to a non-systemic school—the person or body conducting the school; and
- (b) in relation to a Catholic systemic school—such person or body as the Minister, in accordance with the advice of the Board for Catholic Systemic Schools for the State in which the school is situated, declares in writing to be the school authority for that school for the purposes of this Act;

“schools census date”, in relation to a State, means the date in the relevant year as at which the Commonwealth Statistician compiles statistics in relation to the numbers of pupils in schools in that State;

“Schools Commission” means the Schools Commission established by the *Schools Commission Act* 1973;

“secondary education”—

(a) in relation to government schools in a State—means full-time education provided for students in secondary classes at government schools in the State; and

(b) in relation to a non-government school in a State—means full-time education provided for students at the school, being education of a kind similar to that provided for students in secondary classes at government schools in the State;

“special education teacher training course” means a course for the training of teachers of handicapped children;

“special school” means a school in a State (whether or not it is a school or institution at which primary education or secondary education is provided)—

(a) at which special education is provided for handicapped children, or if education other than such special education is provided at that school, that school in so far as it provides such special education; and

(b) which is approved by the Minister, in writing, in accordance with the advice of the State Education Minister for the State, for the purposes of Part VI;

“State Education Minister” means the Minister of State for a State who is responsible, or principally responsible, for the administration of matters relating to primary education and secondary education in the State;

“year” means a period of twelve months commencing on 1 January;

“year to which this Act applies” means the year commencing on 1 January 1974 or the year commencing on 1 January 1975.

(2) A reference in this Act to primary education or secondary education shall, in relation to students who, by reason of physical or mental handicap or for any other reason, require special educational treatment, be read as including a reference to such education of those students as is specified by the Minister, in writing, to be education of a kind that should be treated as primary education or secondary education, as the case may be, for the purposes of this Act.



**PART II—GENERAL BUILDING GRANTS AND SUPPLEMENTARY  
SCIENCE LABORATORY BUILDING GRANTS**

4. (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of building projects in connexion with government primary schools and government secondary schools in the State.

Grants for building projects in connexion with government schools.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 2 of Schedule 1 opposite to the name of the State.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that this Act has effect as if some or all of the amounts specified in column 2 of Schedule 1 opposite to the names of States were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (5)), there shall be deemed to have been specified in that Schedule (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4) shall not provide for the variation of any amounts specified in column 2 of Schedule 1 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

5. (1) The financial assistance to a State constituted by a payment of moneys under section 4 is granted on the conditions that—

Conditions—grants for building projects in connexion with government schools.

(a) the moneys will, without undue delay, be applied by the State for the purpose of meeting expenditure in respect of building projects in connexion with government primary schools, and building projects in connexion with government secondary schools, in the State, other than any building project the sole or principal object of which is—

- (i) to increase the maximum number of students that may be provided for at government primary schools, or the maximum number of students that may be provided for at government secondary schools, in the State; or
- (ii) to provide housing or other residential accommodation for teaching or other staff in any capital city;

- (b) the State will cause to be furnished to the Minister, within such period as the Minister requires, a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied by the State for the purpose referred to in paragraph (a), being a certificate that specifies the building projects for the purposes of which the moneys have been applied and, in respect of each such project, the amount of the moneys so applied; and
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

(2) Moneys paid to a State under section 4 may be applied for the purpose of meeting expenditure in respect of a building project in connexion with a government primary school or a government secondary school notwithstanding that the school is a government disadvantaged school or a government special school, but moneys paid to a State under that section shall not, except with the approval of the Minister, be applied for the purpose of meeting expenditure in respect of a library project or in respect of so much of a building project as relates to the provision of a library.

Approval of building projects in connexion with non-government schools.

6. (1) For the purposes of section 7, the Minister may, subject to sub-section (2) of this section, approve building projects in connexion with non-government primary schools, and building projects in connexion with non-government secondary schools, in a State, and may revoke or vary any such approval.

(2) A building project shall not be approved under this section if the sole or principal object of the project is—

- (a) to provide housing or other residential accommodation for teaching or other staff, or for students; or
- (b) to provide facilities for use wholly or principally for or in relation to religious worship.

(3) A building project in connexion with a non-government primary school or a non-government secondary school may be approved under this section notwithstanding that the school is a Catholic systemic disadvantaged school or a non-government special school.

(4) The Minister may, either generally or otherwise as provided by the instrument of delegation, by writing under his hand, delegate to the Schools Commission his power to approve building projects under this section.

(5) A power so delegated may be exercised by the Schools Commission in accordance with the instrument of delegation.

(6) A delegation under this section is revocable at will and does not prevent the exercise of a power by the Minister.

7. (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of building projects approved under section 6.

Grants for building projects in connexion with non-government schools.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 3 of Schedule 1 opposite to the name of the State.

(4) In authorizing payments to a State under this section in respect of building projects in connexion with non-government schools in the State, the Minister shall ensure that 50 per centum or more of the aggregate of the payments are in respect of projects that do not include a project the sole or principal object of which is to increase the maximum number of students that may be provided for at a non-government school in that State.

(5) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (6), provision may be made by the regulations that this Act has effect as if some or all of the amounts specified in column 3 of Schedule 1 opposite to the names of States were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section, sub-section (6) and sub-section 9 (4)), there shall be deemed to have been specified in that Schedule (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(6) Regulations made for the purposes of sub-section (5) shall not provide for the variation of any amounts specified in column 3 of Schedule 1 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

8. The financial assistance to a State constituted by a payment of moneys under section 7 in respect of a building project in connexion with a non-government school is granted on the conditions that—

Conditions—  
grants for building projects in connexion with non-government schools.

(a) subject to paragraph (b), the State will, without undue delay, pay to the school authority of the school, an amount equal to the moneys so paid to the State, and, in making the payment, will

describe the amount paid to the authority as a payment in respect of that building project made out of moneys provided to the State by Australia under section 7;

- (b) the payment to the school authority will not be made unless the school authority agrees with the State, before or at the time of accepting the payment, to be bound by the following conditions:—
  - (i) the school authority will ensure that an amount equal to the payment is applied, within a period of 6 months after the date of the payment, for the purpose of meeting expenditure in respect of that building project;
  - (ii) the school authority will cause to be furnished to the Minister, within a period of 9 months after the date of completion of that building project, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the payment has been applied for the purpose referred to in sub-paragraph (i);
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b), or the school authority does not agree to be bound by the conditions referred to in sub-paragraphs (b) (i) and (ii)—the State will repay to Australia an amount equal to the payment; and
- (d) the State will repay to Australia amounts equal to so much of any amounts paid by the State to the school authority in accordance with this section as are repaid to the State by, or recovered by the State from, the school authority.

Supplementary grants for science laboratory buildings at non-government secondary schools.

9. (1) In this section and in section 10, “ approved laboratory building ” means a building, or proposed building, for use as a laboratory in the teaching of science in a non-government secondary school, being a school in respect of which an approval for the application of moneys by a State has been given under the *States Grants (Science Laboratories) Act 1971* before the commencement of this Act, or is given after the commencement of this Act but before 30 June 1975.

(2) Subject to this section, the Minister may, during the period to which this Act applies, authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of approved laboratory buildings.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 4 of Schedule 1 opposite to the name of the State.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that this Act has effect as if the amounts specified in columns 3 and 4 of Schedule 1 opposite to the name of a State were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section, sub-section (5) and sub-section 7 (5)), there shall be deemed to have been specified in that Schedule (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4) shall not provide for the variation of the amounts specified in columns 3 and 4 of Schedule 1 opposite to the name of a State in such a way that, after the variation, the aggregate of the amounts specified in those columns opposite to the name of that State is greater or less than the total specified in column 5 of that Schedule opposite to the name of that State.

**10.** The financial assistance to a State constituted by a payment of moneys under section 9 in respect of an approved laboratory building at a non-government secondary school in the State is granted on the conditions that—

Conditions—  
supple-  
mentary  
grants for  
science  
laboratory  
buildings  
at non-  
government  
secondary  
schools.

- (a) the State will, without undue delay, pay to the school authority of the school an amount equal to the moneys so paid to the State, and, in making the payment, will describe the amount paid to the authority as a payment in respect of that approved laboratory building made out of moneys provided to the State by Australia under section 9; and
- (b) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraph (a)—the State will repay to Australia an amount equal to the payment.

### PART III—GRANTS FOR RECURRENT EXPENDITURE

**11.** (1) There is payable to a State under this sub-section, in respect of each year to which this Act applies, by way of financial assistance to the State in respect of recurrent expenditure in connexion with government primary schools in the State—

Grants for  
recurrent  
expenditure  
in connexion  
with govern-  
ment schools.

- (a) in the case of the year commencing on 1 January 1974—the amount specified in column 2 of Table 1 in Schedule 2 opposite to the name of the State; and
- (b) in the case of the year commencing on 1 January 1975—the amount specified in column 4 of Table 1 in Schedule 2 opposite to the name of the State.

(2) There is payable to a State under this sub-section, in respect of each year to which this Act applies, by way of financial assistance to the State in respect of recurrent expenditure in connexion with government secondary schools in the State—

- (a) in the case of the year commencing on 1 January 1974—the amount specified in column 3 of Table 1 in Schedule 2 opposite to the name of the State; and
- (b) in the case of the year commencing on 1 January 1975—the amount specified in column 5 of Table 1 in Schedule 2 opposite to the name of the State.

Conditions—  
grants for  
recurrent  
expenditure  
in connexion  
with  
government  
schools.

12. (1) The financial assistance to a State constituted by a payment of moneys under sub-section 11 (1), or under sub-section 11 (2), is granted on the conditions that—

- (a) the moneys will, as soon as is practicable, be applied by the State, according to the respective needs of the schools concerned for assistance in respect of recurrent expenditure—
  - (i) in the case of a payment under sub-section 11 (1)—for the purpose of meeting recurrent expenditure in connexion with government primary schools in the State; and
  - (ii) in the case of a payment under sub-section 11 (2)—for the purpose of meeting recurrent expenditure in connexion with government secondary schools in the State;
- (b) the State will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the payment is made, a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied by the State for the purpose referred to in sub-paragraph (a) (i), or the purpose referred to in sub-paragraph (a) (ii), as the case requires;
- (c) the State will cause to be furnished to the Schools Commission, within a period of 6 months after the end of the year in which the payment is made, such statistical and other information in respect of government primary schools, and in respect of government secondary schools, in the State as is required by the regulations to be so furnished; and
- (d) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a), (b) and (c)—the State will repay to Australia an amount equal to the payment.

(2) Moneys paid to a State under section 11 may be applied by the State for the purpose of meeting recurrent expenditure in connexion with a government primary school or a government secondary school notwithstanding that the school is a government disadvantaged school or a government special school.

(3) If a State adopts, in relation to recurrent expenditure in connexion with government schools in the State, an annual accounting period that

does not end on 31 December, the reference in paragraph (1) (b) to the year in which the payment is made shall, in the application of that paragraph to that State, be read as a reference to the accounting period in which the payment is made.

**13.** There is payable to a State under this section, in respect of each year to which this Act applies, by way of financial assistance to the State in respect of recurrent expenditure of Catholic systemic schools in the State—

Grants for recurrent expenditure of Catholic systemic schools.

- (a) in the case of the year commencing on 1 January 1974—the amount specified in column 2 of Table 2 in Schedule 2 opposite to the name of the State; and
- (b) in the case of the year commencing on 1 January 1975—the amount specified in column 3 of Table 2 in Schedule 2 opposite to the name of the State.

**14. (1)** The financial assistance to a State constituted by a payment of moneys under section 13 in respect of recurrent expenditure of Catholic systemic schools in that State is granted on the conditions that—

Conditions—grants for recurrent expenditure of Catholic systemic schools.

- (a) subject to paragraph (b), the State will, without undue delay, pay to each school authority for Catholic systemic schools in the State such proportion of the amount of the payment to the State as the Minister, in accordance with the advice of the Board for Catholic Systemic Schools for the State, determines, and, in making the payment, will describe the amount paid to the authority as a payment made out of moneys provided to the State by Australia under section 13 and specify the year in respect of which the moneys were so provided;
- (b) the payment to a school authority (in this paragraph referred to as “the relevant payment”) will not be made unless the authority agrees with the State, before or at the time of accepting the payment, to be bound by the following conditions:—
  - (i) the authority will ensure that an amount equal to the relevant payment is applied, in the year in which the relevant payment is made or not later than 3 months after the end of that year—
    - (A) if the relevant payment is in respect of recurrent expenditure of one school only—for the purpose of meeting recurrent expenditure of that school; or
    - (B) if the relevant payment is in respect of recurrent expenditure of two or more schools for which the authority is the school authority—for the purpose of meeting recurrent expenditure of those schools, and of the authority in respect of those schools, in such proportions as the Minister, in accordance with the advice of the Board for Catholic Systemic Schools for the State, determines;
  - (ii) the authority will cause to be furnished to the Minister, within a period of 6 months after the end of the year in

which the relevant payment is made, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the relevant payment has been applied for the purpose referred to in sub-paragraph (i);

- (iii) the authority will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the relevant payment is made, in respect of the school, or each school, as the case may be, in connexion with which the authority has applied the relevant payment, a statement in writing specifying the total income derived, and the total expenditure incurred, by the school in respect of primary education, and in respect of secondary education, at that school in respect of that year and also specifying, in respect of each class of income or class of expenditure determined by the Minister, the total amount of income of that class derived, or the total amount of expenditure of that class incurred, by that school in respect of primary education, and secondary education, at that school in respect of that year;
- (iv) the authority will cause to be furnished to the Schools Commission, within a period of 6 months after the end of the year in which the relevant payment is made, such statistical and other information in respect of the school or schools for which the authority is the school authority as is required by the regulations to be so furnished;
- (c) if the State does not fulfil the conditions to be observed by the State under paragraphs (a) and (b) in relation to the whole or a part of the payment to the State—the State will repay to Australia an amount equal to the payment or that part of the payment, as the case may be;
- (d) if a school authority for a Catholic systemic school does not agree to be bound by the conditions referred to in sub-paragraphs (b) (i), (ii), (iii) and (iv)—the State will repay to Australia an amount equal to the amount that would otherwise have been payable to that authority in accordance with paragraph (a); and
- (e) the State will repay to Australia amounts equal to so much of any amounts paid by the State to a school authority for a Catholic systemic school in accordance with this section as are repaid to the State by, or recovered by the State from, that authority.

(2) Moneys paid to a State under section 13 may be applied for the purpose of meeting recurrent expenditure of a Catholic systemic school notwithstanding that the school is a Catholic systemic disadvantaged school.

(3) If the Minister is satisfied that a school authority for a Catholic systemic school has failed to fulfil a condition applicable to a payment made by a State to the authority in accordance with this section out of



moneys provided to the State by Australia under section 13, the Minister may direct that an amount equal to the whole or a part of the payments made by the State to the authority in accordance with this section out of those moneys shall be deducted from any further amounts that may become payable to the State under section 13.

(4) If a school authority for a Catholic systemic school adopts an annual accounting period that does not end on 31 December, a reference in sub-paragraph (1) (b) (iii) to the year in which a payment is made shall, in the application of that sub-paragraph in relation to that authority, be read as a reference to the accounting period in which that payment is made.

(5) Where a school authority for a Catholic systemic school causes to be furnished to the Minister a statement referred to in sub-paragraph (1) (b) (iii), the Minister may cause any of the information contained in the statement to be made public in such manner as he thinks appropriate.

(6) The Board for Catholic Systemic Schools for a State shall, in furnishing advice to the Minister for the purposes of paragraph (1) (a), or sub-paragraph (1) (b) (i), have regard to the respective needs of the schools concerned for assistance in respect of recurrent expenditure.

**15. (1)** For the purpose of ascertaining the financial assistance payable to a State under this section in respect of a year to which this Act applies, the Minister shall, not later than 1 month after the date of commencement of this Act, prepare a list of the non-systemic schools in the State, being a list in which the schools are divided into eight categories, to be known respectively as Categories A, B, C, D, E, F, G and H.

Grants for recurrent expenditure of non-systemic schools.

(2) The Minister may from time to time vary the list for the purpose of adding to it schools that come into existence, or the existence of which first becomes known to the Minister, after the list has been prepared, or for the purpose of correcting clerical errors in the list or making alterations of a formal kind.

(3) In dividing non-systemic schools into categories for the purposes of this section—

- (a) the Minister shall allot to Category H those schools that, in his opinion, have the greatest need for assistance in respect of recurrent expenditure;
- (b) the Minister shall allot to Category A those schools that, in his opinion, have the least need for assistance in respect of recurrent expenditure; and
- (c) the Minister shall allot other schools to Categories G, F, E, D, C, and B in descending order of the respective needs that, in his opinion, those schools have for assistance in respect of recurrent expenditure.

(4) The Minister shall cause a copy of the list prepared for the purposes of sub-section (1), and a copy of any variation of that list, to be published in the *Gazette*.

(5) There is payable to a State under this section, in respect of each year to which this Act applies, by way of financial assistance to the State in respect of recurrent expenditure of each non-systemic school in the State—

(a) in the case of the year commencing on 1 January 1974—

- (i) if the school is a non-government primary school—an amount equal to the product of the amount specified in column 2 of the table set out at the foot of this sub-section opposite to the category specified in column 1 in which the school is included and the number of pupils receiving primary education at the school on the date in that year that is the schools census date for that State for that year; and
- (ii) if the school is a non-government secondary school—an amount equal to the product of the amount specified in column 3 of the table set out at the foot of this sub-section opposite to the category specified in column 1 in which the school is included and the number of pupils receiving secondary education at the school on the date in that year that is the schools census date for that State for that year; and

(b) in the case of the year commencing on 1 January 1975—

- (i) if the school is a non-government primary school—an amount equal to the product of the amount specified in column 4 of the table set out at the foot of this sub-section opposite to the category specified in column 1 in which the school is included and the number of pupils receiving primary education at the school on the date in that year that is the schools census date for that State for that year; and
- (ii) if the school is a non-government secondary school—an amount equal to the product of the amount specified in column 5 of the table set out at the foot of this sub-section opposite to the category specified in column 1 in which the school is included and the number of pupils receiving secondary education at the school on the date in that year that is the schools census date for that State for that year.

Column 1				Column 2	Column 3	Column 4	Column 5
Category of school				Primary schools—Year commencing 1 January 1974	Secondary schools—Year commencing 1 January 1974	Primary schools—Year commencing 1 January 1975	Secondary schools—Year commencing 1 January 1975
Category A	..	..	..	\$ 55	\$ 85	\$ 50	\$ 78
Category B	..	..	..	60	90	60	90
Category C	..	..	..	65	95	65	95
Category D	..	..	..	70	102	75	115
Category E	..	..	..	75	110	90	140
Category F	..	..	..	80	120	105	165
Category G	..	..	..	85	130	120	190
Category H	..	..	..	90	140	135	215

**16.** (1) The financial assistance to a State constituted by a payment of moneys under section 15 in respect of recurrent expenditure of a non-systemic school is granted on the conditions that—

Conditions –  
grants for  
recurrent  
expenditure  
of non-  
systemic  
schools.

- (a) subject to paragraph (b), the State will, without undue delay, pay to the school authority of the school an amount equal to the moneys so paid to the State, and, in making the payment, will describe the amount paid to the authority as a payment in respect of that school made out of moneys provided to the State by Australia under section 15 and specify the year in respect of which the moneys were so provided;
- (b) the payment to the school authority (in this paragraph referred to as “the relevant payment”) will not be made unless the school authority agrees with the State, before or at the time of accepting the payment, to be bound by the following conditions:—
  - (i) the school authority will ensure that an amount equal to the relevant payment is applied, in the year in which the relevant payment is made or within a period of 3 months after the end of that year, for the purpose of meeting recurrent expenditure of the school;
  - (ii) the school authority will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the relevant payment is made, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the relevant payment has been applied for the purpose referred to in sub-paragraph (i);
  - (iii) the school authority will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the relevant payment is made, a statement in writing specifying the total income derived, and the total expenditure incurred, by the school authority in respect of primary education, or secondary education, as the case may be, at that school in respect of that year and also specifying, in respect of each class of income or class of expenditure determined by the Minister, the total amount of income of that class derived, or the total amount of expenditure of that class incurred, by the school authority in respect of primary education, or secondary education, as the case may be, at that school in respect of that year;
  - (iv) the school authority will cause to be furnished to the Schools Commission, within a period of 6 months after the end of the year in which the relevant payment is made, such statistical and other information in respect of the school as is required by the regulations to be so furnished;
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b),

or the school authority does not agree to be bound by the conditions referred to in sub-paragraphs (b) (i), (ii), (iii) and (iv)—the State will repay to Australia an amount equal to the payment; and

- (d) the State will repay to Australia amounts equal to so much of any amounts paid by the State to the school authority in accordance with this section as are repaid to the State by, or recovered by the State from, the school authority.

(2) If the Minister is satisfied that a school authority has failed to fulfil a condition applicable to a payment made by a State to the school authority in accordance with this section out of moneys provided to the State by Australia under section 15, the Minister may direct that an amount equal to the whole or a part of the payments made by the State to the school authority in accordance with this section out of those moneys shall be deducted from further amounts that may become payable to the State under section 15 in respect of that school.

(3) If a school authority adopts an annual accounting period that does not end on 31 December, a reference in sub-paragraph (1) (b) (iii) to the year in which a payment is made shall, in the application of that sub-paragraph in relation to that school authority, be read as a reference to the accounting period in which that payment is made.

(4) Where a school authority causes to be furnished to the Minister a statement referred to in sub-paragraph (1) (b) (iii), the Minister may cause any of the information contained in the statement to be made public in such manner as he thinks fit.

#### PART IV—LIBRARY GRANTS

Grants for library projects in connexion with government schools.

17. (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of library projects in connexion with government primary schools and government secondary schools in the State.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate—

- (a) in the case of payments in respect of library projects in connexion with government primary schools—the amount specified in column 2 of Table 1 in Schedule 3 opposite to the name of the State; and
- (b) in the case of payments in respect of library projects in connexion with government secondary schools—the amount specified in column 3 of Table 1 in Schedule 3 opposite to the name of the State.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that—

- (a) this Act has effect as if some or all of the amounts specified in column 2 of Table 1 in Schedule 3 opposite to the names of States were varied in accordance with the regulations;
- (b) this Act has effect as if some or all of the amounts specified in column 3 of Table 1 in Schedule 3 opposite to the names of States were varied in accordance with the regulations; or
- (c) this Act has effect as if the amounts specified in columns 2 and 3 of Table 1 in Schedule 3 opposite to the name of a State were varied in accordance with the regulations,

and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (5)) there shall be deemed to have been specified in that Table (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4)—

- (a) in the case of regulations having effect for the purposes of paragraph (4) (a)—shall not provide for the variation of any amounts specified in column 2 of Table 1 in Schedule 3 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column;
- (b) in the case of regulations having effect for the purposes of paragraph (4) (b)—shall not provide for the variation of any amounts specified in column 3 of Table 1 in Schedule 3 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column; and
- (c) in the case of regulations having effect for the purposes of paragraph (4) (c)—shall not provide for the variation of the amounts specified in columns 2 and 3 of Table 1 in Schedule 3 opposite to the name of a State in such a way that, after the variation, the aggregate of the amounts specified in those columns opposite to the name of that State is greater or less than the total specified in column 4 of that Table opposite to the name of that State.

18. (1) The financial assistance to a State constituted by a payment of moneys under section 17 is granted on the conditions that—

- (a) the moneys will, without undue delay, be applied by the State—
  - (i) where the payment is in respect of library projects in connexion with government primary schools in the State— for the purpose of meeting expenditure in respect of library projects in connexion with those schools; and

Conditions—  
grants for  
library  
projects in  
connexion  
with  
government  
schools.

- (ii) where the payment is in respect of library projects in connexion with government secondary schools in the State—for the purpose of meeting expenditure in respect of library projects in connexion with those schools;
  - (b) the State will cause to be furnished to the Minister, within such period as the Minister requires, a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied by the State for the purpose referred to in sub-paragraph (a) (i), or the purpose referred to in sub-paragraph (a) (ii), as the case requires, being a certificate that specifies the library projects for the purposes of which the moneys have been applied and, in respect of each such project, the amount of the moneys so applied; and
  - (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.
- (2) Moneys paid to a State under section 17 may be applied for the purpose of meeting expenditure in respect of a library project in connexion with a government primary school or a government secondary school notwithstanding that the school is a government disadvantaged school or a government special school.

Approval of library projects in connexion with non-government schools.

19. (1) For the purposes of section 20, the Minister may approve library projects in connexion with non-government primary schools, and library projects in connexion with non-government secondary schools, in a State, and may revoke or vary any such approval.

(2) A library project in connexion with a non-government primary school or a non-government secondary school may be approved under this section notwithstanding that the school is a Catholic systemic disadvantaged school or a non-government special school.

(3) The Minister may, either generally or otherwise as provided by the instrument of delegation, by writing under his hand, delegate to the Schools Commission his power to approve library projects under this section.

(4) A power so delegated may be exercised by the Schools Commission in accordance with the instrument of delegation.

(5) A delegation under this section is revocable at will and does not prevent the exercise of a power by the Minister.

Grants for library projects in connexion with non-government schools.

20. (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of library projects approved under section 19.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate—

- (a) in the case of payments in respect of library projects in connexion with non-government primary schools—the amount specified in column 2 of Table 2 in Schedule 3 opposite to the name of the State; and
- (b) in the case of payments in respect of library projects in connexion with non-government secondary schools—the amount specified in column 3 of Table 2 in Schedule 3 opposite to the name of the State.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that—

- (a) this Act has effect as if some or all of the amounts specified in column 2 of Table 2 in Schedule 3 opposite to the names of States were varied in accordance with the regulations;
- (b) this Act has effect as if some or all of the amounts specified in column 3 of Table 2 in Schedule 3 opposite to the names of States were varied in accordance with the regulations;
- (c) this Act has effect as if the amounts specified in columns 2 and 3 of Table 2 in Schedule 3 opposite to the name of a State were varied in accordance with the regulations; or
- (d) this Act has effect as if the amounts specified in columns 3 and 4 of Table 2 in Schedule 3 opposite to the name of a State were varied in accordance with the regulations,

and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (5) ), there shall be deemed to have been specified in that Table (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4)—

- (a) in the case of regulations having effect for the purposes of paragraph (4) (a)—shall not provide for the variation of any amounts specified in column 2 of Table 2 in Schedule 3 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column;
- (b) in the case of regulations having effect for the purposes of paragraph (4) (b)—shall not provide for the variation of any amounts specified in column 3 of Table 2 in Schedule 3 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column;

- (c) in the case of regulations having effect for the purposes of paragraph (4) (c)—shall not provide for the variation of the amounts specified in columns 2 and 3 of Table 2 in Schedule 3 opposite to the name of a State in such a way that, after the variation, the aggregate of the amounts specified in those columns opposite to the name of that State is greater or less than the total specified in column 5 of that Table opposite to the name of that State; and
- (d) in the case of regulations having effect for the purposes of paragraph (4) (d)—shall not provide for the variation of the amounts specified in columns 3 and 4 of Table 2 in Schedule 3 opposite to the name of a State in such a way that, after the variation, the aggregate of the amounts specified in those columns opposite to the name of that State is greater or less than the total specified in column 6 of that Table opposite to the name of that State.

Conditions—  
grants for  
library  
projects in  
connexion  
with non-  
government  
schools.

**21.** The financial assistance to a State constituted by a payment of moneys under section 20 in respect of a library project in connexion with a non-government school is granted on the conditions that—

- (a) subject to paragraph (b), the State will, without undue delay, pay to the school authority of the school an amount equal to the moneys so paid to the State, and, in making the payment, will describe the amount paid to the authority as a payment in respect of that library project made out of moneys provided to the State by Australia under section 20;
- (b) the payment to the school authority will not be made unless the school authority agrees with the State, before or at the time of accepting the payment, to be bound by the following conditions:—
  - (i) the school authority will ensure that an amount equal to the payment is applied, within a period of 6 months after the date of the payment, for the purpose of meeting expenditure in respect of that library project;
  - (ii) the school authority will cause to be furnished to the Minister, within a period of 9 months after the date of completion of that library project, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the payment has been applied for the purpose referred to in sub-paragraph (i);
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b), or the school authority does not agree to be bound by the conditions referred to in sub-paragraphs (b) (i) and (ii)—the State will repay to Australia an amount equal to the payment; and
- (d) the State will repay to Australia amounts equal to so much of any amounts paid by the State to the school authority in accordance with this section as are repaid to the State by, or recovered by the State from, the school authority.



**22.** (1) In this section and in section 23, “approved library building” means a building, or proposed building, for use as a library building in a non-government secondary school, being a school—

Supplementary grants for library buildings at non-government secondary schools.

- (a) in respect of which an approval for the application of moneys by a State has been given under the *States Grants (Secondary Schools Libraries) Act 1968* before the commencement of this Act; or
- (b) in respect of which an approval for the application of moneys by a State has been given under the *States Grants (Secondary Schools Libraries) Act 1971* before the commencement of this Act or is given after the commencement of this Act but before 31 December 1974.

(2) Subject to this section, the Minister may, during the period to which this Act applies, authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of approved library buildings.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 4 of Table 2 in Schedule 3 opposite to the name of the State.

(4) This section has effect subject to regulations made for the purposes of sub-section 20 (4).

**23.** The financial assistance to a State constituted by a payment of moneys under section 22 in respect of an approved library building at a non-government secondary school in the State is granted on the conditions that—

Conditions—supplementary grants for library buildings at non-government secondary schools.

- (a) the State will, without undue delay, pay to the school authority of the school an amount equal to the moneys so paid to the State, and, in making the payment, will describe the amount paid to the authority as a payment in respect of the approved library building made out of moneys provided to the State by Australia under section 22; and
- (b) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraph (a)—the State will repay to Australia an amount equal to the payment.

**24.** (1) Subject to this section, the Minister may authorize the payment to a State under this sub-section, by way of financial assistance to the State, of such amounts as he determines in respect of recurrent expenditure in connexion with librarian training courses for teachers at government schools, and teachers at non-government schools, in the State.

Grants for librarian training courses and replacement teachers.

(2) Subject to this section, the Minister may authorize the payment to a State under this sub-section, by way of financial assistance to the State, of such amounts as he determines in respect of recurrent expenditure in connexion with the replacing of teachers at government schools, and teachers at non-government schools, in the State who are attending librarian training courses.

(3) The Minister shall not authorize payments to a State under sub-section (1) that exceed, in the aggregate, the amount specified in column 2 of Table 3 in Schedule 3 opposite to the name of the State.

(4) The Minister shall not authorize payments to a State under sub-section (2) that exceed, in the aggregate, the amount specified in column 3 of Table 3 in Schedule 3 opposite to the name of the State.

(5) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (6), provision may be made by the regulations that—

- (a) this Act has effect as if some or all of the amounts specified in column 2 of Table 3 in Schedule 3 opposite to the names of States were varied in accordance with the regulations; or
- (b) this Act has effect as if some or all of the amounts specified in column 3 of Table 3 in Schedule 3 opposite to the names of States were varied in accordance with the regulations,

and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (6)), there shall be deemed to have been specified in that Table (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(6) Regulations made for the purposes of sub-section (5)—

- (a) in the case of regulations having effect for the purposes of paragraph (5) (a)—shall not provide for the variation of any amounts specified in column 2 of Table 3 in Schedule 3 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column; and
- (b) in the case of regulations having effect for the purposes of paragraph (5) (b)—shall not provide for the variation of any amounts specified in column 3 of Table 3 in Schedule 3 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

Conditions—  
grants for  
librarian  
training  
courses and  
replacement  
teachers.

25. The financial assistance to a State constituted by a payment of moneys under sub-section 24 (1), or under sub-section 24 (2), is granted on the conditions that—

- (a) the moneys will, as soon as is practicable, be applied by the State—
  - (i) in the case of a payment under sub-section 24 (1)—for the purpose of meeting recurrent expenditure in connexion with librarian training courses for teachers at government schools, and teachers at non-government schools, in the State, being courses that are conducted in whole or in part during the period to which this Act applies; and

- (ii) in the case of a payment under sub-section 24 (2)—for the purpose of meeting recurrent expenditure in connexion with the replacing of teachers at government schools, and teachers at non-government schools, in the State during any period when those teachers are attending librarian training courses in respect of which the Minister has authorized the payment of moneys under sub-section 24 (1);
- (b) the State will cause to be furnished to the Minister, within such period as the Minister requires—
  - (i) in the case of a payment under sub-section 24 (1)—a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied for the purpose referred to in sub-paragraph (a) (i), being a certificate that specifies the librarian training courses in respect of which the moneys have been applied and, in respect of each such course, the amount of the moneys so applied; and
  - (ii) in the case of a payment under sub-section 24 (2)—a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied for the purpose referred to in sub-paragraph (a) (ii), being a certificate that specifies the amount of the moneys so applied in respect of teachers replaced at government schools and the amount of moneys so applied in respect of teachers replaced at non-government schools; and
- (c) if the State does not fulfil the conditions to be observed by a State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

#### PART V—GRANTS FOR DISADVANTAGED SCHOOLS

26. (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of building projects in connexion with government disadvantaged schools in the State.

Grants for building projects in connexion with government disadvantaged schools.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 2 of Schedule 4.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that this Act has effect as if some or all of the amounts

specified in column 2 of Schedule 4 opposite to the names of States were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (5)), there shall be deemed to have been specified in that Schedule (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4) shall not provide for the variation of any amounts specified in column 2 of Schedule 4 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

Conditions—  
grants for  
building  
projects in  
connexion  
with  
government  
disadvant-  
aged schools.

27. The financial assistance to a State constituted by a payment of moneys under section 26 is granted on the conditions that—

- (a) the moneys will, without undue delay, be applied by the State for the purpose of meeting expenditure in respect of building projects in connexion with government disadvantaged schools in the State, other than any building project the sole or principal object of which is to increase the maximum number of students that may be provided for at government disadvantaged schools in the State;
- (b) the State will cause to be furnished to the Minister, within such period as the Minister requires, a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied by the State for the purpose referred to in paragraph (a), being a certificate that specifies the building projects for the purposes of which the moneys have been applied and, in respect of each such project, the amount of the moneys so applied; and
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

Approval of  
building  
projects in  
connexion  
with  
Catholic  
systemic dis-  
advantaged  
schools.

28. (1) For the purposes of section 29, the Minister may, subject to sub-section (2) of this section, approve building projects in connexion with Catholic systemic disadvantaged schools in a State, and may revoke or vary any such approval.

(2) A building project shall not be approved under this section if the sole or principal object of the project is—

- (a) to provide housing or other residential accommodation for teaching or other staff, or for students; or
- (b) to provide facilities for use wholly or principally for or in relation to religious worship.

(3) The Minister may, either generally or otherwise as provided by the instrument of delegation, by writing under his hand, delegate to the Schools Commission his power to approve building projects under this section.

(4) A power so delegated may be exercised by the Schools Commission in accordance with the instrument of delegation.

(5) A delegation under this section is revocable at will and does not prevent the exercise of a power by the Minister.

29. (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of building projects approved under section 28.

Grants for building projects in connexion with Catholic systemic disadvantaged schools.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 3 of Schedule 4 opposite to the name of the State.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that this Act has effect as if some or all of the amounts specified in column 3 of Schedule 4 opposite to the names of States were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section(5)), there shall be deemed to have been specified in that Schedule (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4) shall not provide for the variation of any amounts specified in column 3 of Schedule 4 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

30. The financial assistance to a State constituted by a payment of moneys under section 29 in respect of a building project in connexion with a Catholic systemic disadvantaged school is granted on the conditions that—

Conditions—grants for building projects in connexion with Catholic systemic disadvantaged schools.

- (a) subject to paragraph (b), the State will, without undue delay, pay to the school authority of the school an amount equal to the moneys so paid to the State, and, in making the payment, will

describe the amount paid to the authority as a payment in respect of that building project made out of moneys provided to the State by Australia under section 29;

- (b) the payment to the school authority will not be made unless the school authority agrees with the State, before or at the time of accepting that payment, to be bound by the following conditions:—
  - (i) the school authority will ensure that an amount equal to the payment is applied, within a period of 6 months after the date of the payment, for the purpose of meeting expenditure in respect of that building project;
  - (ii) the school authority will cause to be furnished to the Minister, within a period of 9 months after the date of completion of that building project, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the payment has been applied for the purpose referred to in sub-paragraph (i);
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b), or the school authority does not agree to be bound by the conditions referred to in sub-paragraphs (b) (i) and (ii)—the State will repay to Australia an amount equal to the payment; and
- (d) the State will repay to Australia amounts equal to so much of any amounts paid by the State to the school authority in accordance with this section as are repaid to the State by, or recovered by the State from, the school authority.

Grants for recurrent expenditure in connexion with government disadvantaged schools.

31. There is payable to a State under this section, in respect of the period to which this Act applies, by way of financial assistance to the State in respect of recurrent expenditure in connexion with government disadvantaged schools in the State, the amount specified in column 4 of Schedule 4 opposite to the name of the State.

Conditions—grants for recurrent expenditure in connexion with government disadvantaged schools.

32. (1) The financial assistance to a State constituted by a payment of moneys under section 31 is granted on the conditions that—

- (a) the moneys will, as soon as is practicable, be applied by the State for the purpose of meeting recurrent expenditure in connexion with government disadvantaged schools in the State;
- (b) the State will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the payment is made, a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied by the State for the purpose referred to in paragraph (a); and

- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

(2) If a State adopts, in relation to recurrent expenditure in connexion with government disadvantaged schools in the State, an annual accounting period that does not end on 31 December, the reference in paragraph (1) (b) to the year in which the payment is made shall, in the application of that paragraph to that State, be read as a reference to the accounting period in which the payment is made.

33. There is payable to a State under this section, in respect of the period to which this Act applies, by way of financial assistance to the State in respect of recurrent expenditure of Catholic systemic disadvantaged schools in the State, the amount specified in column 5 of Schedule 4 opposite to the name of the State.

Grants for recurrent expenditure of Catholic systemic disadvantaged schools.

34. (1) The financial assistance to a State constituted by a payment of moneys under section 33 in respect of recurrent expenditure of Catholic systemic disadvantaged schools in the State is granted on the conditions that—

Conditions—grants for recurrent expenditure of Catholic systemic disadvantaged schools.

- (a) subject to paragraph (b), the State will, without undue delay, pay to each school authority for Catholic systemic schools in the State that are Catholic systemic disadvantaged schools such proportion of the amount of the payment to the State as the Minister, in accordance with the advice of the Board for Catholic Systemic Schools for the State, determines, and, in making the payment, will describe the amount paid to the authority as a payment made out of moneys provided to the State by Australia under section 33 and specify the year in respect of which the moneys were so provided;
- (b) the payment to a school authority (in this paragraph referred to as “the relevant payment”) will not be made unless the authority agrees with the State, before or at the time of accepting the payment, to be bound by the following conditions:—
  - (i) the authority will ensure that an amount equal to the relevant payment is applied, in the year in which the relevant payment is made or not later than 3 months after the end of that year—
    - (A) if the relevant payment is in respect of recurrent expenditure of one school only—for the purpose of meeting recurrent expenditure of that school; or
    - (B) if the relevant payment is in respect of recurrent expenditure of two or more schools for which the authority is the school authority—for the purpose

of meeting recurrent expenditure of those schools, and of the authority in respect of those schools, in such proportions as the Minister, in accordance with the advice of the Board for Catholic Systemic Schools for the State, determines;

- (ii) the authority will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the relevant payment is made, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the relevant payment has been applied for the purpose referred to in subparagraph (i);
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment;
- (d) if a school authority for a Catholic systemic disadvantaged school does not agree to be bound by the conditions referred to in subparagraphs (b) (i) and (ii)—the State will repay to Australia an amount equal to the amount that would otherwise have been payable to that school authority in accordance with paragraph (a); and
- (e) the State will repay to Australia amounts equal to so much of any amounts paid by the State to a school authority for a Catholic systemic disadvantaged school in accordance with this section as are repaid to the State by, or recovered by the State from, that authority.

(2) If the Minister is satisfied that a school authority for a Catholic systemic disadvantaged school has failed to fulfil a condition applicable to a payment made by a State to the authority in accordance with this section out of moneys provided to the State by Australia under section 33, the Minister may direct that an amount equal to the whole or a part of the payments made by the State to the authority in accordance with this section out of those moneys shall be deducted from further amounts that may become payable to the State under section 33.

#### PART VI—GRANTS IN RESPECT OF SPECIAL SCHOOLS FOR HANDICAPPED CHILDREN

Grants for building projects in connexion with government special schools.

**35.** (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of building projects in connexion with government special schools in the State.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.



(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 2 of Table 1 in Schedule 5 opposite to the name of the State.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that this Act has effect as if some or all of the amounts specified in column 2 of Table 1 in Schedule 5 opposite to the names of States were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (5)), there shall be deemed to have been specified in that Table (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4) shall not provide for the variation of any amounts specified in column 2 of Table 1 in Schedule 5 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

36. The financial assistance to a State constituted by a payment of moneys under section 35 is granted on the conditions that—

- (a) the moneys will, without undue delay, be applied by the State for the purpose of meeting expenditure in respect of building projects in connexion with government special schools in the State;
- (b) the State will cause to be furnished to the Minister, within such period as the Minister requires, a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied by the State for the purpose referred to in paragraph (a), being a certificate that specifies the building projects for the purposes of which the moneys have been applied and, in respect of each such project, the amount of the moneys so applied; and
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

Conditions—  
grants for  
building  
projects in  
connexion  
with  
government  
special  
schools.

37. (1) There is payable to a State under this section, in respect of each year to which this Act applies, by way of financial assistance to the State in respect of recurrent expenditure in connexion with government special schools in the State—

- (a) in the case of the year commencing on 1 January 1974—the amount specified in column 2 of Table 2 in Schedule 5 opposite to the name of the State; and
- (b) in the case of the year commencing on 1 January 1975—the amount specified in column 3 of Table 2 in Schedule 5 opposite to the name of the State.

Grants for  
recurrent  
expenditure  
in connexion  
with  
government  
special  
schools.

(2) This section has effect subject to regulations made for the purposes of sub-section 39 (2).

Conditions—  
grants for  
recurrent  
expenditure  
in connexion  
with  
government  
special  
schools.

38. (1) The financial assistance to a State constituted by a payment of moneys under section 37 is granted on the conditions that—

- (a) the moneys will, as soon as is practicable, be applied by the State for the purpose of meeting recurrent expenditure in connexion with government special schools in the State;
- (b) the State will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the payment is made, a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied by the State for the purpose referred to in paragraph (a); and
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

(2) If a State adopts, in relation to recurrent expenditure in connexion with government special schools in the State, an annual accounting period that does not end on 31 December, the reference in paragraph (1) (b) to the year in which the payment is made shall, in the application of that paragraph to that State, be read as a reference to the accounting period in which the payment is made.

Grants for  
recurrent  
expenditure  
of non-  
government  
special  
schools.

39. (1) There is payable to a State under this section, in respect of each year to which this Act applies, by way of financial assistance to the State in respect of recurrent expenditure of non-government special schools in the State—

- (a) in the case of the year commencing on 1 January 1974—the amount specified in column 4 of Table 2 in Schedule 5 opposite to the name of the State; and
- (b) in the case of the year commencing on 1 January 1975—the amount specified in column 5 of Table 2 in Schedule 5 opposite to the name of the State.

(2) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (3), provision may be made by the regulations that this Act has effect as if some or all of the amounts specified in columns 2, 3, 4 and 5 of Table 2 in Schedule 5 opposite to the name of a State were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (3)), there shall be deemed to have been specified in that Table (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(3) Regulations made for the purposes of sub-section (2) shall not provide for the variation of any of the amounts specified in columns 2, 3, 4 and 5 of Table 2 in Schedule 5 opposite to the name of a State in such a way that, after the variation, the aggregate of the amounts specified in those columns opposite to the name of that State is greater or less than the total specified in column 6 of that Table opposite to the name of that State.

40. (1) The financial assistance to a State constituted by a payment of moneys under section 39 is granted on the conditions that—

Conditions—  
grants for  
recurrent  
expenditure  
of non-  
government  
special  
schools.

- (a) subject to paragraph (b), the State will, without undue delay, pay to the school authority of each non-government special school in the State such proportion of the amount of the payment to the State as the Minister, in accordance with the advice of the State Education Minister for the State, determines, and, in making the payment, will describe the amount paid to the authority as a payment made out of moneys provided to the State by Australia under section 39, and specify the year in respect of which the moneys were so provided;
- (b) the payment to a school authority (in this paragraph referred to as “the relevant payment”) will not be made unless the school authority agrees with the State, before or at the time of accepting the payment, to be bound by the following conditions:—
  - (i) the authority will ensure that an amount equal to the relevant payment is applied, in the year in which the relevant payment is made or not later than 3 months after the end of that year, for the purpose of meeting recurrent expenditure of the school for which the authority is the school authority;
  - (ii) the authority will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the relevant payment is made, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the relevant payment has been applied for the purpose referred to in sub-paragraph (i);
  - (iii) the authority will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the relevant payment is made, a statement in writing specifying the total income derived, and the total expenditure incurred, by the school authority in respect of the school;
  - (iv) the authority will cause to be furnished to the Schools Commission, within a period of 6 months after the end of the year in which the relevant payment is made, such statistical and other information in respect of the school for which the authority is the school authority as is required by the regulations to be so furnished;

- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b) in relation to the whole or a part of the payment—the State will repay to Australia an amount equal to the payment or that part of the payment, as the case may be;
- (d) if a school authority for a non-government special school does not agree to be bound by the conditions referred to in sub-paragraphs (b) (i), (ii), (iii) and (iv)—the State will repay to Australia an amount equal to the amount that would otherwise have been payable to that authority in accordance with paragraph (a); and
- (e) the State will repay to Australia amounts equal to so much of any amounts paid by the State to a school authority in accordance with this section as are repaid to the State by, or recovered by the State from, that authority.

(2) If the Minister is satisfied that a school authority has failed to fulfil a condition applicable to a payment made by a State to the school authority in accordance with this section out of moneys provided to the State by Australia under section 39, the Minister may direct that an amount equal to the whole or a part of the payments made by the State to the school authority in accordance with this section out of those moneys shall be deducted from further amounts that may become payable to the State under section 39.

(3) If a school authority adopts, in relation to a school, an annual accounting period that does not end on 31 December, a reference in sub-paragraph (1) (b) (iii) to the year in which a payment is made shall, in the application of that sub-paragraph in relation to that school authority, be read as a reference to the accounting period in which that payment is made.

(4) Where a school authority causes to be furnished to the Minister a statement referred to in sub-paragraph (1) (b) (iii), the Minister may cause any of the information contained in the statement to be made public in such manner as he thinks fit.

Grants for  
special  
education  
teacher  
training  
courses and  
replacement  
teachers.

**41.** (1) Subject to this section, the Minister may authorize the payment to a State under this sub-section, by way of financial assistance to the State, of such amounts as he determines in respect of recurrent expenditure in connexion with special education teacher training courses for teachers at government special schools, and teachers at non-government special schools, in the State.

(2) Subject to this section, the Minister may authorize the payment to a State under this sub-section, by way of financial assistance to the State, of such amounts as he determines in respect of recurrent expenditure in connexion with the replacing of teachers at government special schools, and teachers at non-government special schools, in the State who are attending special education teacher training courses.

(3) The Minister shall not authorize payments to a State under sub-section (1) that exceed, in the aggregate, the amount specified in column 2 of Table 3 in Schedule 5 opposite to the name of the State.

(4) The Minister shall not authorize payments to a State under sub-section (2) that exceed, in the aggregate, the amount specified in column 3 of Table 3 in Schedule 5 opposite to the name of the State.

(5) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (6), provision may be made by the regulations that—

- (a) this Act has effect as if some or all of the amounts specified in column 2 of Table 3 in Schedule 5 opposite to the names of States were varied in accordance with the regulations; or
- (b) this Act has effect as if some or all of the amounts specified in column 3 of Table 3 in Schedule 5 opposite to the names of States were varied in accordance with the regulations,

and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (6)), there shall be deemed to have been specified in that Table (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(6) Regulations made for the purposes of sub-section (5)—

- (a) in the case of regulations having effect for the purposes of paragraph (5) (a)—shall not provide for the variation of any amounts specified in column 2 of Table 3 in Schedule 5 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column;
- (b) in the case of regulations having effect for the purposes of paragraph (5) (b)—shall not provide for the variation of any amounts specified in column 3 of Table 3 in Schedule 5 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

42. The financial assistance to a State constituted by a payment of moneys under sub-section 41 (1), or under sub-section 41 (2), is granted on the conditions that—

- (a) the moneys will, as soon as is practicable, be applied by the State—

- (i) in the case of a payment under sub-section 41 (1)—for the purpose of meeting recurrent expenditure in connexion with special education teacher training courses for teachers at government schools, and teachers at non-government schools in the State, being courses that are conducted in whole or in part during the period to which this Act applies; or

Conditions—  
grants for  
special  
education  
teacher  
training  
courses and  
replacement  
teachers.

- (ii) in the case of a payment under sub-section 41 (2)—for the purpose of meeting recurrent expenditure in connexion with the replacing of teachers at government schools, and teachers at non-government schools, in the State during any period when those teachers are attending special education teacher training courses in respect of which the Minister has authorized the payment of moneys under sub-section 41 (1);
- (b) the State will cause to be furnished to the Minister, within such period as the Minister requires—
  - (i) in the case of a payment under sub-section 41 (1)—a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied for the purpose referred to in sub-paragraph (a) (i), being a certificate that specifies the special education teacher training courses in respect of which the moneys have been applied and, in respect of each such course, the amount of the moneys so applied; and
  - (ii) in the case of a payment under sub-section 41 (2)—a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied for the purpose referred to in sub-paragraph (a) (ii), being a certificate that specifies the amount of the moneys so applied in respect of teachers replaced at government schools, and the amount of the moneys so applied in respect of teachers replaced at non-government schools; and
- (c) if the State does not fulfil the conditions to be observed by a State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

#### PART VII—GRANTS IN RESPECT OF TEACHER DEVELOPMENT

##### Definitions.

##### 43. In this Part—

- “ approved teachers’ education centre ” means a teachers’ education centre which is a body corporate and is approved by the Minister in writing for the purposes of this Part;
- “ in-service teacher training ” means teacher training of persons serving as teachers at schools, whether government schools or non-government schools;
- “ teachers’ education centre ” means an association the members of which, or a majority of the members of which, are teachers,

whether teachers at government schools or at non-government schools, or both, being an association—

- (a) the sole or principal object of which is to improve the professional competence of teachers by methods that include the provision by the association of in-service teacher training; and
- (b) that is not conducted for the profit, direct or indirect, of an individual or individuals.

**44.** (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of recurrent expenditure in connexion with in-service teacher training of teachers at government schools, and teachers at non-government schools, in the State.

Grants for recurrent expenditure in connexion with in-service teacher training.

(2) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 2 of Schedule 6 opposite to the name of the State.

(3) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (4), provision may be made by the regulations that this Act has effect as if some or all of the amounts specified in column 2 of Schedule 6 opposite to the names of States were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (4)), there shall be deemed to have been specified in that Schedule (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(4) Regulations made for the purposes of sub-section (3) shall not provide for the variation of any amounts specified in column 2 of Schedule 6 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

**45.** The financial assistance to a State constituted by a payment of moneys under section 44 is granted on the conditions that—

- (a) the moneys will, as soon as is practicable, be applied by the State for the purpose of meeting recurrent expenditure in connexion with in-service teacher training of teachers at government schools, and teachers at non-government schools, in the State, being training provided at courses that are conducted, in whole or in part, during the period to which this Act applies by the State or by any other body, authority or person;
- (b) the State will cause to be furnished to the Minister, within such period as the Minister requires, a certificate by an authorized person to the effect that the person has satisfied himself that the

Conditions—grants for recurrent expenditure in connexion with in-service teacher training.

moneys have been applied for the purpose referred to in paragraph (a), being a certificate that specifies the courses in respect of which the moneys have been applied and, in respect of each such course, the amount of the moneys so applied; and

- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

Approval of building projects in connexion with teachers' education centres.

46. (1) For the purposes of section 47, the Minister may approve building projects in connexion with approved teachers' education centres in a State, and may revoke or vary any such approval.

(2) The Minister may, either generally or otherwise as provided by the instrument of delegation, by writing under his hand, delegate to the Schools Commission his power to approve building projects under this section.

(3) A power so delegated may be exercised by the Schools Commission in accordance with the instrument of delegation.

(4) A delegation under this section is revocable at will and does not prevent the exercise of a power by the Minister.

Grants for building projects in connexion with teachers' education centres.

47. (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of building projects approved under section 46.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 3 of Schedule 6 opposite to the name of the State.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that this Act has effect as if some or all of the amounts specified in column 3 of Schedule 6 opposite to the names of States were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (5)), there shall be deemed to have been specified in that Schedule (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4) shall not provide for the variation of any amounts specified in column 3 of Schedule 6 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.



**48.** The financial assistance to a State constituted by a payment of moneys under section 47 to the State in respect of a building project in connexion with an approved teachers' education centre is granted on the conditions that—

Conditions—  
grants for  
building  
projects in  
connexion  
with teachers'  
education  
centres.

- (a) subject to paragraph (b), the State will, without undue delay, pay to the teachers' education centre an amount equal to the moneys so paid to the State, and, in making the payment, will describe the amount paid to the centre as a payment in respect of that building project out of moneys provided to the State by Australia under section 47;
- (b) the payment to the centre will not be made unless the centre agrees with the State, before or at the time of accepting the payment, to be bound by the following conditions:—
  - (i) the centre will ensure that an amount equal to the payment is applied, within a period of 6 months after the date of the payment, for the purpose of meeting expenditure in respect of that building project;
  - (ii) the centre will cause to be furnished to the Minister, within a period of 9 months after the date of completion of that building project, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the payment has been applied for the purpose referred to in sub-paragraph (i);
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b), or the centre does not agree to be bound by the conditions referred to in sub-paragraphs (b) (i) and (ii)—the State will repay to Australia an amount equal to the payment; and
- (d) the State will repay to Australia amounts equal to so much of any amounts paid by the State to the centre in accordance with this section as are repaid to the State by, or recovered by the State from, the centre.

**49. (1)** Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of recurrent expenditure of approved teachers' education centres in the State.

Grants for  
recurrent  
expenditure  
of teachers'  
education  
centres.

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State unless he is satisfied that the amount will be applied for the purpose of meeting recurrent expenditure incurred by teachers' education centres in the State during that period.

(3) The Minister shall not authorize payments to a State under this section that exceed, in the aggregate, the amount specified in column 4 of Schedule 6 opposite to the name of the State.

(4) At any time, and from time to time, during the period to which this Act applies, but subject to sub-section (5), provision may be made by the regulations that this Act has effect as if some or all of the amounts specified in column 4 of Schedule 6 opposite to the names of States were varied in accordance with the regulations, and, where provision is so made with respect to the variation of any such amounts, then, for the purposes of this Act (including this sub-section and sub-section (5)), there shall be deemed to have been specified in that Schedule (as from the commencement of this Act), in substitution for those amounts, the amounts as so varied.

(5) Regulations made for the purposes of sub-section (4) shall not provide for the variation of any amounts specified in column 4 of Schedule 6 opposite to the names of States in such a way that, after the variation, the aggregate of the amounts specified in that column is greater or less than the total specified at the foot of that column.

**Conditions—  
grants for  
recurrent  
expenditure  
of teachers'  
education  
centres.**

**50.** (1) The financial assistance to a State constituted by a payment of moneys under section 49 in respect of recurrent expenditure of approved teachers' education centres in the State is granted on the conditions that—

- (a) subject to paragraph (b), the State will, without undue delay, pay to each approved teachers' education centre in the State such proportion of the amount of the payment to the State as the Minister determines, and, in making the payment, will describe the amount paid to the centre as a payment made out of moneys provided to the State by Australia under section 49;
- (b) a payment to an approved teachers' education centre (in this paragraph referred to as "the relevant payment") will not be made unless the centre agrees with the State, before or at the time of accepting the payment, to be bound by the following conditions:—
  - (i) the centre will ensure that an amount equal to the relevant payment is applied, in the year in which the relevant payment is made or within a period of 3 months after the end of that year, for the purpose of meeting recurrent expenditure of that centre;
  - (ii) the centre will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the relevant payment is made, a certificate by a qualified accountant to the effect that he has satisfied himself that an amount equal to the relevant payment has been applied for the purpose referred to in sub-paragraph (i);
  - (iii) the centre will cause to be furnished to the Minister, within a period of 6 months after the end of the year in which the relevant payment is made, such financial statements relating to the centre as are required by the regulations to be so furnished;

- (iv) the centre will cause to be furnished to the Schools Commission, within a period of 6 months after the end of the year in which the relevant payment is made, such statistical and other information in respect of the centre as is required by the regulations to be so furnished;
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment;
- (d) if an approved teachers' education centre in the State does not agree to be bound by the conditions referred to in sub-paragraphs (b) (i), (ii), (iii) and (iv)—the State will repay to Australia an amount equal to the amount that would otherwise have been payable to that centre in accordance with paragraph (a); and
- (e) the State will repay to Australia amounts equal to so much of any amounts paid by the State to an approved teachers' education centre as are repaid to the State by, or recovered by the State from, that centre.

(2) If an approved teacher's education centre adopts an annual accounting period that does not end on 31 December, the reference in sub-paragraph (1) (b) (iii) to the year in which a payment is made shall, in the application of that sub-paragraph in relation to that centre, be read as a reference to the accounting period in which the payment is made.

(3) Where an approved teachers' education centre causes to be furnished to the Minister a statement referred to in sub-paragraph (1) (b) (iii), the Minister may cause any of the information contained in the statement to be made public in such manner as he thinks fit.

#### PART VIII—GRANTS FOR SPECIAL PROJECTS

**51.** In this Part, "approved special project" means a special experimental project approved under section 52. **Definition.**

**52.** (1) Where a special experimental project in connexion with any matter relating to primary or secondary education in Australia is being, or is to be, carried out by or in a State with the sole or principal object of promoting change or innovation in, or in any matter relating to, primary or secondary education (including a project that is being, or is to be, carried out in conjunction with or as part of, a project that is being, or is to be, carried out by or in another State or States), the Schools Commission may, in writing, approve that project for the purposes of this Act. **Approval of special projects.**

(2) The Schools Commission shall exercise its powers under sub-section (1) in accordance with the directions of the Minister.

**53.** (1) Subject to this section, the Minister may authorize the payment to a State under this section, by way of financial assistance to the State, of such amounts as he determines in respect of approved special projects. **Grants for approved special projects.**

(2) The Minister shall not, after the period to which this Act applies, authorize the payment of an amount to a State under this section unless he is satisfied that the amount will be applied for the purpose of meeting commitments undertaken during that period.

(3) The Minister shall not authorize payments to the States under this section that exceed, in the aggregate, \$6,000,000.

Conditions—  
grants for  
approved  
special  
projects.

**54.** The financial assistance to a State constituted by a payment of moneys under section 53 in respect of an approved special project is granted on the conditions that—

- (a) the moneys will, without undue delay, be applied by the State for the purpose of carrying out that special project, or of enabling it to be carried out;
- (b) the State will cause to be furnished to the Minister, within such period as the Minister requires, a certificate by an authorized person to the effect that the person has satisfied himself that the moneys have been applied for the purpose referred to in paragraph (a); and
- (c) if the State does not fulfil the conditions to be observed by the State in relation to the payment under paragraphs (a) and (b)—the State will repay to Australia an amount equal to the payment.

#### PART IX—MISCELLANEOUS

Time and  
manner of  
payments.

**55.** Payments to a State under this Act shall be made at such times, and in such instalments, as the Minister determines.

Repayment  
of amounts  
by a State  
to Australia.

**56.** An amount repayable by a State to Australia in accordance with any condition provided for in this Act is a debt due by the State to Australia.

Advances.

**57.** The Minister and the Treasurer may make arrangements for the making by the Treasurer to a State, by way of financial assistance to the State, of advances on account of an amount that is expected to become payable under this Act to the State, and the conditions that would be applicable to a payment of the amount are applicable to any such advance.

Appropriation.

**58.** Amounts payable to a State under this Act (including an advance under section 57) are payable out of the Consolidated Revenue Fund, which is appropriated accordingly.

Annual  
statement  
by Minister.

**59.** (1) The Minister shall, as soon as practicable after the end of each year to which this Act applies, and as soon as practicable after the end of the year commencing on 1 January 1976, cause a statement to be laid before each House of the Parliament specifying, in respect of financial assistance granted to each State in that year—

(a) in the case of financial assistance under section 4—

- (i) the total of the amounts paid to the State under that section in that year; and

- (ii) the building projects for the purposes of which the amounts so paid have been applied and, in respect of each such building project, the amount so applied;
- (b) in the case of financial assistance under section 7—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the building projects for the purposes of which the amounts so paid have been applied and, in respect of each such building project, the amount so applied;
- (c) in the case of financial assistance under section 9—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the laboratory buildings for the purposes of which the amounts so paid have been applied and, in respect of each such building, the amount so applied;
- (d) in the case of financial assistance under section 11—
  - (i) the total of the amounts paid to the State under sub-section 11 (1) in that year; and
  - (ii) the total of the amounts paid to the State under sub-section 11 (2) in that year;
- (e) in the case of financial assistance under section 13—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the amount of the payments made out of those amounts by the State to each school authority for Catholic systemic schools in the State;
- (f) in the case of financial assistance under section 15—
  - (i) the total of the amounts paid to the State under that section in that year in respect of non-government primary schools, and the amount paid to each such school; and
  - (ii) the total of the amounts paid to the State under that section in that year in respect of non-government secondary schools, and the amount paid to each such school;
- (g) in the case of financial assistance under section 17—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the library projects for the purposes of which the amounts so paid have been applied and, in respect of each such project, the amount so applied;
- (h) in the case of financial assistance under section 20—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the library projects for the purposes of which the amounts so paid have been applied and, in respect of each such project, the amount so applied;

- (i) in the case of financial assistance under section 22—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the library buildings for the purposes of which the amounts so paid have been applied and, in respect of each such building, the amount so applied;
- (j) in the case of financial assistance under sub-section 24 (1)—
  - (i) the total of the amounts paid to the State under that sub-section in that year; and
  - (ii) the librarian training courses in respect of which the amounts so paid have been applied and, in respect of each such course, the amount so applied;
- (k) in the case of financial assistance under sub-section 24 (2)—
  - (i) the total of the amounts paid to the State under that sub-section in that year; and
  - (ii) the aggregate of the payments made out of those amounts by the State in respect of teachers replaced at government schools and the aggregate of the payments made out of those amounts by the State in respect of teachers replaced at non-government schools;
- (l) in the case of financial assistance under section 26—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the building projects for the purposes of which the amounts so paid have been applied and, in respect of each such building project, the amount so applied;
- (m) in the case of financial assistance under section 29—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the building projects for the purposes of which the amounts so paid have been applied and, in respect of each such building project, the amount so applied;
- (n) in the case of financial assistance under section 31—the total of the amounts paid to the State under that section in that year;
- (o) in the case of financial assistance under section 33—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the amount of the payments made out of those amounts by the State to each school authority for Catholic systemic schools in the State;
- (p) in the case of financial assistance under section 35—
  - (i) the total of the amounts paid to the State under that section in that year; and

- (ii) the building projects for the purposes of which the amounts so paid have been applied and, in respect of each such building project, the amount so applied;
- (q) in the case of financial assistance under section 37—the total of the amounts paid to the State under that section in that year;
- (r) in the case of financial assistance under section 39—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the amount of the payments made out of those amounts by the State to each school authority for a non-government special school in the State;
- (s) in the case of financial assistance under sub-section 41 (1)—
  - (i) the total of the amounts paid to the State under that sub-section in that year; and
  - (ii) the special education teacher training courses in respect of which the amounts so paid have been applied and, in respect of each such course, the amount so applied;
- (t) in the case of financial assistance under sub-section 41 (2)—
  - (i) the total of the amounts paid to the State under that sub-section in that year; and
  - (ii) the aggregate of the payments made out of those amounts by the State in respect of teachers replaced at government schools and the aggregate of the payments made out of those amounts by the State in respect of teachers replaced at non-government schools;
- (u) in the case of financial assistance under section 44—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the courses in respect of which the amounts so paid have been applied and, in respect of each such course, the amount so applied;
- (v) in the case of financial assistance under section 47—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the building projects for the purposes of which the amounts so paid have been applied and, in respect of each such project, the amount so applied;
- (w) in the case of financial assistance under section 49—
  - (i) the total of the amounts paid to the State under that section in that year; and
  - (ii) the amount paid by the State out of those amounts to each approved teachers' education centre; and

(x) in the case of financial assistance under section 53—

- (i) the total of the amounts paid to the State under that section in that year; and
- (ii) the projects for the purposes of which the amounts so paid have been applied and, in respect of each such project, the amount so applied.

(2) A reference in sub-section (1) to a payment of an amount under a provision of this Act shall be read as including a reference to the payment of an advance under section 57 on account of such an amount.

**Regulations.**      **60.** The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and, in particular, making provision for and in relation to the establishing, for each State, of a Board for Catholic Systemic Schools.

#### PART X—AMENDMENTS OF STATES GRANTS (SCHOOLS) ACT 1972

**Citation.**      **61.** (1) In this Part, the *States Grants (Schools) Act 1972\** is referred to as the Principal Act.

(2) The Principal Act, as amended by this Part, may be cited as the *States Grants (Schools) Act 1972–1973*.

**Parts.**      **62.** Section 3 of the Principal Act is repealed.

**Interpretation.**      **63.** Section 4 of the Principal Act is amended by omitting from the definition of “qualified accountant” in sub-section (1) the words “of the Commonwealth”.

**Approval of building projects in connexion with non-government schools.**      **64.** Section 7 of the Principal Act is amended—

- (a) by omitting from sub-section (3) the words “an officer of the Public Service of the Commonwealth” and substituting the words “the Schools Commission”; and
- (b) by adding at the end thereof the following sub-section:—
 

“(6) In this section, “Schools Commission” means the Schools Commission established by the *Schools Commission Act 1973*.”.

**Grants to States for building projects in connexion with schools.**      **65.** Section 8 of the Principal Act is amended by omitting sub-section (6) and substituting the following sub-section:—

“(6) In authorizing payments to a State under this Part, the Minister shall ensure—

- (a) in the case of payments authorized in respect of building projects in connexion with government schools in the State—that not less

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\* Act No. 108, 1972.



than 70 per centum of the aggregate of those payments are made in respect of the provision of facilities at those schools that are in addition to, and not in replacement of, existing facilities at those schools;

- (b) in the case of payments authorized before 1 July 1974 in respect of building projects in connexion with non-government schools in the State—that not less than 70 per centum of the aggregate of those payments are made in respect of the provision of facilities at those schools that are in addition to, and not in replacement of, existing facilities at those schools; and
- (c) in the case of payments authorized on or after 1 July 1974 in respect of building projects in connexion with non-government schools in the State—that 50 per centum or more of the aggregate of those payments are made in respect of projects that do not include a project the sole or principal object of which is to increase the maximum number of students that may be provided for at a non-government school in that State.

66. Section 12 of the Principal Act is amended by omitting the words “, and to each of the next four succeeding years ”.

Year to  
which  
Part III  
applies.

## SCHEDULE 1

Sections 4, 7 and 9

GENERAL BUILDING GRANTS AND SUPPLEMENTARY SCIENCE  
LABORATORY BUILDING GRANTS

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Name of State	General building grants for government schools	General building grants for non-government schools	Supplementary grants for science laboratory buildings at non-government schools	Totals of columns 3 and 4	Totals of columns 2, 3 and 4
	\$	\$	\$	\$	\$
New South Wales ..	35,900,000	4,788,000	720,000	5,508,000	41,408,000
Victoria ..	28,200,000	5,819,500	320,000	6,139,500	34,339,500
Queensland ..	13,600,000	2,630,000	350,000	2,980,000	16,580,000
South Australia ..	10,600,000	264,500	70,000	334,500	10,934,500
Western Australia ..	8,100,000	2,339,500	180,000	2,519,500	10,619,500
Tasmania ..	3,600,000	158,500	40,000	198,500	3,798,500
Totals ..	100,000,000	16,000,000	1,680,000	17,680,000	117,680,000

## SCHEDULE 2

Sections 11, 13 and 15

## GRANTS FOR RECURRENT EXPENDITURE

TABLE 1

## GOVERNMENT SCHOOLS

Column 1	Column 2	Column 3	Column 4	Column 5
Name of State	Primary schools—Year commencing 1 January 1974	Secondary schools—Year commencing 1 January 1974	Primary schools—Year commencing 1 January 1975	Secondary schools—Year commencing 1 January 1975
	\$	\$	\$	\$
New South Wales ..	10,970,000	9,740,000	23,470,000	21,370,000
Victoria ..	8,320,000	7,520,000	17,860,000	16,410,000
Queensland ..	4,690,000	3,250,000	9,960,000	7,150,000
South Australia ..	3,270,000	2,140,000	6,790,000	4,710,000
Western Australia ..	2,870,000	1,310,000	6,220,000	2,890,000
Tasmania ..	940,000	650,000	1,990,000	1,400,000
Totals ..	31,060,000	24,610,000	66,290,000	53,930,000

## SCHEDULE 2—continued

TABLE 2  
CATHOLIC SYSTEMIC SCHOOLS

Column 1							Column 2	Column 3
Name of State							Year commencing 1 January 1974	Year commencing 1 January 1975
							\$	\$
New South Wales	..	..	..	..	..	..	10,290,000	14,830,000
Victoria	..	..	..	..	..	..	8,910,000	13,120,000
Queensland	..	..	..	..	..	..	3,910,000	5,700,000
South Australia	..	..	..	..	..	..	1,150,000	1,650,000
Western Australia	..	..	..	..	..	..	1,650,000	2,430,000
Tasmania	..	..	..	..	..	..	500,000	710,000
Totals	..	..	..	..	..	..	26,410,000	38,440,000

## SCHEDULE 3

Sections 17, 20, 22 and 24

## GRANTS FOR LIBRARIES AND LIBRARIAN TRAINING

TABLE 1  
LIBRARIES IN GOVERNMENT SCHOOLS

Column 1							Column 2	Column 3	Column 4
Name of State							Primary schools	Secondary schools	Totals
							\$	\$	\$
New South Wales	..	..	..	..	..	..	5,660,000	6,300,000	11,960,000
Victoria	..	..	..	..	..	..	4,210,000	5,210,000	9,420,000
Queensland	..	..	..	..	..	..	2,430,000	2,050,000	4,480,000
South Australia	..	..	..	..	..	..	1,750,000	1,780,000	3,530,000
Western Australia	..	..	..	..	..	..	1,440,000	1,280,000	2,720,000
Tasmania	..	..	..	..	..	..	510,000	640,000	1,150,000
Totals	..	..	..	..	..	..	16,000,000	17,260,000	33,260,000

TABLE 2  
LIBRARIES IN NON-GOVERNMENT SCHOOLS, INCLUDING SUPPLEMENTARY  
GRANTS FOR LIBRARY BUILDINGS

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Name of State	Primary schools	Secondary schools	Secondary schools— Supplementary grants	Totals of columns 2 and 3	Totals of columns 3 and 4
	\$	\$	\$	\$	\$
New South Wales	.. 1,500,000	990,000	480,000	2,490,000	1,470,000
Victoria	.. 1,250,000	920,000	330,000	2,170,000	1,250,000
Queensland	.. 630,000	400,000	210,000	1,030,000	610,000
South Australia	.. 250,000	170,000	90,000	420,000	260,000
Western Australia	.. 290,000	190,000	120,000	480,000	310,000
Tasmania	.. 80,000	70,000	50,000	150,000	120,000
Totals	.. 4,000,000	2,740,000	1,280,000	6,740,000	4,020,000

## SCHEDULE 3—continued

TABLE 3  
LIBRARIAN TRAINING COURSES AND RELATED TEACHER REPLACEMENT

Column 1 Name of State							Column 2 Librarian training	Column 3 Teacher replacement
							\$	\$
New South Wales	..	..	..	..	..	..	350,000	960,000
Victoria	..	..	..	..	..	..	310,000	840,000
Queensland	..	..	..	..	..	..	140,000	380,000
South Australia	..	..	..	..	..	..	100,000	270,000
Western Australia	..	..	..	..	..	..	80,000	210,000
Tasmania	..	..	..	..	..	..	40,000	100,000
Totals	..	..	..	..	..	..	1,020,000	2,760,000

## SCHEDULE 4

Sections 26, 29, 31 and 33

## GRANTS FOR DISADVANTAGED SCHOOLS

Column 1 Name of State							Column 2 Building projects— government disadvantaged schools	Column 3 Building projects— Catholic systemic disadvantaged schools	Column 4 Recurrent expenditure— government disadvantaged schools	Column 5 Recurrent expenditure— Catholic systemic disadvantaged schools
							\$	\$	\$	\$
New South Wales	..	..	..	..	..	..	9,830,000	1,300,000	6,260,000	890,000
Victoria	..	..	..	..	..	..	9,980,000	1,730,000	6,230,000	1,070,000
Queensland	..	..	..	..	..	..	2,400,000	220,000	1,940,000	160,000
South Australia	..	..	..	..	..	..	2,530,000	300,000	1,730,000	190,000
Western Australia	..	..	..	..	..	..	1,260,000	170,000	1,000,000	110,000
Tasmania	..	..	..	..	..	..	240,000	40,000	390,000	30,000
Totals	..	..	..	..	..	..	26,240,000	3,760,000	17,550,000	2,450,000

## SCHEDULE 5

Sections 35, 37, 39 and 41

## GRANTS FOR SPECIAL SCHOOLS

TABLE 1  
BUILDING PROJECTS IN CONNEXION WITH GOVERNMENT SCHOOLS

Column 1 Name of State									Column 2 Maximum grants
									\$
New South Wales	..	..	..	..	..	..	..	..	7,150,000
Victoria	..	..	..	..	..	..	..	..	5,460,000
Queensland	..	..	..	..	..	..	..	..	3,060,000
South Australia	..	..	..	..	..	..	..	..	1,990,000
Western Australia	..	..	..	..	..	..	..	..	1,710,000
Tasmania	..	..	..	..	..	..	..	..	630,000
Total	..	..	..	..	..	..	..	..	20,000,000

## SCHEDULE 5—continued

TABLE 2

## RECURRENT EXPENDITURE OF GOVERNMENT AND NON-GOVERNMENT SCHOOLS

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Name of State	Government schools— Year commencing 1 January 1974	Government schools— Year commencing 1 January 1975	Non-government schools— Year commencing 1 January 1974	Non-government schools— Year commencing 1 January 1975	Totals
	\$	\$	\$	\$	\$
New South Wales ..	1,430,000	2,240,000	760,000	930,000	5,360,000
Victoria ..	1,090,000	1,710,000	540,000	660,000	4,000,000
Queensland ..	610,000	950,000	360,000	440,000	2,360,000
South Australia ..	400,000	620,000	40,000	60,000	1,120,000
Western Australia ..	340,000	530,000	50,000	70,000	990,000
Tasmania ..	130,000	200,000	nil	nil	330,000
Totals ..	4,000,000	6,250,000	1,750,000	2,160,000	14,160,000

TABLE 3

## SPECIAL EDUCATION TRAINING COURSES AND RELATED TEACHER REPLACEMENT

Column 1	Column 2	Column 3
Name of State	Special education training	Teacher replacement
	\$	\$
New South Wales ..	390,000	2,870,000
Victoria ..	350,000	2,520,000
Queensland ..	160,000	1,140,000
South Australia ..	110,000	810,000
Western Australia ..	80,000	620,000
Tasmania ..	40,000	290,000
Totals ..	1,130,000	8,250,000

## SCHEDULE 6

Sections 44, 47 and 49

## GRANTS IN RESPECT OF TEACHER DEVELOPMENT

Column 1	Column 2	Column 3	Column 4
Name of State	In-service Teacher Training	Buildings— Teachers' Education Centres	Recurrent expenditure— Teachers' Education Centres
	\$	\$	\$
New South Wales ..	2,660,000	560,000	180,000
Victoria ..	2,330,000	420,000	140,000
Queensland ..	1,060,000	280,000	90,000
South Australia ..	750,000	280,000	90,000
Western Australia ..	580,000	280,000	90,000
Tasmania ..	270,000	140,000	50,000
Totals ..	7,650,000	1,960,000	640,000