EXPLANATORY STATEMENT

Guidelines issued under section 238-10 of the Higher Education Support Act 2003

Amendment No 3 to the Other Grants Guidelines (Education) 2008 (DEEWR)

Issued by the authority of the Minister for Education

Subject: Higher Education Support Act 2003
Other Grants Guidelines (Education) 2008 (DEEWR)

Authority

Section 238-10 of the Higher Education Support Act 2003 (the Act) provides that the Minister may, by legislative instrument, make guidelines providing for matters required or permitted by the Act or necessary or convenient to be provided in order to carry out or give effect to the Act. In particular subsection 238-10(1) specifies the Minister may make Other Grants Guidelines to give effect to matters set out in Part 2-3 of the Act.

Section 41-15 of the Act provides that the Other Grants Guidelines may specify one or more programs under which grants for particular purposes specified in the table in subsection 41-10(1) are to be paid.

Purpose and operation

This instrument amends the Higher Education Support Act 2003 – Other Grants Guidelines (Education) 2008 (DEEWR) (‘the Guidelines’) dated 11 November 2008 (see F2008L04362) which was registered on the Federal Register of Legislative Instruments on 26 November 2008 and which commenced on 27 November 2008.

Item 1 amends the current Chapter 6 of the Guidelines to remove an incorrect reference concerning the Total program funds for the purpose of item 8A of the table in subsection 41-10(1) of the Act. This amendment is necessary to enable payment of additional funding to the University of Tasmania. The correction is necessary to correct an error made by the University of Tasmania in its data submitted for calculation of its funding entitlement under the Practical Component of Teacher Education program (IPCTE). The error in the data submitted by the University of Tasmania resulted in a reduced payment for 2009.

Consultation

Consultation was not undertaken and was not considered necessary in this case as the amendment confers a benefit on the University of Tasmania by facilitating correction of an unintended error in the funding entitlement of the eligible recipient, University of Tasmania; and will not alter the substance of the requirements under the Guidelines.

Commencement

The amendment to the Guidelines will take affect the day after it is registered on the Federal Register of Legislative Instruments.