



States Grants (Primary and Secondary Education Assistance) Amendment Act 2002

No. 14, 2002

An Act to amend the *States Grants (Primary and Secondary Education Assistance) Act 2000*, and for related purposes

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States Grants (Primary and Secondary Education Assistance) Amendment Act 2002

No. 14, 2002

An Act to amend the *States Grants (Primary and Secondary Education Assistance) Act 2000*, and for related purposes

[Assented to 4 April 2002]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *States Grants (Primary and Secondary Education Assistance) Amendment Act 2002*.

2 Commencement

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

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—States Grants (Primary and Secondary Education Assistance) Act 2000

Part 1—Amendments

1 Section 75

Repeal the section, substitute:

75 Grants to provide establishment assistance

Non-systemic school

- (1) The Minister may make a determination authorising payment of financial assistance to a State to provide establishment assistance for a non-systemic school in the State for one or 2 program years if the circumstance in subsection (3) or (4) applies to the school.

Note: The amount must not exceed the maximum amount worked out under subsection (5) or (6).

School system

- (2) The Minister may make a determination authorising payment of financial assistance to a State to provide establishment assistance for an approved school system in the State for one or 2 program years in relation to a school included in the system if the circumstance in subsection (3) or (4) applies to the school.

Note: The amount must not exceed the maximum amount worked out under subsection (5) or (6).

Subsection (3) circumstance

- (3) One circumstance is that the Minister varies the list of non-government schools in relation to the school because the school is covered by paragraph (c) of the definition of ***new school proposal***.

Subsection (4) circumstance

- (4) The other circumstance is that the Minister varied the list (within the meaning of the former Act) with effect from a day in 1999 or 2000 in relation to the school because:
- (a) the school was a non-systemic school; and
 - (b) the school was covered by paragraph (c) of the definition of ***new school proposal*** in section 36 of that Act; and
 - (c) the application for that proposal was made after 11 May 1999.

Maximum amount if subsection (3) circumstance applies

- (5) The amount under subsection (1) or (2) for a program year in relation to a school to which the circumstance in subsection (3) applies must not exceed the amount worked out using the formula:

$$\text{Establishment amount for the program year} \times \left(\begin{array}{cc} \text{Number of primary} & \text{Number of secondary} \\ \text{students for the school} & \text{students for the school} \\ \text{for the program year} & \text{for the program year} \end{array} \right)$$

where:

establishment amount for the program year is:

- (a) if the program year is the year in which the Minister varies the list of non-government schools in relation to the school—\$500; and
- (b) if the program year is the year after the year referred to in paragraph (a)—\$250.

Maximum amount if subsection (4) circumstance applies

- (6) The amount under subsection (1) or (2) for a program year in relation to a school to which the circumstance in subsection (4) applies must not exceed the amount worked out using the formula:

$$\text{Establishment amount for the program year} \times \left(\begin{array}{cc} \text{Number of primary} & \text{Number of secondary} \\ \text{students for the school} & \text{students for the school} \\ \text{for the program year} & \text{for the program year} \end{array} \right)$$

where:

establishment amount for the program year is:

- (a) for the 2001 program year—\$500; and

(b) for the 2002 program year—\$250.

75A Review of grants to provide establishment assistance

- (1) The Minister must cause a review of establishment grants to be conducted by the Department of Education, Science and Training.
- (2) The review is to include an assessment of the extent to which payments made in accordance with this Act have been successful in meeting the recurrent establishment costs of new schools, with particular reference to the:
 - (a) eligibility; and
 - (b) accountability and transparency; and
 - (c) administration of the payment of establishment grants.
- (3) In conducting the review required by this section, the Department must establish and consult with an external reference group representative of school authorities and organisations.
- (4) A report of the review conducted in accordance with this section must be made publicly available before the expiration of the 2003 calendar year.

2 Paragraph 105(1)(b)

Repeal the paragraph.

3 Subsection 105(2)

Omit “, (b)”.

4 Schedule 7

Repeal the Schedule.

Part 2—Transitional provisions

5 Definitions

In this Part:

commencement means the commencement of this Act.

new Act means the *States Grants (Primary and Secondary Education Assistance) Act 2000* after it is amended by this Act.

old Act means the *States Grants (Primary and Secondary Education Assistance) Act 2000* before it was amended by this Act.

6 2001 program year

- (1) This item applies if, before commencement, the Minister determined an amount (the **first amount**) in relation to a school for the 2001 program year under section 75 of the old Act.
- (2) After commencement, the Minister may determine an additional amount in relation to the school for the 2001 program year under section 75 of the new Act.
- (3) However, the additional amount must not exceed the amount that remains after subtracting the first amount from the maximum amount under subsection 75(5) or (6) of the new Act in relation to the school for the 2001 program year.

7 2002 program year

- (1) This item applies if, before commencement, the Minister determined an amount (the **first amount**) in relation to a school for the 2002 program year under section 75 of the old Act.
- (2) After commencement, the Minister may determine an additional amount in relation to the school for the 2002 program year under section 75 of the new Act.
- (3) However, the additional amount must not exceed the amount that remains after subtracting the first amount from the maximum amount under subsection 75(5) or (6) of the new Act in relation to the school for the 2002 program year.

(22/02)