

**Commonwealth of Australia**

***Higher Education Support Act 2003***

**COMMONWEALTH SCHOLARSHIPS GUIDELINES (EDUCATION) 2010**

I, JULIA GILLARD, Minister for Education, pursuant to section 238-10 of the *Higher Education Support Act 2003* ('the Act') make the attached amendment to the Commonwealth Scholarships Guidelines (Education) 2010 (DEEWR) dated 14 March 2010 (see F2010L00696), which were registered on the Federal Register of Legislative Instruments on 17 March 2010 and commenced on 18 March 2010, and which provide for matters under Part 2-4 of the Act.

Dated: 16<sup>th</sup> day of June 2010

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JULIA GILLARD  
Minister for Education

Commonwealth of Australia

*Higher Education Support Act 2003*

**COMMONWEALTH SCHOLARSHIPS GUIDELINES (EDUCATION) 2010**

**Amendment No. 1**

**1 CITATION**

This legislative instrument may be cited as Amendment No. 1 to the Commonwealth Scholarships Guidelines (Education) 2010.

**2 AUTHORITY**

This legislative instrument is made under section 238-10 of the *Higher Education Support Act 2003* for the purposes of Part 2-4 of the Act.

**3 DATE OF EFFECT**

This legislative instrument takes effect on the day after it is registered on the Federal Register of Legislative Instruments.

**4 AMENDMENT**

This legislative instrument amends the Commonwealth Scholarships Guidelines (Education) 2010 dated 14 March 2010 (see F2010L00696), which were registered on the Federal Register of Legislative Instruments on 17 March 2010 and commenced on 18 March 2010.

## PURPOSE

The purpose of this legislative instrument is to amend the Commonwealth Scholarships Guidelines (Education) 2010 (DEEWR) to insert additional guidance to higher education providers on the ongoing eligibility requirements that a student must maintain in order to continue to receive a CAS-Ordinary, CAS-Associate Degrees and CAS-Indigenous Enabling and to update the mechanism used to determine what are remote areas using 2006 census data.

Other minor consequential amendments have been made following the implementation of the Relocation Scholarships and Student Start Up Scholarships by Centrelink from 1 April 2010.

The Commonwealth Scholarships Guidelines (Education) 2010 are amended as follows:

### ITEM 1 - Section 1.1 Purpose (at the end of first paragraph)

Insert :

These Guidelines do not address matters pertaining to the administration and qualification requirements for the Student Start Up Scholarships or Relocation Scholarships. For information on those Scholarships, *providers* and students should contact Centrelink.

### ITEM 2 - Subsection 1.5.5

Delete definition **ASGC Remoteness Areas** and substitute **ASGC-RA**.

**ASGC-RA** means the *Australian Standard Geographic Classification Remoteness Areas*, a geographic classification system developed in 2001 by the Australian Bureau of Statistics (ABS), as a statistical geography structure which allows quantitative comparisons between 'city' and 'country' Australia. The ASGC-RA classifies data from census Collection Districts (CDs) into broad geographical categories, called Remoteness Areas (RAs). From 2010, this mechanism will be used only for scholarships provided under Part A of these Guidelines.

### ITEM 3 - Paragraph 2.10.15(1)

Delete and substitute:

In determining a student's eligibility for an *Indigenous-CAS* or an *Indigenous Enabling-CAS*, the *provider* must determine whether the student has lived in a regional or remote area consistent with paragraph 2.10.15(2)(a) below.

*Providers* must be guided by the ASGC RA. Providers may use the following link to assist in determining a student's eligibility: <http://www.doctorconnect.gov.au/>. The Remote Areas (RA) classifications are:

- RA1 - Major Cities of Australia
- RA2 - Inner Regional Australia
- RA3 - Outer Regional Australia
- RA4 - Remote Australia
- RA5 - Very Remote Australia

A *provider* must deem a student ineligible if they come from a locality belonging to the RA1 classification. The remaining classifications would assist *providers* in assessing students' eligibility for an *Indigenous-CAS* or an *Indigenous Enabling-CAS*.

### **ITEM 3 – Paragraph 2.10.1 (1) – (4)**

Delete and Substitute

- (1) A student is not eligible for an *Indigenous-CECS* if they have already received a *CECS-Ordinary* in previous years for the maximum duration of eight scholarship periods.
- (2) A student is not eligible for an *Indigenous Enabling-CECS* if they have already received a scholarship for the same purpose in previous years for the maximum duration of two scholarship periods.
- (3) A student is not eligible for an *Indigenous-CAS* if they have already received a *CAS-Ordinary* in previous years for the maximum duration of eight scholarship periods.
- (4) A student is not eligible for an *Indigenous Enabling-CAS* if they have already received a scholarship for the same purpose in previous years for the maximum duration of two scholarship periods.

### **ITEM 4 - At the beginning of before paragraph 2.15.5 (3)**

Insert:

Where students are eligible, and subject to availability, a

### **ITEM 5 - Paragraph 2.15.5(5)**

Delete and substitute:

An applicant eligible for an IAS may be eligible for a Student Start Up Scholarship and/or a Relocation Scholarship.

### **ITEM 6 - Paragraph 2.15.5(13)**

Delete and substitute:

Prior to awarding any Commonwealth Scholarship, providers may seek written confirmation from a student that he or she is not in receipt of either a Relocation and/or a Student Start Up Scholarship.

#### **ITEM 7 - Paragraph 2.15.5(15)**

Delete and substitute:

*A provider must make sufficient information available to students to assist students to compare the IAS, Indigenous-CECS, Indigenous Enabling- CECS, Indigenous-CAS, and Indigenous Enabling CAS with the Relocation Scholarship and the Student Start-up Scholarship. This information must be in such a form that a student can determine which scholarships are of the most benefit according to the student's particular circumstances.*

#### **ITEM 8 – Paragraph 2.15.10(7)**

Delete and substitute:

*Providers may offer scholarships mid year where such scholarships can be supported under their CS allocation. Before finalising the offer of a CS, the provider must advise the student that a mid-year offer of a CS may affect any Student Start Up and/or Relocation Scholarship/s that the student is receiving.*

#### **ITEM 9 – Paragraphs 2.20(8) and (9)**

Delete and substitute:

- (8) *Prior to payment of an Indigenous-CECS or Indigenous Enabling-CECS, the student must sign a declaration stating that he or she has not accepted a Student Start Up Scholarship. Where a student has received or remains qualified for a Student Start Up Scholarship, a payment of an Indigenous- CECS or Indigenous Enabling-CECS to the student cannot be made.*
- (9) *Prior to payment of an Indigenous-CAS or Indigenous Enabling-CAS, the student must sign a declaration stating that he or she has not accepted a Relocation Scholarship. Where a student has received or remains qualified for a Relocation Scholarship, a payment of an Indigenous- CAS or Indigenous Enabling-CAS to the student cannot be made.*

#### **ITEM 10 - After paragraph 2.50.1(8)**

Insert paragraph 2.50.1(9)

##### **Additional eligibility Requirements for CAS-Ordinary, CAS-Specialist, CAS-Associate Degrees**

- (9) The student must continue to be enrolled as an internal student in units of study that form part of the course of study the student is undertaking, and in addition, the student can demonstrate the need to move in accordance with paragraph 2.50.10 (2) and/or there are limitations on the student's mobility due to disability and/or carer responsibilities