Australian Education Regulation 2013

Select Legislative Instrument No. 195, 2013

made under the

Australian Education Act 2013

Compilation No. 12

Compilation date:	1 January 2019
Includes amendments up to:	F2018L01677
Registered:	22 January 2019

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Australian Education Regulation 2013* that shows the text of the law as amended and in force on 1 January 2019 (the ***compilation date***).

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part 1—Preliminary 1

Division 1—Preliminary 1

1 Name of regulation ... 1
3 Authority ... 1
4 Definitions ... 1
5 Meanings of *census day* and *census reference period* ... 4

Division 2—Interpretation 6

Subdivision A—Overseas students 6

6 Overseas students ... 6

Subdivision AA—SRS indexation factor 6

6A SRS indexation factor ... 6

Subdivision B—Levels of education 6

7 Levels of education that constitute primary and secondary education for schools other than special schools ... 6
9 Levels of education that constitute primary education and secondary education for special schools ... 7

Subdivision C—Census day enrolment 7

9A Government schools ... 7
9B Non-government schools ... 7

Part 2—Grants of financial assistance to States and Territories 9

10A Starting State-Territory shares ... 9
11 Condition of financial assistance—recovering amounts ... 9
12 Pro-rating of recurrent funding ... 10

Part 3—Recurrent funding for schools 12

Division 1—Matters related to the funding formula 12

14 ARIA index value ... 12
16 Definition of *Aboriginal and Torres Strait Islander student* ... 12
16A Starting Commonwealth share ... 12
17 Disability loading—disability loading percentages ... 12
17A Disability loading—levels of adjustment ... 14
18 Other loadings ... 14

Division 2—SES scores 17

21 Minister may request residential addresses of students ... 17
22 Requirement to assign residential addresses ... 17
23 SES score—general ... 17
24 SES score—schools whose approved authority has not complied with subsection 21(1) ... 18

Part 4—Capital and other funding 19

Division 1—Capital funding 19

24AA Base assistance amount ... 19
24A Indexation percentage ... 19
24B Indexes of building prices and wage costs ... 19

Authorised Version F2019C00086 registered 22/01/2019

Division 2—Special circumstances funding 20
25 Special circumstances funding ... 20
Division 3—Funding in prescribed circumstances 21
25A Funding in prescribed circumstances ... 21
Part 5—Approved authorities and bodies 22
Division 1—Basic requirements for authorities and bodies 22
26 Not-for-profit requirement ... 22
27 Financial viability requirement ... 22
28 Fit and proper person requirement ... 23
Division 2—Ongoing policy and funding requirements for authorities and bodies 24
Subdivision A—Spending, or committing to spend, financial assistance 24
29 Approved authorities ... 24
30 Block grant authorities ... 25
31 Non-government representative bodies ... 26
Subdivision B—Monitoring compliance of authorities and bodies 27
32 Application of this Subdivision ... 27
33 Minister may appoint authorised persons ... 27
34 Certificate to be given to Secretary ... 27
35 Requirement relating to financial assistance and financial operations—government schools ... 29
36 Requirement relating to financial assistance and financial operations—non-government schools ... 29
37 Requirement to keep records ... 31
38 Requirement for authorities or bodies for non-government schools to prepare and audit financial statements ... 31
39 Requirements for access to records and premises ... 31
39A Requirement to provide information and records ... 32
40 Requirement to keep Minister informed ... 33
Division 3—Ongoing policy requirements for approved authorities 34
Subdivision B—Implementing a curriculum 34
42 Implementing a curriculum ... 34
Subdivision C—National Assessment Program 34
43 Student assessments ... 34
Subdivision E—Information relating to a school's census 36
46 Providing information about a school's census ... 36
47 Government schools—information about the schools ... 36
48 Government schools—information about students ... 37
49 Non-government schools—information about the school ... 37
50 Non-government schools—information about students ... 38
Subdivision F—Information for the purposes of a national program to collect data on schools and school education 38
52 Information for the purposes of a national program to collect data on schools and school education ... 38

Authorised Version F2019C00086 registered 22/01/2019

53 Required information—performance measures 39
54 Form of information—performance measures 41
55 Required information—general information 42
56 Required information—information about a school's students 43
57 Required information—secondary schools and combined schools 43
58 Form of information—information required under sections 55 to 57 44
58A Required information—students with disability 44
58B Required information—information about students at certain schools 45

Subdivision G—Reports to persons responsible for students at a school 45
59 Student reports 45

Subdivision H—Making information publicly available annually 46
60 Making information publicly available annually 46

Division 4—Ongoing policy requirements for block grant authorities and non-government representative bodies 48
62 Information to the public about financial assistance 48

Division 5—Former approved authorities and bodies 49
62A Continuing requirements 49

Part 6—Actions Minister may take for failure to comply with the Act or this regulation, and to require amounts to be repaid 50
63 Limits on recovery of overpayments, recoverable payments and other unpaid amounts 50
64 Recovering capital funding when a school ceases to provide education 50

Part 7—Miscellaneous 52
65 Using or disclosing school education information 52
66 Giving notice to persons of proposed decisions 52

Part 8—Application and transitional provisions 54
67 Application provisions for the *Australian Education Amendment (2014 Measures No. 1) Regulation 2014* 54
68 Application provisions for the *Australian Education Amendment (2015 Measures No. 1) Regulation 2015* 54
69 Application provision for the *Australian Education Amendment (2016 Measures No. 2) Regulation 2016* 55
70 Application provisions for the *Australian Education Amendment (2016 Measures No. 3) Regulation 2016* 56
71 Application provisions for the *Australian Education Amendment (2017 Measures No. 2) Regulations 2017* 56
72 Application provision for the *Australian Education Amendment (2017 Measures No. 3) Regulations 2017* 57
73 Application provisions for the *Australian Education Amendment (2018 Measures No. 3) Regulations 2018* 57

Authorised Version F2019C00086 registered 22/01/2019

Schedule 1—Funding in prescribed circumstances 58

Part 1—Additional support for Northern Territory government schools 58

1 Circumstances ... 58
2 Amounts payable ... 58
3 Purpose for which funding is spent or committed to be spent ... 58

Part 2—Additional financial assistance and adjustment funding for non-government schools 59

Division 1—Additional financial assistance for low-growth non-government schools for 2018 59

4 Circumstances ... 59
5 Amounts payable ... 59
6 Purpose for which funding is spent or committed to be spent ... 60

Division 2—Adjustment funding for low-growth non-government schools for 2019 61

7 Circumstances ... 61
8 Total amount payable ... 61
9 Matters that Minister may have regard to ... 61
10 Purpose for which funding is spent or committed to be spent ... 61

Part 3—Adjustment assistance for ACT non-government schools 63

11 Circumstances ... 63
12 Amounts payable ... 63
13 Purpose for which funding is spent or committed to be spent ... 63

Part 4—Additional financial assistance for system weighted average SES schools for 2018 64

14 Circumstances ... 64
15 Amounts payable ... 64
16 Purpose for which funding is spent or committed to be spent ... 64

Part 5—Financial assistance certainty for non-government schools 66

Division 1—Additional financial assistance for non-government schools of approved system authorities (system weighted benefit) for 2019 66

17 Circumstances ... 66
18 Total amount payable ... 66
19 Purpose for which funding is spent or committed to be spent ... 66

Division 2—Additional financial assistance for non-government schools (2016 census data arrangements) for 2019 67

20 Circumstances ... 67
21 Total amount payable ... 67
22 Purpose for which funding is spent or committed to be spent ... 67

Authorised Version F2019C00086 registered 22/01/2019

Schedule 2—Per-student amounts for 2017 for certain schools 68
1 Per-student amounts for 2017 for certain schools 68
Schedule 3—Levels of education: certain schools in South Australia 73
1 Certain schools in South Australia 73
Schedule 4—Starting Commonwealth shares for certain schools 76
1 Starting Commonwealth shares for certain schools 76
Endnotes 82
Endnote 1—About the endnotes 82
Endnote 2—Abbreviation key 83
Endnote 3—Legislation history 84
Endnote 4—Amendment history 85

Authorised Version F2019C00086 registered 22/01/2019

Authorised Version F2019C00086 registered 22/01/2019

Part 1—Preliminary

Division 1—Preliminary

1 Name of regulation

This regulation is the *Australian Education Regulation 2013*.

3 Authority

This regulation is made under the *Australian Education Act 2013*.

4 Definitions

(1) In this regulation:

ACARA (short for Australian Curriculum, Assessment and Reporting Authority) means the authority established by section 5 of the *Australian Curriculum, Assessment and Reporting Authority Act 2008*.

Act means the *Australian Education Act 2013*.

attendance rate, for students at a school, means a percentage representing the total number of full-time equivalent days the students attended the school to receive primary education or secondary education, divided by the number of full-time equivalent days the students at the school could have received primary education or secondary education.

Note: Only certain students are taken into account for the purposes of this definition (see subsection (2)).

Australian Accounting Standards means the accounting standards issued or adopted by the Australian Accounting Standards Board, as in force from time to time.

Australian Auditing Standards means the auditing standards issued or adopted by the Auditing and Assurance Standards Board, as in force from time to time.

Australian Professional Standards for Teachers means the standards of that name issued by the Australian Institute for Teaching and School Leadership Limited.

Note: In 2013, the Australian Professional Standards for Teachers was accessible at http://www.aitsl.edu.au.

Australian Statistical Geography Standard means the geographical framework of that name published by the Australian Bureau of Statistics from time to time.

Note: In 2013, the Australian Statistical Geography Standard was accessible at http://www.abs.gov.au.

Authorised Version F2019C00086 registered 22/01/2019

authorised person means a person authorised, in writing, by the Minister under section 33.

capital funding amount has the meaning given by subsection 64(1).

Capital Grants Program Guidelines means the *Capital Grants Program Guidelines* issued by the Department, as in force from time to time.

Note: The Capital Grants Program Guidelines could in 2018 be viewed on the Department's website (http://www.education.gov.au).

census day has the meaning given by subsection 5(1).

census day enrolment:

(a) for a government school—has the meaning given by subsection 9A(1); or

(b) for a non-government school—has the meaning given by subsection 9B(1).

census reference period has the meaning given by subsection 5(6).

commit to spend, for an approved authority, block grant authority or non-government representative body and in relation to financial assistance payable to the authority or body under the Act, includes the authority or body committing to spend financial assistance in circumstances where:

(a) either:

(i) the authority or body has entered into a legal arrangement under which the authority or body will be liable to pay an amount; or

(ii) an amount will become due or payable under a liability under a law of the Commonwealth, a State or a Territory that the authority or body is required to meet; and

(b) the time for paying the amount has not yet arisen; and

(c) the authority or body sets aside all, or part of, the financial assistance to pay the amount.

Data Standards Manual: Student Background Characteristics means the *Data Standards Manual: Student Background Characteristics*, issued by ACARA, as in force from time to time.

Note: The Data Standards Manual: Student Background Characteristics could in 2015 be viewed on ACARA's website (http://www.acara.edu.au).

foundation means the year of schooling immediately before year 1.

ICT means Information and Communications Technology.

key individual: an individual is a ***key individual*** of an approved authority, a block grant authority or a non-government representative body if the individual:

(a) is an officer, of the authority or body, within the meaning of section 9 of the *Corporations Act 2001*; or

(b) is responsible for executive decisions of the authority or body; or

(c) is concerned with, or takes part in, the management of the authority or body; or

Authorised Version F2019C00086 registered 22/01/2019

(d) manages or supervises the provision of school education for the authority or body under an arrangement with the authority or body.

language conventions means spelling, grammar and punctuation.

Ministerial Council disability guidelines, for a year, means the guidelines for the Nationally Consistent Collection of Data on School Students with Disability approved by the Ministerial Council for the year.

NAP means the National Assessment Program.

NAPLAN Online Data Extract Dictionary means the NAPLAN Online Data Extract Dictionary, issued by ACARA, as in force from time to time.

Note: The NAPLAN Online Data Extract Dictionary could in 2018 be viewed on ACARA's website (http://www.acara.edu.au).

National Schools Statistics Collection means the national collection of information on schools undertaken in accordance with the NSSC Collection Manual.

Non-Government Reform Support Fund Guidelines means the *Non-Government Reform Support Fund Guidelines* issued by the Department, as in force from time to time.

Note: The Non-Government Reform Support Fund Guidelines could in 2018 be viewed on the Department's website (http://www.education.gov.au).

NSSC Collection Manual means the National Schools Statistics Collection-Collection Manual:

(a) issued by the Australian Bureau of Statistics; and
(b) as in force from time to time.

PIRLS means the Progress in International Reading Literacy Study.

PISA means the Programme for International Student Assessment.

record includes an account or a document.

reporting period has the meaning given by subsection 52(4).

selected student means a student selected in a sample.

SES dimension means each of the following dimensions:

(a) the education dimension;
(b) the family income dimension;
(c) the household income dimension;
(d) the occupation dimension.

statement of addresses has the meaning given by subsection 21(1).

Statistical Area Level 1 means an area designated by the Australian Bureau of Statistics as a Statistical Area Level 1 as mentioned in the Australian Statistical Geography Standard.

Authorised Version F2019C00086 registered 22/01/2019

student with disability, for a year, means a student about whom information must be provided, as specified in the Ministerial Council disability guidelines for the year.

TIMSS means the Trends in International Mathematics and Science Study.

ungraded primary or secondary student means a student at a special school who receives primary education or secondary education at a level of education that constitutes primary education or secondary education (as the case requires) for the school under section 15 of the Act.

(2) For the purposes of the definition of ***attendance rate*** in subsection (1), a student may be taken into account for a reporting period only if the student is:

(a) a full-time student who is:

(i) in any of years 1 to 10; or

(ii) an ungraded primary or secondary student; and

(b) enrolled for any part of the reporting period.

5 Meanings of *census day* and *census reference period*

(1) The ***census day*** for a non-government school for a year is the day determined in writing by the Minister.

Determining the census day

(2) The Minister may determine, in writing, that a particular day in a year is the school's census day for the year.

(3) The Minister must not determine a day to be a school's census day for a year less than 10 weeks before the day unless the Minister is satisfied that special circumstances justify determining that day. If the Minister is so satisfied, the Minister may determine any day, including a past day.

Notifying census day

(4) The Minister must:

(a) notify the approved authority for a school of the school's census day for a year; and

(b) do so in a way that makes it reasonably likely the approved authority will become aware of the census day.

Example: A census day could be published on a website that the approved authority is likely to access regularly.

(5) The notification must be given at least 10 weeks before the census day. If the Minister determines a day under subsection (3) because of special circumstances, the notification must be given as soon as practicable.

Authorised Version F2019C00086 registered 22/01/2019

Meaning of census reference period

(6) The ***census reference period*** for a non-government school for a year is the period of 20 school days for the school that ends at the end of the census day for the school for the year.

Note: A public holiday is not a school day.

Authorised Version F2019C00086 registered 22/01/2019

Division 2—Interpretation

Subdivision A—Overseas students

6 Overseas students

For paragraph (b) of the definition of ***overseas student*** in section 6 of the Act, the following persons are excluded from being an overseas student:

(a) a dependant of a person who is receiving a sponsorship or a scholarship for the purpose of undertaking a course provided by an institution in Australia that:

(i) is a Table A provider or a Table B provider (within the meaning of the *Higher Education Support Act 2003*); and

(ii) is meeting the full cost of the education component of the course;

(b) a person who is undertaking a course of study provided by an institution or body in Australia under a Student Exchange Program registered by the relevant education authority in the State or Territory where the person is undertaking the Program;

(c) a person, or a dependant of a person, who is receiving a sponsorship or a scholarship from the Commonwealth for the purpose of undertaking a course provided by an institution or other body or person in Australia.

Subdivision AA—SRS indexation factor

6A SRS indexation factor

For the purposes of subsection 11A(5) of the Act, the SRS indexation factor for 2019 and 2020 is 1.0356.

Subdivision B—Levels of education

7 Levels of education that constitute primary and secondary education for schools other than special schools

(1) For the purposes of section 15 of the Act, the levels of education that constitute primary education for a school other than a special school are:

(a) for schools in South Australia other than those specified in the table in clause 1 of Schedule 3—foundation to year 7; and

(b) for all other schools (including those specified in that table)—foundation to year 6.

(2) For the purposes of section 15 of the Act, the levels of education that constitute secondary education for a school other than a special school are:

(a) for schools in South Australia other than those specified in the table in clause 1 of Schedule 3—years 8 to 12; and

(b) for all other schools (including those specified in that table)—years 7 to 12.

Authorised Version F2019C00086 registered 22/01/2019

9 Levels of education that constitute primary education and secondary education for special schools

(1) For section 15 of the Act, the level of education that constitutes primary education for a special school is the education provided to students aged 4 to 11 at the school.

(2) For section 15 of the Act, the level of education that constitutes secondary education for a special school is the education provided to students aged 12 to 21 at the school.

Subdivision C—Census day enrolment

9A Government schools

(1) For the purposes of section 16 of the Act, the number of students at a government school (the school's ***census day enrolment***) for a year is the number of primary and secondary students at the school who are to be included in the National Schools Statistics Collection for the year.

Counting part-time students

(2) For the purposes of working out a census day enrolment for a government school, a student who is not undertaking a full-time study load is to be counted as the fraction of the full-time study load which the student is undertaking.

9B Non-government schools

(1) For the purposes of section 16 of the Act, the number of students at a non-government school (the school's ***census day enrolment***) for a year is the number of primary and secondary students:

(a) who are enrolled at the school on the census day for the school for the year; and

(b) whose enrolment is for education at a level specified for the school in the approval of the approved authority for the school; and

(c) who have a pattern of regular attendance at the school, or at school generally, during the year; and

(d) whose attendance is, for at least one day during the census reference period for the school for the year:

(i) at a location specified for the school in the approval of the approved authority for the school; or

(ii) as a distance education student.

Counting part-time students

(2) For the purposes of working out a census day enrolment for a non-government school, a student who is not undertaking a full-time study load is to be counted as the fraction of the full-time study load which the student is undertaking.

Authorised Version F2019C00086 registered 22/01/2019

Minister may determine that a person be included

(3) The Minister may, in writing, determine that a person who does not meet the requirements set out in paragraphs (1)(c) and (d) is to be included in a non-government school's census day enrolment as a primary student or secondary student (including as a part-time student) if the Minister is satisfied that special circumstances justify the determination.

(4) In making a determination under subsection (3), the Minister must have regard to the following:
  (a) the period or periods of attendance by the person at the school, or at school generally, during the year;
  (b) the pattern of attendance by the person at the school, or at school generally, during the year;
  (c) whether the person is or will be included in the census day enrolment of another school for the year;
  (d) for any period of non-attendance by the person—the steps taken by the school to engage the person in the relevant level of education;
  (e) any other matter the Minister considers relevant.

(5) A determination under subsection (3) may be made:
  (a) on the Minister's own initiative; or
  (b) on application by the approved authority for the school.

Note: For rules relating to applications, see Division 2 of Part 9 of the Act.

(6) An application by an approved authority for a school for a determination under subsection (3) that relates to a year must be made within:
  (a) 14 days of the school's census day for the year; or
  (b) if the Minister allows a longer period (whether before or after the period referred to in paragraph (a))—that longer period.

(7) For the purposes of subsection 118(2) of the Act, a determination under subsection (3) is a reviewable decision, and the relevant person for the reviewable decision is the approved authority for the school concerned.

Authorised Version F2019C00086 registered 22/01/2019

Part 2—Grants of financial assistance to States and Territories

10A Starting State-Territory shares

(1) This section is made for the purposes of the definition of ***starting State-Territory share*** in subsection 22A(3) of the Act.

(2) The starting State-Territory share for the purposes of working out the State-Territory share for a State or Territory for 2018 and each later year is:

(a) for government schools in a State or Territory specified in column 1 of an item in the following table—the percentage specified in column 2 of the item; and

(b) for non-government schools in a State or Territory specified in column 1 of an item in the following table—the percentage specified in column 3 of the item.

Starting State-Territory shares for 2018 and each later year

Item	Column 1 State or Territory	Column 2 Starting State-Territory share for government schools	Column 3 Starting State-Territory share for non-government schools
1	New South Wales	70.73%	25.29%
2	Victoria	65.30%	19.70%
3	Queensland	65.90%	23.80%
4	Western Australia	85.87%	27.63%
5	South Australia	75.00%	19.72%
6	Tasmania	72.93%	21.50%
7	Australian Capital Territory	92.11%	36.97%
8	Northern Territory	54.40%	15.09%

11 Condition of financial assistance—recovering amounts

(1) For section 24 of the Act, if the Minister makes a determination under paragraph 110(1)(a) of the Act that a State or Territory pay to the Commonwealth a specified amount, the State or Territory must (subject to subsection (6)) pay the amount by the time specified in the determination.

Assigning rights of recovery to the Commonwealth or recovering debts

(2) A State or Territory must ensure that there is in force an arrangement (whether by or under a law, or otherwise) that complies with subsection (3) in relation to each approved authority, block grant authority or non-government representative

Authorised Version F2019C00086 registered 22/01/2019

body to whom the State or Territory may pay an amount of financial assistance in accordance with the Act.

(3) An arrangement in relation to an approved authority, a block grant authority or a non-government representative body must provide that if:

(a) the Minister makes a determination under paragraph 110(1)(a) of the Act that the State or Territory must pay to the Commonwealth a specified amount; and

(b) the Minister makes the determination as a result of:

(i) non-compliance or a breach by the authority or body mentioned in section 108 of the Act; or

(ii) a payment mentioned in subsection 109(1), (2) or (4) or paragraph 109(3)(a) of the Act that was paid to the State or Territory for the authority or body;

then the amount mentioned in paragraph (a) of this subsection is a debt due by the authority or body to the State or Territory, and may be recovered by the State or Territory (or another person on behalf of the State or Territory) in a court.

(4) The State or Territory must:

(a) assign to the Commonwealth the right to recover the debt; or

(b) promptly recover the debt from the authority or body.

(5) The Commonwealth must accept the assignment by the State or Territory of the right to recover the debt.

(6) If the State or Territory assigns to the Commonwealth the right to recover the debt due by the authority or body, then:

(a) the debt may be recovered by the Minister, on behalf of the Commonwealth, in a court of competent jurisdiction; and

(b) the debt due by the State or Territory to the Commonwealth that arises under subsection 111(1) of the Act is taken to be extinguished (and the State or Territory is not required to pay the amount to the Commonwealth under subsection (1) of this section).

12 Pro-rating of recurrent funding

(1) For the purposes of section 27 of the Act, the total entitlement is to be determined in accordance with this section for a year if one or more of the following events occurs during the year:

(a) a school begins to provide primary education or secondary education;

(b) a school becomes entitled to financial assistance under Part 3 of the Act;

(c) a school ceases to provide primary education or secondary education;

(d) a school ceases to be entitled to financial assistance under Part 3 of the Act.

(2) The amount of financial assistance that is to be determined in relation to the school for the year is the lesser of:

(a) the amount the Minister considers appropriate; and

(b) the full amount of financial assistance.

Authorised Version F2019C00086 registered 22/01/2019

(3) In deciding an appropriate amount for the purposes of paragraph (2)(a), the Minister must have regard to the following:

(a) the proportion of the school year during which the school was providing education or was entitled to financial assistance under Part 3 of the Act;

(b) the time during the school year when the school began or ceased to provide education or be entitled to financial assistance under Part 3 of the Act;

(c) in the case of a school that has ceased to provide education or be entitled to financial assistance under Part 3 of the Act—the amount of any financial assistance that has already been paid for the school for the year in accordance with determinations under subsection 25(1) of the Act.

(4) Subsection (3) does not limit the matters to which the Minister may have regard.

Authorised Version F2019C00086 registered 22/01/2019

Part 3—Recurrent funding for schools

Division 1—Matters related to the funding formula

14 ARIA index value

For the definition of ***ARIA index value*** in section 6 of the Act, a school's ARIA index value is the average ARIA+ score for the Statistical Area Level 1 in which the school is located.

Note 1: In 2013, the average ARIA+ scores were obtained from the Australian Population and Migration Research Centre. The Australian Population and Migration Research Centre was responsible for the development and dissemination of the ARIA+ (2011) index.

Note 2: The Minister may determine the location of a school with more than one location for the purposes of working out the school's ARIA index value (see section 18 of the Act).

16 Definition of *Aboriginal and Torres Strait Islander student*

For the definition of ***Aboriginal and Torres Strait Islander student*** in section 6 of the Act, a student is an Aboriginal and Torres Strait Islander student if:

(a) either or both of the following apply:
  (i) the student is of Aboriginal descent;
  (ii) the student is of Torres Strait Islander descent; and
(b) the student identifies as a person of that descent; and
(c) the student is accepted by the community in which he or she lives as being of that descent.

16A Starting Commonwealth share

For the purposes of subsection 35B(2) of the Act, the starting Commonwealth share for a school specified in column 1 of an item in the table in clause 1 of Schedule 4 is the percentage specified in column 2 of the item.

17 Disability loading—disability loading percentages

(1) For the purposes of subsection 36(5) of the Act, this section prescribes disability loading percentages.

Supplementary disability loading percentage

(2) The supplementary disability loading percentage is:
  (a) for a primary school—42%; and
  (b) for a secondary school—33%; and
  (c) for a combined school—the percentage worked out using the following formula:

Authorised Version F2019C00086 registered 22/01/2019

$$\frac{\text{Primary student supplementary adjustment number} + \text{Secondary student supplementary adjustment number}}{\text{Total number of students at the school classified as needing a supplementary level of adjustment}} \times \text{The SRS funding amount for the year for a student at the school}$$

Substantial disability loading percentage

(3) The substantial disability loading percentage is:

(a) for a primary school—146%; and

(b) for a secondary school—116%; and

(c) for a combined school—the percentage worked out using the following formula:

$$\frac{\text{Primary student substantial adjustment number} + \text{Secondary student substantial adjustment number}}{\text{Total number of students at the school classified as needing a substantial level of adjustment}} \times \text{The SRS funding amount for the year for a student at the school}$$

Extensive disability loading percentage

(4) The extensive disability loading percentage is:

(a) for a primary school—312%; and

(b) for a secondary school—248%; and

(c) for a combined school—the percentage worked out using the following formula:

$$\frac{\text{Primary student extensive adjustment number} + \text{Secondary student extensive adjustment number}}{\text{Total number of students at the school classified as needing an extensive level of adjustment}} \times \text{The SRS funding amount for the year for a student at the school}$$

Note: The SRS funding amount for a year for a student at a combined school is worked out in accordance with section 34 of the Act.

(5) The ***primary student extensive adjustment number*** is the amount worked out using the following formula:

$$\text{Number of primary students at the school classified as needing an extensive level of adjustment} \times 312\% \times \text{The SRS funding amount for the year for a primary student}$$

(6) The ***primary student substantial adjustment number*** is the amount worked out using the following formula:

$$\text{Number of primary students at the school classified as needing a substantial level of adjustment} \times 146\% \times \text{The SRS funding amount for the year for a primary student}$$

Authorised Version F2019C00086 registered 22/01/2019

(7) The ***primary student supplementary adjustment number*** is the amount worked out using the following formula:

$$\text{Number of primary students at the school classified as needing a supplementary level of adjustment} \times 42\% \times \text{The SRS funding amount for the year for a primary student}$$

(8) The ***secondary student extensive adjustment number*** is the number worked out using the following formula:

$$\text{Number of secondary students at the school classified as needing an extensive level of adjustment} \times 248\% \times \text{The SRS funding amount for the year for a secondary student}$$

(9) The ***secondary student substantial adjustment number*** is the number worked out using the following formula:

$$\text{Number of secondary students at the school classified as needing a substantial level of adjustment} \times 116\% \times \text{The SRS funding amount for the year for a secondary student}$$

(10) The ***secondary student supplementary adjustment number*** is the number worked out using the following formula:

$$\text{Number of secondary students at the school classified as needing a supplementary level of adjustment} \times 33\% \times \text{The SRS funding amount for the year for a secondary student}$$

17A Disability loading—levels of adjustment

For the purposes of subsection 36(6) of the Act, a student needs a supplementary level of adjustment, a substantial level of adjustment or an extensive level of adjustment for a year if the student is classified as receiving that level of adjustment in accordance with the Ministerial Council disability guidelines for the year.

Note: References to student in this regulation and in section 36 of the Act do not include references to overseas students: see the definitions of ***primary student*** and ***secondary student*** in section 6 of the Act.

18 Other loadings

Socio-educational disadvantage loading—students in quartile 1

(1) For subsection 38(4) of the Act, the number of students at a school for a year who are in quartile 1 is the number worked out using the following formula:

$$\text{Number of students at the school for the year} \times \frac{\text{ACARA quartile 1 students for the school for the year}}{\text{Total ACARA students for the school for the year}}$$

Authorised Version F2019C00086 registered 22/01/2019

Socio-educational disadvantage loading—students in quartile 2

(2) For subsection 38(7) of the Act, the number of students at a school for a year who are in quartile 2 is the number worked out using the following formula:

$$\text{Number of students at the school for the year} \times \frac{\text{ACARA quartile 2 students for the school for the year}}{\text{Total ACARA students for the school for the year}}$$

Low English proficiency loading

(3) For subsection 39(2) of the Act, the number of students at a school for a year who have low English proficiency is the number worked out using the following formula:

$$\text{Number of students at the school for the year} \times \frac{\text{ACARA low English proficiency students for the school for the year}}{\text{Total ACARA students for the school for the year}}$$

Definitions

(4) In this section:

ACARA low English proficiency students for the school for the year means the number of students at the school for the year identified by ACARA as disadvantaged language background other than English students.

Note 1: ACARA identifies a student as a disadvantaged language background other than English student if:

(a) ACARA identifies the student as having a language background other than English; and

(b) at least one of the student's parents completed school education only to year 9 (or equivalent) or below.

Note 2: ACARA uses the definitions in the Data Standards Manual: Student Background Characteristics to determine language background and school education.

ACARA quartile 1 students for the school for the year means the number of students at the school for the year identified by ACARA as being in the lowest Socio-Educational Advantage quarter.

Note: ACARA identifies a student as being in a quarter by allocating all students in a school to a scale of socio-educational advantage and segmenting the scale into quarters. Information about socio-educational advantage could in 2015 be viewed on ACARA's website (http://www.acara.edu.au).

ACARA quartile 2 students for the school for the year means the number of students at the school for the year identified by ACARA as being in the second lowest Socio-Educational Advantage quarter.

total ACARA students for the school for the year means the number of students at the school for the year as identified by ACARA.

Authorised Version F2019C00086 registered 22/01/2019

Note: The total ACARA students for the school for the year may be different from the number of students at the school for the year worked out under section 16 of the Act.

Authorised Version F2019C00086 registered 22/01/2019

Division 2—SES scores

21 Minister may request residential addresses of students

(1) For subsection 52(4) of the Act, the Minister may, in writing, request an approved authority for a school to give to the Secretary a statement (the ***statement of addresses***) of the residential address of each student who receives primary education or secondary education at the school (except a student who is a distance education student at the school).

(3) The approved authority must comply with the request in accordance with any determination made under subsection (4).

Note: For failure to comply with the request, see section 24.

(4) The Minister may, in writing, determine:
(a) the day or days on which the statement of addresses must be given; and
(b) the form in which the statement of addresses must be given.

22 Requirement to assign residential addresses

The Secretary must ensure that at least 95% of the residential addresses included in a school's statement of addresses are assigned to the Statistical Areas Level 1 in which the addresses are located.

23 SES score—general

(1) For subsection 52(4) of the Act, a school's SES score to be determined by the Minister must be the number worked out using the following formula:

$$\frac{\text{School's average SES dimension score for the education dimension}}{3} + \frac{\text{School's average SES dimension score for the family income dimension}}{6} + \frac{\text{School's average SES dimension score for the household income dimension}}{6} + \frac{\text{School's average SES dimension score for the occupation dimension}}{3}$$

Note: This section applies only in relation to an approved authority that has complied with section 21. For an approved authority that has not complied, see section 24.

(2) The number worked out under subsection (1) must be rounded to the nearest whole number, rounding up a number that ends in .5.

Working out the school's average SES dimension score for an SES dimension

(3) The school's ***average SES dimension score*** for an SES dimension is, subject to subsection (4), worked out by:

(a) adding up, for each residential address represented in the statement of addresses, the SES dimension score for the SES dimension of the Statistical Area Level 1 to which the address has been assigned; and

(b) dividing the result by the total number of those SES dimension scores.

Note: The SES dimension score of a Statistical Area Level 1 for an SES dimension:
(a) is worked out by the Department; and
(b) in 2013, was accessible at http://www.deewr.gov.au.

(4) In working out an average SES dimension score under subsection (3), the Minister may include any residential address in the school's statement of addresses that the Minister considers was not, but ought to have been, included in that statement.

SES score for 2018 and 2019

(5) In working out an average SES dimension score for a school for 2018 and for 2019 under subsection (3), the Minister must use:

(a) if the Secretary has a statement of addresses for the school for one or more of the years from 2012 to 2016 (inclusive)—that statement, or the most recent of those statements; or

(b) otherwise—the most recent statement of addresses for the school in the Secretary's possession.

(6) For each residential address represented in a statement of addresses mentioned in subsection (5), the Minister must use the SES dimension score for the SES dimension of the Statistical Area Level 1 to which the address has been assigned, as determined in the 2011 Census of Population and Housing.

Note 1: Information about the 2011 Census of Population and Housing could in 2018 be viewed on the Australian Bureau of Statistics website (http://www.abs.gov.au).

Note 2: This section does not apply to a school if the Minister is satisfied that determining the school's SES score in accordance with this section would result in an SES score that does not accurately reflect the general socioeconomic circumstances of the persons responsible for students at the school (see subsection 52(4) of the Act).

24 SES score—schools whose approved authority has not complied with subsection 21(1)

(1) This section applies, despite section 23, if an approved authority for a school has not complied with section 21 in relation to the school.

(2) For subsection 52(4) of the Act, the school's SES score to be determined by the Minister must be the score that the Minister considers accurately reflects the general socioeconomic circumstances of the persons responsible for students at the school.

Authorised Version F2019C00086 registered 22/01/2019

Part 4—Capital and other funding

Division 1—Capital funding

24AA Base assistance amount

For the purposes of section 68 of the Act, the base assistance amount for 2018 is $150,895,000.

24A Indexation percentage

For paragraph 68(3)(b) of the Act, the indexation percentage is:

(a) for 2015, 102.30%; and

(b) for 2016, 101.76%; and

(c) for 2017, 101.92%.

24B Indexes of building prices and wage costs

For paragraph 68(4)(a) of the Act, the index of building prices and the index of wage costs is the composite index of construction activity costs in the Index Number for Australian and New Zealand Standard Industrial Classification, 2006 Class 3020 Non-residential Building Construction Australia, published by the Australian Bureau of Statistics in Table 17 (Output of the Construction industries) in the *Producer Price Indexes, Australia* (Catalogue No. 6427.0), as it exists from time to time.

Authorised Version F2019C00086 registered 22/01/2019

Division 2—Special circumstances funding

25 Special circumstances funding

For paragraph 130(2)(b) of the Act, the matters that the Minister may have regard to in making a decision for a school for a year that special circumstances justify a determination under subsection 69(1) of the Act are:

(a) whether the special circumstances would not have been reasonably foreseeable by a competent approved authority; and

(b) whether the special circumstances would, or are likely to, result in severe financial difficulty requiring the school to cease a large part of its educational activities, or significantly lower the quality of the education it provides, during the year; and

(c) if the school were to receive financial assistance under subsection 69(1) of the Act, whether the school would be able to:

(i) resume operating satisfactorily within 2 years; or

(ii) continue operating until the end of the year; and

(d) whether, having exhausted all other options to remedy the financial situation of the school (including all alternative sources of financial assistance), there is still a need for financial assistance under subsection 69(1) of the Act to address the school's immediate financial difficulties; and

(e) whether the approved authority for the school has complied with the Act and this regulation; and

(f) whether the approved authority for the school proposes to use any financial assistance provided under subsection 69(1) of the Act to pay any debts due to the Commonwealth that are recoverable by the Commissioner of Taxation; and

(g) whether the approved authority proposes to use any financial assistance provided under subsection 69(1) of the Act:

(i) in relation to the school, and the school has provided primary education or secondary education for less than 5 years; or

(ii) to lower the amount of debt the authority owes; or

(iii) as capital expenditure; and

(h) whether the approved authority requires financial assistance under subsection 69(1) of the Act as a result of a financial loss resulting from inadequate insurance for capital facilities.

Authorised Version F2019C00086 registered 22/01/2019

Division 3—Funding in prescribed circumstances

25A Funding in prescribed circumstances

Schedule 1 has effect.

Note: Schedule 1 deals with financial assistance payable under sections 69A and 69B of the Act.

Authorised Version F2019C00086 registered 22/01/2019

Part 5—Approved authorities and bodies

Division 1—Basic requirements for authorities and bodies

26 Not-for-profit requirement

For paragraph 130(2)(b) of the Act, the matters that the Minister may have regard to for the purposes of determining whether a person satisfies the requirement in subsection 75(3), 84(3) or 92(3) of the Act are:

(a) whether the person has not-for-profit status under a law of the Commonwealth, a State or a Territory; and

(b) whether:

(i) the person has financial policies and practices for a school in relation to which the person has applied to be an approved authority, block grant authority or non-government representative body; and

(ii) if so, the quality of those policies and practices; and

(c) whether money derived from or relating to a school in relation to which the person has applied to be the approved authority, block grant authority or non-government representative body:

(i) has been applied for the purposes of the school or for the purposes of the functions of the authority or body; or

(ii) has been distributed (whether directly or indirectly) to an owner of the authority or body, or any other person; and

(d) if the person is a body corporate—the requirements in any legislation under which the person is established, or in the person's constitution.

Note: A law of the Commonwealth under which a person may have a not-for-profit status is the *Australian Charities and Not-for-profits Commission Act 2012*.

27 Financial viability requirement

For paragraph 130(2)(b) of the Act, the matters that the Minister may have regard to for the purposes of determining whether a person satisfies the requirement in subsection 75(4), 84(4) or 92(4) of the Act are:

(a) whether the person is a body corporate that is being wound up; and

(b) whether the affairs of the person are under any form of external control (for example, the control of a manager) under a law of the Commonwealth, a State or a Territory; and

(c) whether the Minister considers that the liabilities of the person are greater than the person's assets; and

(d) whether the Minister considers that the person is (and is likely to continue for a substantial period to be) unable to pay its debts as and when they fall due for payment; and

(e) whether an audit conducted in accordance with a law of the Commonwealth, a State or a Territory:

(i) is expressed to be qualified; or

Authorised Version F2019C00086 registered 22/01/2019

(ii) expresses concern about the financial viability of the person.

28 Fit and proper person requirement

Requirements for approved authorities

(1) For paragraph 130(2)(b) of the Act, for the purposes of determining whether a person satisfies the requirement in subsection 75(5) of the Act, the Minister may have regard to:

(a) the experience and expertise of the person, and key individuals of the person, in administering a school and providing education at a school; and

(b) the person's governance arrangements, including:

(i) arrangements for managing and supervising the provision of education at the school; and

(ii) arrangements to ensure compliance with the laws of the Commonwealth, a State or a Territory relating to the provision of school education; and

(c) whether the person has debts due to the Commonwealth in relation to the provision of school education.

Requirements for all authorities and bodies

(2) For paragraph 130(2)(b) of the Act, for the purposes of determining whether a person satisfies the requirement in subsection 75(5), 84(5) or 92(5) of the Act, the Minister may have regard to:

(a) the person's governance arrangements, including arrangements to receive independent and professional advice about the way in which the person complies with its obligations under the Act; and

(aa) whether there is in force an arrangement of a kind mentioned in subsections 11(2) and (3) (recovering debts) in relation to the person; and

(b) the record of financial management of the person, and key individuals of the person, taking into account whether the person or individual has been:

(i) bankrupt or insolvent; or

(ii) placed under external administration; and

(c) whether the person, or a key individual of the person, has been convicted of, or charged with, an offence, including an offence in relation to children, dishonesty or violence (subject to Part VIIC of the *Crimes Act 1914*); and

(d) whether the person, or a key individual of the person, has engaged in a deliberate pattern of immoral or unethical behaviour.

Authorised Version F2019C00086 registered 22/01/2019

Division 2—Ongoing policy and funding requirements for authorities and bodies

Subdivision A—Spending, or committing to spend, financial assistance

29 Approved authorities

Recurrent funding

(1) For paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable to the authority in accordance with Division 2 of Part 3 of the Act (recurrent funding for schools) for the purpose of providing school education at a school for which the approved authority is approved.

(2) Without limiting subsection (1), the purpose mentioned in that subsection includes the following:
  (a) salaries and other expenses relating to staff at the school, including expenses related to the professional development of the staff;
  (b) developing materials related to the school's curriculum;
  (c) general operating expenses of the school;
  (d) maintaining the school's land and buildings;
  (e) purchasing capital equipment for the school;
  (g) in any case—administrative costs associated with the authority's compliance with the Act and this regulation.

(3) Despite subsections (1) and (2), financial assistance must not be spent, or committed to be spent:
  (a) as security for any form of loan, credit, payment or other interest; or
  (b) for the preparation of or in the course of any litigation, except litigation by a State or Territory to recover a debt from an authority or body as mentioned in paragraph 11(4)(b); or
  (c) for a school other than a school whose capacity to contribute percentage is 0%—on any of the following:
    (i) the purchase of land or a building for the school;
    (ii) the construction of a building or a part of the building for the school;
    (iii) capital improvements for the school;
    (iv) any form of loan, credit or other interest in relation to expenditure mentioned in subparagraphs (i) to (iii).

Note: See subsection 54(1) of the Act for schools whose capacity to contribute percentage is 0%.

(3A) The restriction in subparagraph (3)(c)(iv) does not extend to interest payments on the forms of loan, credit or other interest mentioned in that subparagraph.

Authorised Version F2019C00086 registered 22/01/2019

Special circumstances funding

(4) For paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable to the authority under section 69 of the Act (special circumstances funding) in accordance with any written directions of the Minister.

(5) For the purposes of subsection (4), the Minister may give written directions to an approved authority.

Direction not legislative instrument

(6) A direction given under subsection (5) is not a legislative instrument.

Time limit for spending, or committing to spend, funding

(7) Financial assistance mentioned in subsection (1) or (4) must be spent, or committed to be spent:
  (a) in the year in which the financial assistance is paid to the approved authority; or
  (b) if a determination is made by the Minister under subsection (7A) for the approved authority—before the day, or within the period, specified in the determination.

(7A) For paragraph (7)(b), the Minister may determine, in writing, a day before, or a period within which, an approved authority must spend, or commit to spend, financial assistance mentioned in subsection (1) or (4).

Interest earned on financial assistance

(8) Any interest earned on financial assistance mentioned in subsection (1) or (4) must be spent, or committed to be spent, in the same way as the financial assistance.

30 Block grant authorities

(1) For paragraph 85(2)(a) of the Act, a block grant authority for a school must spend, or commit to spend, financial assistance that is payable to the authority under Division 2 of Part 5 of the Act (capital funding):
  (a) on capital expenditure in relation to a school for which the block grant authority is approved; and
  (b) in accordance with:
    (i) any written directions of the Minister; and
    (ii) the Capital Grants Program Guidelines.

(2) The financial assistance must (subject to subsections (3) and (3A)) be spent, or committed to be spent:
  (a) in the year in which the financial assistance is paid to the block grant authority; or

(b) before a day, or within a period, determined by the Minister for the block grant authority.

(3) Subsection (3A) applies to financial assistance that:
(a) is paid to a block grant authority in accordance with the Act; and
(b) is recovered from:
(i) savings on capital expenditure; or
(ii) capital expenditure that has not proceeded.

(3A) The financial assistance must be spent, or committed to be spent:
(a) on alternative capital expenditure, in relation to a school for which the block grant authority is approved:
(i) within 12 months of the financial assistance being recovered; or
(ii) before a day, or within a period, determined by the Minister for the block grant authority; and
(b) in accordance with:
(i) any written directions of the Minister; and
(ii) the Capital Grants Program Guidelines.

(4) The block grant authority may retain any interest earned on financial assistance that is payable to the authority under Division 2 of Part 5 of the Act. However, the block grant authority must spend, or commit to spend, the interest on capital expenditure in relation to a school for which the block grant authority is approved, in accordance with:
(a) any written directions of the Minister; and
(b) the Capital Grants Program Guidelines.

(5) For the purposes of subsections (1), (3A) and (4), the Minister may give written directions to a block grant authority.

Direction not legislative instrument

(6) A direction given under subsection (5) is not a legislative instrument.

31 Non-government representative bodies

(1) For paragraph 93(2)(b) of the Act, a non-government representative body for a school must spend, or commit to spend, financial assistance that is payable to the body under Division 4 of Part 5 of the Act (funding for non-government representative bodies):
(a) for the purpose of supporting school education; and
(b) in accordance with the Non-Government Reform Support Fund Guidelines.

(2) Financial assistance mentioned in subsection (1) must be spent, or committed to be spent:
(a) in the year in which the financial assistance is paid to the non-government representative body; or

Authorised Version F2019C00086 registered 22/01/2019

(b) if a determination is made by the Minister under subsection (3) for the non-government representative body—before the day, or within the period, specified in the determination.

(3) For the purposes of paragraph (2)(b), the Minister may determine, in writing, a day before, or a period within which, a non-government representative body must spend, or commit to spend, financial assistance mentioned in subsection (1).

(4) Any interest earned on the financial assistance must be spent, or committed to be spent, in the same way as the financial assistance.

Subdivision B—Monitoring compliance of authorities and bodies

32 Application of this Subdivision

This Subdivision sets out requirements for monitoring compliance with the Act for:

(a) approved authorities for paragraph 78(2)(b) of the Act; and
(b) block grant authorities for paragraph 85(2)(b) of the Act; and
(c) non-government representative bodies for paragraph 93(2)(c) of the Act.

33 Minister may appoint authorised persons

The Minister may, in writing, appoint a person as an authorised person if the Minister is satisfied that the person has suitable qualifications or experience.

34 Certificate to be given to Secretary

(1) An approved authority, block grant authority or non-government representative body for a school must give the Secretary a certificate that relates to a year.

(2) The certificate must be prepared and certified by:
(a) for an approved authority for a government school located in a State or Territory:
(i) the Auditor-General of the State or Territory; or
(ii) an independent third party agreed to by the Minister; or
(iii) the Chief Executive Officer (however described) of the approved authority; or
(iv) the Chief Financial Officer (however described) of the approved authority; or
(b) for any other authority or body—a qualified accountant who is independent from the approved authority, block grant authority or non-government representative body.

(3) The certificate:
(a) for an approved authority—must state:

Authorised Version F2019C00086 registered 22/01/2019

(i) the amount of financial assistance paid to the authority in accordance with the Act in the year that has been spent in accordance with section 29 or a provision of Schedule 1 (as the case requires); and

(ii) the amount of financial assistance paid to the authority in accordance with the Act in the year that has been committed to be spent in accordance with section 29 or a provision of Schedule 1 (as the case requires); and

(iii) whether interest earned on financial assistance paid to the authority in accordance with the Act has been spent, or committed to be spent, in the year in accordance with section 29 or a provision of Schedule 1 (as the case requires); and

(iv) the amount of financial assistance paid to the authority in accordance with the Act in a previous year that has been spent, or committed to be spent, in the year in accordance with section 29 or a provision of Schedule 1 (as the case requires), including any amounts of such financial assistance committed in a previous year but spent in the current year; and

(b) for a block grant authority or non-government representative body—must state:

(i) the amount of financial assistance paid to the authority or body in accordance with the Act in the year that has been spent, or committed to be spent, in accordance with section 30 or 31 (as the case requires); and

(ii) whether interest earned on financial assistance paid to the authority or body in accordance with the Act has been spent, or committed to be spent, in the year in accordance with section 30 or 31 (as the case requires); and

(c) must be given to the Secretary:

(i) on or before 30 June of the next year, or another day determined by the Minister; and

(ii) in a way or ways (if any) determined by the Minister.

(4) In this section:

qualified accountant means:

(a) a qualified accountant within the meaning of the *Corporations Act 2001*; or

(b) a person registered (or taken to be registered) as an auditor under the *Corporations Act 2001*; or

(c) a person approved by the Minister as a qualified accountant under subsection (5).

(5) For paragraph (c) of the definition of ***qualified accountant*** in subsection (4), the Minister may approve a person if the Minister is satisfied that the person has relevant qualifications or experience.

Authorised Version F2019C00086 registered 22/01/2019

35 Requirement relating to financial assistance and financial operations—government schools

(1) An approved authority for government schools located in a State or Territory must give the Secretary a report for each year that includes the following:

(a) the total amount of financial assistance paid in accordance with the Act that is allocated by the authority to the schools for the year;

(b) for each school—the amount of financial assistance paid in accordance with the Act that is allocated by the authority to the school for the year;

(ba) for each school—the amount of financial assistance paid in accordance with the Act and allocated by the authority to the school because the circumstances mentioned in Schedule 1 applied in relation to the school for the year;

(c) for each school—information showing how the amount mentioned in paragraph (b) was determined in accordance with the authority's needs-based funding arrangement;

(e) the total amount of financial assistance paid in accordance with the Act to the authority that is not allocated by the authority to the schools.

Note: For paragraph (c), see subsection 78(3) of the Act in relation to needs-based funding arrangements for approved authorities for more than one school.

(1A) Despite subsection (1), an approved authority is not required to include the information mentioned in paragraph (1)(ba) in a report for a year if the Minister has not requested, in writing, the approved authority to do so in relation to that year.

(2) The report must be prepared by:

(a) the Auditor-General of the State or Territory; or

(b) an independent third party agreed to by the Minister; or

(c) the Chief Executive Officer (however described) of the approved authority; or

(d) the Chief Financial Officer (however described) of the approved authority.

(3) The report must be given to the Secretary:

(a) no later than a day or days (if any) determined by the Minister; and

(b) in a way or ways (if any) determined by the Minister.

36 Requirement relating to financial assistance and financial operations—non-government schools

(1) An approved authority for a non-government school must give the Secretary a report for each year that includes the following:

(a) the total amount of financial assistance paid in accordance with the Act that is allocated by the authority to the school for the year;

(c) a statement about how the financial assistance paid in accordance with the Act was used, or is intended to be used, by the authority and the school;

Authorised Version F2019C00086 registered 22/01/2019

(d) a statement about whether the authority and the school have in place satisfactory internal accounting systems, controls and procedures for records kept by the authority in accordance with section 37;

(e) a statement about the financial operations of the authority and the school, that includes the authority's financial viability, funding sources and the following:

(i) recurrent income and expenditure;

(ii) capital income and expenditure;

(iii) trading activities;

(iv) loans for recurrent or capital purposes;

(v) assets and liabilities;

(vi) any other financial information required by the Minister;

(vii) refundable enrolment deposits;

(f) the total amount of financial assistance paid in accordance with the Act to the authority that is not allocated by the authority to a school;

(fa) for an approved authority that is an approved system authority—the amount of financial assistance paid in accordance with the Act and allocated by the authority to a school because the circumstances mentioned in Schedule 1 applied in relation to the school for the year;

(g) for an approved authority for more than one school—information showing how each amount mentioned in paragraph (a) for a school was determined in accordance with the authority's needs-based funding arrangement.

Note: For paragraph (g), see subsection 78(3) of the Act in relation to needs-based funding arrangements for approved authorities for more than one school.

(1A) Despite subsection (1), an approved authority is not required to include the information mentioned in paragraph (1)(fa) in a report for a year if the Minister has not requested, in writing, the approved authority to do so in relation to that year.

(2) The report must:

(a) identify any records kept by the authority in accordance with section 37; and

(b) include a copy of any financial statement prepared in accordance with section 38; and

(c) include a copy of any audit document prepared in accordance with section 38.

(3) The report must not include any information that would identify a donor as a funding source of the school.

(4) The report must be given to the Secretary:

(a) no later than a day or days (if any) determined by the Minister; and

(b) in a way or ways (if any) determined by the Minister.

(5) A block grant authority for a non-government school must give the Secretary a report or reports for each year in accordance with the Capital Grants Program Guidelines.

Authorised Version F2019C00086 registered 22/01/2019

(6) A non-government representative body for a non-government school must give the Secretary a report or reports for each year in accordance with the Non-Government Reform Support Fund Guidelines.

37 Requirement to keep records

(1) An approved authority, block grant authority or non-government representative body for a school must keep records relating to:
  (a) the authority or body's compliance with the Act and this regulation; and
  (b) for an approved authority, block grant authority or non-government representative body for a non-government school—the financial administration of the authority or body; and
  (c) for an approved authority for a non-government school—the following:
    (i) the financial administration of the school;
    (ii) capital expenditure in relation to land or buildings at or for the school, including expenditure by contractors and sub-contractors carrying out works in relation to that capital expenditure.

(2) The records of an approved authority, block grant authority or non-government representative body for a non-government school must:
  (a) be identifiably separate from other records that the authority or body may hold for the purposes of other undertakings the authority or body conducts or to which the authority or body is related; and
  (b) identify all income and expenditure that relates to any financial assistance paid to the authority or body in accordance with the Act.

(3) A record kept under this section must be kept for 7 years.

(4) Without limiting subsection (1), records relating to an approved authority's compliance with the Act or this regulation include records relating to enrolments and attendance rolls at schools for which the authority is approved.

38 Requirement for authorities or bodies for non-government schools to prepare and audit financial statements

An approved authority, block grant authority or non-government representative body for a non-government school must:
  (a) prepare financial statements in accordance with the Australian Accounting Standards that relate to any money received by the authority or body in a year; and
  (b) have those statements audited in accordance with the Australian Auditing Standards and generally accepted auditing practices.

39 Requirements for access to records and premises

(1) An approved authority, block grant authority or non-government representative body for a school must (subject to subsection (6)) comply with the requirements mentioned in this section.

Authorised Version F2019C00086 registered 22/01/2019

(2) The authority or body must allow an authorised person full and free access to any record relating to:
  (a) the authority or body's compliance with the Act and this regulation; and
  (b) for an authority or body for a non-government school—the financial administration of the authority or body; and
  (c) for an approved authority for a non-government school—the financial administration of the school.

(3) The authority or body must allow the authorised person to take extracts from, or make copies of, the records.

(4) An approved authority, block grant authority or non-government representative body for a non-government school must allow an authorised person to have the following for a purpose mentioned in subsection (2) or (3):
  (a) full and free access to any premises occupied by the authority or body in its capacity as such an authority or body;
  (b) for an approved authority for a non-government school—full and free access to the school, and a location of the school:
    (i) to inspect the school; and
    (ii) to count students at the school.

(5) An approved authority, block grant authority or non-government representative body for a school must give or arrange for any help that the authorised person requires in exercising a power under this section.

(6) An authority or body is not required to comply with subsections (2) to (5) unless:
  (a) the authorised person gives reasonable notice to the authority or body of any access required under subsection (2) or (4); and
  (b) that access occurs at reasonable times.

(7) An authorised person must seek and consider the views of the relevant authority or body on any access required by the authorised person under subsection (2) or (4).

39A Requirement to provide information and records

(1) A block grant authority, non-government representative body or an approved authority for a non-government school must provide the Minister or an authorised person with any information or records requested by the Minister or authorised person that relate to the following:
  (a) the authority or body's compliance with the Act and this regulation;
  (b) the financial administration of the authority or body;
  (c) the financial administration of the school.

(2) The information or records must be provided in the manner, and by the day, specified by the Minister or the authorised person.

Authorised Version F2019C00086 registered 22/01/2019

40 Requirement to keep Minister informed

An approved authority, block grant authority or non-government representative body for a school must notify the Minister, in writing, if there are any changes to:

(a) any information in the authority or body's approval under Part 6 of the Act; or

(b) for an authority (other than an approved system authority) or body for a non-government school—any of the key individuals of the authority or body; or

(c) for an approved system authority—a person who is, or who is acting in the capacity of, the chief executive officer or chief finance officer (however described) of the authority.

Authorised Version F2019C00086 registered 22/01/2019

Division 3—Ongoing policy requirements for approved authorities

Subdivision B—Implementing a curriculum

42 Implementing a curriculum

(1) For paragraph 77(2)(b) of the Act, an approved authority for a school must implement at the school:

(a) the Australian Curriculum that is authorised by the Ministerial Council from time to time; or

(b) if ACARA assesses another curriculum as allowing comparable outcomes to the Australian Curriculum authorised by the Ministerial Council, and that curriculum is included in ACARA's Recognition Register—that curriculum.

(2) An approved authority for a school must fully implement a curriculum, mentioned in subsection (1), in learning areas, and by the times, agreed by the Ministerial Council from time to time.

(3) An approved authority for a school fully implements a curriculum at a school by teaching, assessing and reporting on student achievement using the content and achievement standards in the curriculum.

Subdivision C—National Assessment Program

43 Student assessments

(1) For paragraph 77(2)(c) of the Act, an approved authority for a school ensures that the school participates in the National Assessment Program by requiring that:

(a) the assessments mentioned in column 1 of items 1 to 3 of the table in this subsection are undertaken; and

(b) any other assessments mentioned in column 1 of the table are undertaken if the school is selected in a sample; and

(c) the assessments mentioned in the table are undertaken by the students at the school mentioned in column 3 of the table; and

(d) other assessments are undertaken as agreed by the Ministerial Council.

Note: The other assessments mentioned in paragraph (d) would be outlined on the NAP website. In 2016, this website was accessible at http://www.nap.edu.au.

Authorised Version F2019C00086 registered 22/01/2019

Assessments

Item	Column 1 Assessments	Column 2 How frequently the assessments must be undertaken	Column 3 Who must undertake the assessments
1	NAP annual assessment in reading, writing and language conventions	Once a year	Students in each of years 3, 5, 7 and 9
2	NAP annual assessment in numeracy	Once a year	Students in each of years 3, 5, 7 and 9
3	NAP annual assessment in science literacy	Once a year from the year determined by the Ministerial Council	Students in each of the years determined by the Ministerial Council
4	NAP sample assessment in science literacy	Once in 2015 and in each year determined by the Ministerial Council	Selected students in year 6
5	NAP sample assessment in civics and citizenship	Once in 2016 and in each year determined by the Ministerial Council	Selected students in years 6 and 10
6	NAP sample assessment in ICT literacy	Once in 2017 and in each year determined by the Ministerial Council	Selected students in years 6 and 10
7	PISA assessment in reading, mathematical and scientific literacy, and innovation	Once every 3 years beginning in 2015	Selected students aged 15
8	TIMSS assessment in mathematics and science	Once every 4 years beginning in 2015	Selected students in years 4 and 8
9	PIRLS assessment in reading literacy	Once every 5 years beginning in 2016	Selected students in year 4

(2) The assessments must be undertaken:

(a) with the frequency mentioned in column 2 of the table; and

(b) no later than a day or days determined by the Minister.

Note: The performance of students in the assessments is reported under section 53.

(3) An approved authority for a school must provide to ACARA the following information about each student at the school who is required to undertake an assessment mentioned in items 1 to 6 of the table in subsection (1):

(a) the student's result in the assessment, or if the student did not undertake the assessment, an indication of that fact;

(b) the information specified in:

(i) the Data Standards Manual: Student Background Characteristics; and

(ii) for an assessment mentioned in items 1 and 2 of that table—the NAPLAN Online Data Extract Dictionary.

(3A) The information mentioned in subsection (3) must be provided to ACARA:

(a) no later than the day or days determined by the Minister; and
(b) in a way or ways (if any) determined by the Minister.

(4) An approved authority for a school must participate in all activities associated with the NAP, in accordance with any written directions of the Minister.

(5) For the purposes of subsection (4), the Minister may, in writing, give a written direction to an approved authority for a school.

Direction not legislative instrument

(6) A direction given under subsection (5) is not a legislative instrument.

Subdivision E—Information relating to a school's census

46 Providing information about a school's census

(1) For paragraph 77(2)(f) of the Act, an approved authority for a school must provide information each year to the Secretary relating to the school's census in accordance with this section.

(2) The approved authority for a school must provide the relevant information mentioned in sections 47 to 50.

(3) The information must be included in a census return:
(a) for each location of the school; and
(b) in the form and manner approved by the Secretary.

(4) A single census return provided by an approved authority for more than one school may include the information for more than one school.

(5) A census return for a year for a non-government school must be given to the Secretary:
(a) no later than 7 days after the school's census day for the year; or
(b) if the Secretary allows a longer period (whether before or after the period mentioned in paragraph (a))—before the end of that longer period.

(6) A census return for a year for a government school must be given to the Secretary by the day determined by the Minister.

47 Government schools—information about the schools

The following information about government schools located in a State or Territory must be included in a census return for the schools for a year:
(a) the name of each school;
(b) the street address of each location of each school;
(c) the years of schooling offered by each school;
(d) whether each school is a primary school, a secondary school or a combined school;
(e) whether each school is a special school or a special assistance school.

Authorised Version F2019C00086 registered 22/01/2019

48 Government schools—information about students

(1) The following information about students included in government schools' census day enrolments for a year must be included in a census return for the schools for the year:

(a) the number of students at each school for the year;

(b) for each year of schooling at each school—the number of students at the school in each of the following categories:

(i) Aboriginal and Torres Strait Islander students;

(iii) distance education students.

Note: For the number of students at a school for the year, see section 16 of the Act.

(2) For each year of schooling, the number of:

(a) overseas students; and

(b) students who hold or are included in a visa in force under the *Migration Act 1958*;

included in government schools' census day enrolments for a year must also be included in a census return for the schools for the year.

(3) An overseas student is taken to be a student for the purposes of subsection (2).

(4) Information must not explicitly identify any student.

(5) If a government school has more than one location, the information mentioned in subsection (1) or (2) (except for subparagraph (1)(b)(iii)) must be provided for each location of the school.

49 Non-government schools—information about the school

The following information about a non-government school must be included in the school's census return for a year:

(a) the name of the school;

(b) the street address of each location of the school;

(c) the postal address of the school;

(d) the school's email address;

(e) the years of schooling offered by the school;

(f) whether the school is a primary school, a secondary school or a combined school;

(g) whether the school is a special school or a special assistance school;

(h) the number of staff at the school in the following categories on the school's census day for the year:

(i) teaching staff;

(ii) staff who are not teaching staff;

(iii) full-time staff;

(iv) part-time staff;

(v) full-time equivalent staff;

(vi) Aboriginal and Torres Strait Islander staff;

Authorised Version F2019C00086 registered 22/01/2019

(vii) if the school is a combined school—full-time equivalent staff providing primary education and full-time equivalent staff providing secondary education;

(viii) if students board at the school—full-time equivalent staff with boarding duties and full-time equivalent staff without boarding duties.

50 Non-government schools—information about students

(1) The following information about students included in a non-government school's census day enrolment for a year must be included in the school's census return for the year:

(a) the number of students at the school for the year, and the number of full-time and part-time students at the school for the year;

(b) for each year of schooling—the number of students at the school in each category that is defined by reference to the following characteristics as specified, in writing, by the Secretary:

(i) age;

(ii) sex;

(iii) Aboriginal and Torres Strait Islander students;

(v) distance education students;

(vi) students who board.

(2) For each year of schooling, the number of:

(a) overseas students; and

(b) students who hold or are included in a visa in force under the *Migration Act 1958*;

included in a non-government school's census day enrolment for a year must also be included in the school's census return for the year.

(3) An overseas student is taken to be a student for the purposes of subsection (2).

(4) Information must not explicitly identify any student.

(5) If a non-government school has more than one location, the information mentioned in subsection (1) or (2) (except for subparagraph (1)(b)(v)) must be provided for each location of the school.

Subdivision F—Information for the purposes of a national program to collect data on schools and school education

52 Information for the purposes of a national program to collect data on schools and school education

(1) For paragraph 77(2)(f) of the Act, an approved authority for a school must provide information mentioned in sections 53 to 58B in relation to the school.

(2) Information mentioned in section 53 must be given to the Minister:

(a) no later than:

Authorised Version F2019C00086 registered 22/01/2019

(i) if the Minister determines a day or days—that day or those days; or
(ii) otherwise—a day or days that will allow publication of the report within one year after the end of each year; and

(b) in a way or ways (if any) determined by the Minister.

(3) Information mentioned in sections 55 to 57 must be given to ACARA:

(a) no later than:
(i) if ACARA determines a day or days—that day or those days; or
(ii) otherwise—a day or days that will allow publication of the report within one year after the end of each year; and

(b) in a way or ways (if any) determined by ACARA.

(3A) Information mentioned in section 58A must be given:

(a) to the Department, or a person determined by the Minister for the purposes of this paragraph; and
(b) by the day determined by the Minister; and
(c) in the way determined by the Minister.

(3B) In determining a matter under subsection (3A), the Minister must have regard to the Ministerial Council disability guidelines for the year.

(3C) Information mentioned in section 58B must be given:

(a) to the Department; and
(b) by the day determined by the Minister; and
(c) in the way determined by the Minister.

(4) The Minister may, in writing, determine a period (the ***reporting period***) to which information, or a specified class of information, must relate.

Determination not legislative instrument

(5) A determination made under subsection (4) is not a legislative instrument.

53 Required information—performance measures

The performance measures for students at a school must be provided as mentioned in section 52.

Performance measures

Item	Performance measures
1	The performance measures for English literacy are: (a) the percentage of students at or above the national minimum standard in each of years 3, 5, 7 and 9 in the NAP annual assessment in each of reading, writing and language conventions for the reporting period; and (b) the percentage of students, during the reporting period, in each of those years in each of the following categories: (i) students who participated in those assessments; (ii) students who were absent from those assessments;

Authorised Version F2019C00086 registered 22/01/2019

Performance measures

Item	Performance measures
	(iii) students who were exempted from those assessments; (iv) students who were withdrawn from those assessments; and (c) the NAP mean scale scores for reading, writing and language conventions for the reporting period; and (d) the percentage of selected students achieving at or above the proficient standard (level 3) on the PISA assessment combined reading literacy scale for the reporting period; and (e) the percentage of selected students achieving at or above the proficient standard (intermediate international benchmark) on the PIRLS reading literacy scale for students in year 4 for the reporting period.
2	The performance measures for numeracy and mathematics are: (a) the percentage of students at or above the national minimum standard in each of years 3, 5, 7 and 9 in the NAP annual assessment in numeracy for the reporting period; and (b) the percentage of students, during the reporting period, in each of those years in each of the following categories: (i) students who participated in that assessment; (ii) students who were absent from that assessment; (iii) students who were exempted from that assessment; (iv) students who were withdrawn from that assessment; and (c) the NAP mean scale scores for numeracy for the reporting period; and (d) the percentage of selected students achieving at or above the proficient standard (level 3) on the PISA assessment combined mathematical literacy scale for the reporting period; and (e) the percentage of selected students achieving at or above the proficient standard (intermediate international benchmark) on the TIMSS mathematics assessment scale for students in each of years 4 and 8 for the reporting period.
3	The performance measures for science are: (a) the percentage of selected students achieving at or above the proficient standard (level 3.2) for the NAP sample assessment in science literacy for students in year 6 for the reporting period; and (b) for the year determined by the Ministerial Council and for each later year, the percentage of students in each of the years determined by the Ministerial Council at each level of proficiency in the NAP annual assessment in science literacy for the reporting period, including specific reference to the national minimum standards; and (c) for paragraph (b), the percentage of students, during the reporting period, in each of the years determined in each of the following categories: (i) students who participated in that assessment; (ii) students who were absent from that assessment; (iii) students who were exempted from that assessment; (iv) students who were withdrawn from that assessment; and (d) for paragraph (b), the NAP mean scale scores for science literacy for the reporting period; and (e) the percentage of selected students achieving at or above the proficient standard (level 3) on the PISA assessment combined scientific literacy scale for the reporting period; and (f) the percentage of selected students achieving at or above the proficient standard (intermediate international benchmark) on the TIMSS science assessment scale for students in each of years 4 and 8 for the reporting period.

Authorised Version F2019C00086 registered 22/01/2019

Performance measures	
Item	**Performance measures**
4	The performance measures for civics and citizenship are the percentages of selected students achieving at or above the proficient standard for the NAP sample assessment in civics and citizenship, which is set at the following levels for the reporting period: (a) for students in year 6—level 2; (b) for students in year 10—level 3.
5	The performance measures for ICT literacy are the percentages of selected students achieving at or above the proficient standard for the NAP sample assessment in ICT literacy, which is set at the following levels for the reporting period: (a) for students in year 6—level 3; (b) for students in year 10—level 4.
6	The performance measure for vocational education and training is the percentage of selected students aged 15 to 19 years who successfully completed at least one unit of competency as part of a vocational education and training qualification at the Australian Qualifications Framework Certificate II or above during the reporting period.
7	The performance measures for student participation are: (a) the attendance rate for students in the reporting period; and (b) the proportion of students who attended school 90% or more of the time during the reporting period; and (c) the apparent retention rates from year 10 to year 12 for the reporting period.

Note 1: See subsection 4(2) for who may be taken into account for the purposes of determining the attendance rate at a school.

Note 2: An approved authority for a school is not required to provide the performance measures for an assessment mentioned in any of items 4 to 8 of the table in subsection 43(1) unless the school is selected in the sample for the assessment.

54 Form of information—performance measures

(1) The percentages mentioned in paragraphs (a) and (b) of items 1 and 2, paragraphs (a) to (c) of item 3, and items 4 and 5, of the table in section 53 must be in a form that enables the publication of information to be broken down into the following categories:

(a) sex;
(b) Aboriginal and Torres Strait Islander students;
(c) socioeconomic background;
(d) language background;
(e) disability;
(f) geographic location.

(2) The percentages mentioned in paragraph (d) of item 1, paragraphs (d) and (e) of item 2, paragraphs (e) and (f) of item 3, and the information mentioned in item 7, of the table in section 53 must be in a form that enables the publication of information to be broken down into the following categories:

(a) sex;
(b) Aboriginal and Torres Strait Islander students;

Authorised Version F2019C00086 registered 22/01/2019

(c) socioeconomic background;
(d) geographic location;
(e) either:
(i) students in each of years 1 to 10; or
(ii) ungraded primary or secondary students.

(3) In subsections (1) and (2):
(a) the categories mentioned in paragraphs (1)(a) to (e) and (2)(a) to (c) are as described in the Data Standards Manual: Student Background Characteristics; and
(b) the category mentioned in paragraphs (1)(f) and (2)(d) is as approved by the Ministerial Council at its meeting in July 2001.

55 Required information—general information

The following information about a school must be provided as mentioned in section 52:
(a) a short statement about the school that may include information about any of the following matters:
(i) the school's mission;
(ii) the school's values;
(iii) the school's focus;
(iv) the school's philosophy;
(v) the school's achievements;
(vi) the school's curriculum strengths;
(vii) any specialist programs offered by the school;
(viii) any student welfare programs offered by the school;
(ix) any extra curricular activities offered by the school;
(x) affiliations (if any) of the school;
(b) whether the school is part of the Catholic school sector, the independent school sector or the government school sector;
(c) the number of teaching staff at the school during the reporting period, including:
(i) the number of teaching staff, and full-time equivalent teaching staff, at the school; and
(ii) the positions of teaching staff at the school; and
(iii) the number of teaching staff at the school at each level of the Australian Professional Standards for Teachers;
(d) the number of staff who are not teaching staff at the school during the reporting period, including the number of full-time equivalent staff who are not teaching staff at the school;
(e) a statement about whether students, parents and teachers were satisfied with the school during the reporting period, including (if applicable) data collected using the National School Opinion Survey;

Authorised Version F2019C00086 registered 22/01/2019

(f) a statement of the financial information for a school during the reporting period that complies with the *My School ACARA FDWG 2011 Financial Data Reporting Methodology*.

Note: In 2013, the *My School ACARA FDWG 2011 Financial Data Reporting Methodology* was accessible at http://www.acara.edu.au.

56 Required information—information about a school's students

The following information about a school's students must be provided as mentioned in section 52:

(a) the total number of full-time equivalent students at the school during the reporting period;

(b) the number of students at the school during the reporting period who have a language background other than English;

(c) the attendance rate at the school for students at the school during the reporting period;

(d) the attendance rate for each of the following categories during the reporting period:

(i) sex;

(ii) year of schooling;

(iii) Aboriginal and Torres Strait Islander students;

(e) student results, which do not identify students, from each of the NAP annual assessments at the school for each of the years required to undertake the assessments;

(f) any other information that is specified in the Data Standards Manual: Student Background Characteristics, but not so as to explicitly identify any student.

Note: See subsection 4(2) for who may be taken into account for the purposes of determining the attendance rate at a school.

57 Required information—secondary schools and combined schools

For a secondary school or a combined school, the following information must be provided as mentioned in section 52:

(a) the number of students at the school who participated in vocational education and training during the reporting period, including for each of those students:

(i) the number who were enrolled in a vocational education and training course (if any); and

(ii) the number of vocational education and training qualifications (if any) that were completed; and

(iii) the level of vocational education and training qualifications (if any) that were completed; and

(iv) the industry with which each vocational education and training course enrolled in was associated;

Authorised Version F2019C00086 registered 22/01/2019

(b) the number of students at the school who undertook a school-based apprenticeship during the reporting period;
(c) the number of students at the school who undertook a school-based traineeship during the reporting period;
(d) the number of students at the school who attained year 12 (or an equivalent level) during the reporting period;
(e) the number of students at the school who at the end of their schooling completed a qualification other than year 12 (or an equivalent level) during the reporting period;
(f) a statement of the tertiary entrance results (if any) of students at the school after the end of the students' schooling;
(g) a statement of the destination of students at the school after the end of the students' schooling.

58 Form of information—information required under sections 55 to 57

The Minister may, by legislative instrument, determine categories into which information, or a class of information, required under section 55 to 57 is to be broken down.

58A Required information—students with disability

(1) The information in subsection (2) must be provided, as mentioned in section 52, in relation to each student with disability at the school.

(2) The information is:
(b) the student's category of disability; and
(c) the student's level of adjustment; and
(ca) the student's year of schooling; and
(cb) if the student is not undertaking a full-time study load, the fraction of the full-time study load that the student is undertaking; and
(d) any other information required, by the Ministerial Council disability guidelines for the year, to be reported; and
(e) any other information determined by the Minister, by legislative instrument, for the purposes of this paragraph.

(2A) An overseas student is taken to be a student for the purposes of this section.

(3) The information must not explicitly identify a student.

(3A) If a school has more than one location, the information mentioned in subsection (1) or (2) must be provided for each location of the school.

(4) In this section:

category of disability has the same meaning as in the Ministerial Council disability guidelines for the year.

Authorised Version F2019C00086 registered 22/01/2019

level of adjustment has the same meaning as in the Ministerial Council disability guidelines for the year.

58B Required information—information about students at certain schools

(1) The information in subsection (2) must be provided, as mentioned in section 52, in relation to each student at a school unless:

(a) the school is:

(i) a government school; or

(ii) a special school; or

(iii) a special assistance school; or

(iv) a school that is a majority Aboriginal and Torres Strait Islander school for a year; or

(v) a sole provider school; or

(b) the student is a distance education student.

(2) The information is:

(a) the name and residential address of each person responsible for the student; and

(b) whether the student is a primary student or secondary student; and

(c) whether the student boards at the school; and

(d) any other information determined by the Minister, by legislative instrument, for the purposes of this paragraph.

(3) If the school has more than one location, the information must be provided for each location of the school.

Subdivision G—Reports to persons responsible for students at a school

59 Student reports

(1) For paragraph 77(2)(f) of the Act, an approved authority for a school must provide a report to each person responsible for each student at the school in accordance with this section.

(2) A report must be readily understandable to a person responsible for a student at the school.

(3) A report must be given to each person responsible for the student at least twice a year.

(4) For a student who is in any of years 1 to 10, the report must:

(a) give an accurate and objective assessment of the student's progress and achievement, including an assessment of the student's achievement:

(i) against any available national standards; and

(ii) relative to the performance of the student's peer group; and

Authorised Version F2019C00086 registered 22/01/2019

(iii) reported as A, B, C, D or E (or on an equivalent 5 point scale) for each subject studied, clearly defined against specific learning standards; or

(b) contain the information that the Minister determines is equivalent to the information in paragraph (a).

Note: An approved authority for a school may have obligations under the *Privacy Act 1988* in providing information.

(5) For paragraph (4)(b), the Minister may, in writing, determine information that the Minister considers is equivalent to the information in paragraph (4)(a).

Determination not legislative instrument

(6) A determination under subsection (5) is not a legislative instrument.

Subdivision H—Making information publicly available annually

60 Making information publicly available annually

(1) For paragraph 77(2)(f) of the Act, the following information for a school must be publicly available within 6 months after the end of a year:

(a) contextual information about the school, including the characteristics of students at the school;

(b) teacher standards and qualifications (as mandated in the State or Territory in which the school is located);

(c) workforce composition, including Aboriginal and Torres Strait Islander composition;

(d) student attendance at the school, including:

(i) the attendance rates for each year of schooling; and

(ii) a description of how non-attendance is managed by the school;

(e) student results in NAP annual assessments;

(f) parent, student and teacher satisfaction with the school, including (if applicable) data collected using the National School Opinion Survey;

(g) school income broken down by funding source;

(h) for a school that provides secondary education:

(i) senior secondary outcomes, including the percentage of year 12 students undertaking vocational training or training in a trade and the percentage of year 12 students attaining a year 12 certificate or equivalent vocational education and training qualification; and

(ii) post-school destinations.

Note 1: The information need not be made separately publicly available for the purposes of this section if it has been made publicly available for some other purpose, provided that subsection (3) is also complied with.

Note 2: See subsection 4(2) for who may be taken into account for the purposes of determining the attendance rate at a school.

Authorised Version F2019C00086 registered 22/01/2019

(2) The information mentioned in subsection (1) is the minimum information required, and this section does not prevent an approved authority for a school from making other information publicly available.

(3) The approved authority for a school must:

(a) make the information publicly available on the internet; and

(b) make arrangements to provide the information, on request, to a person who is responsible for a student and is unable to access the internet.

Note: An approved authority for a school may have obligations under the *Privacy Act 1988* in providing information.

Authorised Version F2019C00086 registered 22/01/2019

Division 4—Ongoing policy requirements for block grant authorities and non-government representative bodies

62 Information to the public about financial assistance

(1) For paragraphs 85(2)(c) and 93(2)(d) of the Act, a block grant authority, or non-government representative body, for a non-government school must publish the following information each year:

(a) for a block grant authority:

(i) the amount of financial assistance (if any) provided in the year under Division 2 of Part 5 (capital funding) of the Act to the authority; and

(ii) the application of that financial assistance;

(b) for a non-government representative body:

(i) the amount of financial assistance (if any) provided in the year under Division 4 of Part 5 (funding for non-government representative bodies) of the Act to the body; and

(ii) the application of that financial assistance;

(c) in any case—information about the way or manner in which a school applies for financial assistance;

(d) how decisions of the authority or body to allocate financial assistance are reviewed.

Note: For example, information mentioned in this subsection may be published on the internet.

(2) The information mentioned in subsection (1) is the minimum information required, and this section does not prevent the authority or body from making other information publicly available.

Note: The authority or body may have obligations under the *Privacy Act 1988* in providing information.

Authorised Version F2019C00086 registered 22/01/2019

Division 5—Former approved authorities and bodies

62A Continuing requirements

(1) For the purposes of subsection 96A(1) of the Act, this section prescribes requirements that must be met by a person who was:

(a) an approved authority for a school; or

(b) a block grant authority for a school; or

(c) a non-government representative body for a school.

(2) The person must meet the requirements set out in Division 2 as if:

(a) section 36, subsections 37(1), (2) and (4) and section 38 applied in relation only to a year in which the person spent, or committed to spend, financial assistance provided under the Act; and

(b) section 40 were omitted.

Authorised Version F2019C00086 registered 22/01/2019

Part 6—Actions Minister may take for failure to comply with the Act or this regulation, and to require amounts to be repaid

63 Limits on recovery of overpayments, recoverable payments and other unpaid amounts

This section prescribes, for subsection 110(3) of the Act, limits on amounts that may be determined under paragraph 110(1)(a) or (b) of the Act (actions the Minister may take for failure to comply with the Act).

Limits on recovery of overpayments, recoverable payments and other unpaid amounts

Item	If Division 2 of Part 8 of the Act applies to a State or Territory because ...	the amount that may be determined by the Minister under paragraph 110(1)(a) or (b) of the Act must not exceed ...
1	as mentioned in subsection 109(1) of the Act, the Commonwealth makes an overpayment under the Act to the State or Territory	the amount of the excess referred to in paragraph (b) of the relevant subsection in section 9 of the Act (definition of ***overpayment***).
2	as mentioned in subsection 109(2) of the Act, the Commonwealth makes a recoverable payment under the Act to the State or Territory	the amount of the recoverable payment.
3	as mentioned in paragraph 109(3)(b) of the Act, the whole or part of an amount has not been repaid	the amount that has not been repaid as mentioned in paragraph 109(3)(b) of the Act.

64 Recovering capital funding when a school ceases to provide education

(1) For subsection 109(4) of the Act, an amount (the ***capital funding amount***) of financial assistance, mentioned in paragraph 109(4)(a) of the Act, that is provided for a school is recoverable if:

(a) the capital funding amount is included in column 1 of an item of the table in this subsection; and

(b) the school ceases to provide any primary education or secondary education in the period mentioned in column 2 of that item.

When a capital funding amount may be recovered

Item	Column 1 Capital funding amount	Column 2 Designated use period
1	$75 001 to $500 000	2 years plus one additional year for each $50 000 of financial assistance that is over $100 000

Authorised Version F2019C00086 registered 22/01/2019

When a capital funding amount may be recovered		
Item	**Column 1** **Capital funding amount**	**Column 2** **Designated use period**
2	$500 001 to $1.5 million	10 years plus one additional year for every $100 000 of financial assistance that is over $500 000
3	Over $1.5 million	20 years

(2) If the school ceases to provide primary education or secondary education during the first half of the period specified in column 2 of an item in the table in subsection (1), the amount specified under paragraph 110(1)(a) or (b) of the Act must not exceed the capital funding amount.

Note 1: Paragraphs 110(1)(a) and (b) of the Act allow the Minister to require a State or Territory to repay an amount and reduce the amount that is payable to a State or Territory.

Note 2: Subsections (2) and (3) are prescribed for subsection 110(3) of the Act.

(3) If the school ceases to provide primary education or secondary education during the second half of the period specified in column 2 of an item of the table in subsection (1), the amount specified under paragraph 110(1)(a) or (b) of the Act must not exceed the amount that remains if, each year in the second half of the period, the capital funding amount were reduced by equal proportions.

Example: Financial assistance of $2 million is provided to a block grant authority to build a school building for a primary school. If the school ceases to provide primary education during the 10 year period after the financial assistance is provided, the entire amount may be recovered by the Commonwealth. For each year following that 10 year period, the amount that may be recovered by the Commonwealth reduces by 10%.

(4) In determining a period for the purposes of subsection (2) or (3), round the period to the nearest full year.

Authorised Version F2019C00086 registered 22/01/2019

Part 7—Miscellaneous

65 Using or disclosing school education information

(1) For paragraph 125(1)(a) of the Act, the Minister may use or disclose school education information for the following purposes:

(a) the purposes of the Act or this regulation;

(aa) the National School Resourcing Board;

(b) programs administered by the Minister;

(c) research into matters of relevance to the Department;

(d) statistical analysis of matters of relevance to the Department;

(e) policy development;

(f) any other purpose determined by the Minister under subsection (3).

Note: For ***National School Resourcing Board***, see section 128 of the Act.

(2) The Minister may also disclose school education information to the following persons for the following purposes:

(a) ACARA for the purposes of its functions;

(b) Australian Bureau of Statistics for the purposes of its functions;

(c) the Productivity Commission for the purposes of its functions;

(ca) a State or Territory body responsible for school education in the State or Territory, for the purposes of its functions;

(d) any other person determined by the Minister under subsection (3) for the purposes determined by the Minister.

(3) The Minister may, by legislative instrument, determine any one or more of the following:

(a) a purpose for the purposes of paragraph (1)(f);

(b) a person or purpose for the purposes of paragraph (2)(d).

(4) To avoid doubt, this section does not limit any other lawful use or disclosure of school education information.

66 Giving notice to persons of proposed decisions

(1) This section applies if the Minister proposes to make any of the following decisions:

(a) a decision to make a determination under subsection 76(2) of the Act (approved authorities for government schools not taken to satisfy basic requirements);

(c) a decision to take action under paragraph 110(1)(a) or (b) of the Act in relation to a State or Territory because of a matter mentioned in section 108 of the Act (actions the Minister may take for failure to comply with the Act).

Authorised Version F2019C00086 registered 22/01/2019

(2) The Minister must, in writing, give the person mentioned in subsection (3) a notice that:

(a) contains:

(i) the terms of the proposed decision; and

(ii) the reasons for the proposed decision; and

(b) invites the person to make a submission about the proposed decision within the period specified in the notice (which must be at least 28 days).

(3) The person who must be given a notice under subsection (2) is:

(a) the relevant person for the decision; or

(b) for a decision under subsection 76(2) of the Act—the approved authority.

Note: For the definition of ***relevant person***, see section 6 of the Act.

(4) For paragraph 130(2)(b) of the Act, in making the final decision, the Minister must have regard to any submission made in accordance with this section in relation to the decision.

Authorised Version F2019C00086 registered 22/01/2019

Part 8—Application and transitional provisions

67 Application provisions for the *Australian Education Amendment (2014 Measures No. 1) Regulation 2014*

(1) The amendments made by items 5, 6, 7 and 8 of Schedule 1 to the *Australian Education Amendment (2014 Measures No. 1) Regulation 2014* apply in relation to financial assistance that has not been spent, or committed to be spent, at the commencement time.

(2) The following apply in relation to interest (earned on financial assistance) that has not been spent, or committed to be spent, at the commencement time:
   (a) item 4 of Schedule 1 to the *Australian Education Amendment (2014 Measures No. 1) Regulation 2014*;
   (b) subsection 31(4) as inserted by item 9 of that Schedule.

(3) The amendment made by item 12 of Schedule 1 to the *Australian Education Amendment (2014 Measures No. 1) Regulation 2014* applies in relation to capital expenditure that occurs after the commencement time.

(4) In this section:

commencement time means the time when Schedule 1 to the *Australian Education Amendment (2014 Measures No. 1) Regulation 2014* commences.

68 Application provisions for the *Australian Education Amendment (2015 Measures No. 1) Regulation 2015*

Attendance rate

(1) Paragraph 4(2)(b), as in force at the commencement time, applies in relation to reporting periods that start at or after that time.

Agreements about debt recovery

(2) Subsections 11(2) and (3), as in force at the commencement time, apply in relation to financial assistance that is paid to a State or Territory under the Act at or after that time.

Pro-rating of recurrent funding

(3) Sections 12, 13 and 13A, as in force at the commencement time, apply in relation to the 2015 year and later years.

Loadings

(4) Section 18, as in force at the commencement time, applies in relation to the 2015 year and later years.

Authorised Version F2019C00086 registered 22/01/2019

Spending financial assistance—administrative costs for approved authorities associated with compliance

(5) Paragraph 29(2)(g), as in force at the commencement time, applies in relation to financial assistance whether it is paid to an approved authority before, at or after that time.

Spending financial assistance—time within which block grant authorities are to spend assistance

(6) Subsections 30(2) and (3A), as in force at the commencement time, apply in relation to financial assistance whether it is paid to a block grant authority before, at or after that time.

Reports relating to financial assistance and financial operations

(7) Sections 35 and 36, as in force at the commencement time, apply in relation to the 2015 year and later years.

Information relating to a school's census

(8) Subdivision E of Division 3 of Part 5, as in force at the commencement time, applies in relation to the 2015 year and later years.

Information for the purposes of a national program to collect data on schools and school education

(9) Subdivision F of Division 3 of Part 5, as in force at the commencement time, applies in relation to a reporting period that starts at or after that time.

School education information

(10) Section 65, as in force at the commencement time, applies in relation to school education information whether the information is obtained before, at or after that time.

Definitions

(11) In this section:

commencement time means the time when the *Australian Education Amendment (2015 Measures No. 1) Regulation 2015* commences.

69 Application provision for the *Australian Education Amendment (2016 Measures No. 2) Regulation 2016*

(1) Subdivision C of Division 3 of Part 4, subparagraphs 34(3)(a)(i) and (iii), and paragraphs 35(1)(ba) and 36(1)(fa), as in force at the commencement time, apply in relation to 2016 and later years.

(2) In this section:

Authorised Version F2019C00086 registered 22/01/2019

commencement time means the start of the day that the *Australian Education Amendment (2016 Measures No. 2) Regulation 2016* commences.

70 Application provisions for the *Australian Education Amendment (2016 Measures No. 3) Regulation 2016*

Approved authorities—spending, or committing to spend, financial assistance

(1) Subsections 29(7) and (7A), as in force at the commencement time, apply in relation to financial assistance that is paid to an approved authority for the 2016 year or a later year.

Student assessments under the National Assessment Program

(2) Section 43, as in force at the commencement time, applies in relation to the 2016 year and later years.

Information about performance measures

(3) Section 53, as in force at the commencement time, applies in relation to the 2016 year and later years.

Needs-based funding arrangements

(4) Paragraph 61(3)(a) and subsection 61(3A), as in force at the commencement time, apply in relation to financial assistance received for a school and paid to the approved authority for the school for the 2016 year or a later year.

Definitions

(5) In this section:

commencement time means the time when the *Australian Education Amendment (2016 Measures No. 3) Regulation 2016* commences.

71 Application provisions for the *Australian Education Amendment (2017 Measures No. 2) Regulations 2017*

Funding in prescribed circumstances—students with disability

(1) Despite the repeal of Subdivision C of Division 3 of Part 4 of this regulation as in force immediately before the commencement of this section, that Subdivision continues to have effect for the purposes of determinations by the Minister under section 69A of the Act in relation to 2016 or 2017.

Funding for previous years

(2) Despite the amendments made by the *Australian Education Amendment (2017 Measures No. 2) Regulations 2017*, this regulation, as in force immediately before the commencement of this section, continues to apply in relation to financial assistance for years before 2018.

Authorised Version F2019C00086 registered 22/01/2019

72 Application provision for the *Australian Education Amendment (2017 Measures No. 3) Regulations 2017*

(1) Despite the amendments made by the *Australian Education Amendment (2017 Measures No. 3) Regulations 2017*, this regulation, as in force immediately before the commencement of this section, continues to apply in relation to financial assistance for years before 2018.

(2) However, the amendments made by items 16 and 27 of that instrument apply in relation to 2017 and each later year.

73 Application provisions for the *Australian Education Amendment (2018 Measures No. 3) Regulations 2018*

(1) The amendments made by items 8 to 10 and 13 to 20 of Schedule 1 to the *Australian Education Amendment (2018 Measures No. 3) Regulations 2018* apply in relation to 2018 and each later year.

(2) The amendments made by items 11 and 12 of Schedule 1 to the *Australian Education Amendment (2018 Measures No. 3) Regulations 2018* apply in relation to 2018.

(3) The amendments made by items 23 and 27 of Schedule 1 to the *Australian Education Amendment (2018 Measures No. 3) Regulations 2018* apply in relation to financial assistance paid to an approved authority before, at or after the commencement of that Schedule.

(4) The amendment made by item 2 of Schedule 2 to the *Australian Education Amendment (2018 Measures No. 3) Regulations 2018* applies in relation to 2019 and each later year.

Authorised Version F2019C00086 registered 22/01/2019

Schedule 1—Funding in prescribed circumstances

Note: See section 25A.

Part 1—Additional support for Northern Territory government schools

1 Circumstances

(1) For the purposes of subsection 69B(1) of the Act, the circumstances for a school for a relevant transition year are:

(a) the school is a government school located in the Northern Territory; and

(b) the approved authority for the school has entered into an arrangement with the Minister relating to the use of financial assistance payable under subsection 69B(1) of the Act.

(2) In this Part:

relevant transition year means any of the years from 2018 to 2027 (inclusive).

2 Amounts payable

Total amount of funding for relevant transition years

For the purposes of paragraph 69B(4)(a) of the Act, the total of the amounts determined by the Minister for relevant transition years, taken together, in relation to the circumstances mentioned in clause 1, is $78.453 million.

3 Purpose for which funding is spent or committed to be spent

(1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69B(1) of the Act in the circumstances mentioned in clause 1:

(a) for the purpose of supporting school education; and

(b) in accordance with the arrangement mentioned in paragraph 1(1)(b).

(2) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:

(a) in the year in which the financial assistance is paid to the approved authority; or

(b) as otherwise directed in writing by the Minister.

(3) For the purposes of paragraph (2)(b) of this clause, the Minister may give written directions to an approved authority.

(4) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Authorised Version F2019C00086 registered 22/01/2019

Part 2—Additional financial assistance and adjustment funding for non-government schools

Division 1—Additional financial assistance for low-growth non-government schools for 2018

4 Circumstances

For the purposes of subsection 69A(1) of the Act, the circumstances for a school for 2018 are:

(a) the school is a non-government school; and

(b) subsection 78(6) of the Act does not apply to the approved authority for the school for that year; and

(c) the school's Commonwealth share for that year is greater than 80%.

5 Amounts payable

Total amount of funding for 2018

(1) For the purposes of paragraph 69A(4)(a) of the Act, the total of the amounts determined by the Minister for 2018 in relation to the circumstances mentioned in clause 4 is the sum of the total amounts determined by the Minister under subclause (2).

Maximum amount of funding for a particular school for 2018

(2) For the purposes of paragraph 69A(2)(b) of the Act, the total of the amounts determined by the Minister for a school for 2018, in relation to the circumstances mentioned in clause 4, must not exceed the difference between:

(a) the amount payable under section 32 of the Act for the school for that year; and

(b) the amount worked out using the following formula:

Per-student amount for the school for 2017 × 103% × Number of students at the school for 2018

(3) In this Division:

2017 recurrent funding for an approved authority means the amount worked out under subsection 35B(3) of the Act for the approved authority.

per-student amount for a school for 2017 means:

(a) if the school is specified in column 1 of an item in the table in clause 1 of Schedule 2—the amount specified in column 2 of the item; or

(b) otherwise—the 2017 recurrent funding for the school's approved authority divided by the number of students at the schools of the approved authority for 2017.

Authorised Version F2019C00086 registered 22/01/2019

6 Purpose for which funding is spent or committed to be spent

(1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69A(1) of the Act in the circumstances mentioned in clause 4:

(a) for the purpose of providing school education at a school for which the authority is approved; and

(b) in accordance with any written directions given by the Minister.

(2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1).

(3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:

(a) before 31 December 2022; or

(b) as otherwise directed in writing by the Minister.

(4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.

(5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Authorised Version F2019C00086 registered 22/01/2019

Division 2—Adjustment funding for low-growth non-government schools for 2019

7 Circumstances

For the purposes of subsection 69A(1) of the Act, the circumstances for a school for 2019 are:

(a) the school is a non-government school; and

(b) subsection 78(6) of the Act does not apply to the approved authority for the school for that year.

8 Total amount payable

For the purposes of paragraph 69A(4)(a) of the Act, the total of the amounts determined by the Minister for 2019, taken together, in relation to the circumstances mentioned in clause 7 of this Schedule, is $8.84 million.

9 Matters that Minister may have regard to

For the purposes of paragraph 130(2)(b) of the Act, in making a decision under subsection 69A(1) of the Act about the amount of financial assistance that is payable for a school in the circumstances mentioned in clause 7 of this Schedule, the Minister may have regard to the total amount, if any, of financial assistance payable for the school in the circumstances mentioned in clause 20 of this Schedule.

10 Purpose for which funding is spent or committed to be spent

(1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69A(1) of the Act in the circumstances mentioned in clause 7 of this Schedule:

(a) for the purpose of providing school education at a school for which the authority is approved; and

(b) in accordance with any written directions given by the Minister.

(2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1) of this clause.

(3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:

(a) before 31 December 2022; or

(b) as otherwise directed in writing by the Minister.

(4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.

Authorised Version F2019C00086 registered 22/01/2019

(5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Authorised Version F2019C00086 registered 22/01/2019

Part 3—Adjustment assistance for ACT non-government schools

11 Circumstances

(1) For the purposes of subsection 69B(1) of the Act, the circumstance for a school for a relevant transition year is that the school is a non-government school located in the Australian Capital Territory.

(2) In this Part:

relevant transition year means any of the years from 2018 to 2027 (inclusive).

12 Amounts payable

Total amount of funding for relevant transition years

For the purposes of paragraph 69B(4)(a) of the Act, the total of the amounts determined by the Minister for relevant transition years, taken together, in relation to the circumstances mentioned in clause 11, is $46.073 million.

13 Purpose for which funding is spent or committed to be spent

(1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69B(1) of the Act in the circumstances mentioned in clause 11:
   (a) for the purpose of providing school education at a school for which the authority is approved; and
   (b) in accordance with any written directions given by the Minister.

(2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1).

(3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:
   (a) before 2028; or
   (b) as otherwise directed in writing by the Minister.

(4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.

(5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Authorised Version F2019C00086 registered 22/01/2019

Part 4—Additional financial assistance for system weighted average SES schools for 2018

14 Circumstances

For the purposes of subsection 69A(1) of the Act, the circumstances for a school for 2018 are:

(a) in 2017 the approved authority for the school was an approved system authority; and

(b) the SES score for the school for 2017 was specified in the *Australian Education (SES Scores) Determination 2013*.

15 Amounts payable

Total amount of funding for 2018

(1) For the purposes of paragraph 69A(4)(a) of the Act, the total of the amounts determined by the Minister for 2018 in relation to the circumstances mentioned in clause 14 is the sum of the total amounts determined by the Minister under subclause (2).

Maximum amount of funding for a particular school for 2018

(2) For the purposes of paragraph 69A(2)(b) of the Act, the total of the amounts determined by the Minister for a school for 2018, in relation to the circumstances mentioned in clause 14, must not exceed the difference between:

(a) the amount payable under section 32 of the Act for the school for 2018; and

(b) the amount that would be payable under section 32 of the Act for the school for 2018 if that amount were calculated using the SES score for the school for 2017.

16 Purpose for which funding is spent or committed to be spent

(1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69A(1) of the Act in the circumstances mentioned in clause 14:

(a) for the purpose of providing school education at a school for which the authority is approved; and

(b) in accordance with any written directions given by the Minister.

(2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1).

(3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:

Authorised Version F2019C00086 registered 22/01/2019

(a) before 31 December 2022; or
(b) as otherwise directed in writing by the Minister.

(4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.

(5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Authorised Version F2019C00086 registered 22/01/2019

Part 5—Financial assistance certainty for non-government schools

Division 1—Additional financial assistance for non-government schools of approved system authorities (system weighted benefit) for 2019

17 Circumstances

For the purposes of subsection 69A(1) of the Act, the circumstances for a school for 2019 are:

(a) the school is a non-government school; and

(b) subsection 78(6) of the Act applies to the approved authority for the school for that year; and

(c) the school's Commonwealth share for that year is more or less than 80%.

18 Total amount payable

For the purposes of paragraph 69A(4)(a) of the Act, the total of the amounts determined by the Minister for 2019, taken together, in relation to the circumstances mentioned in clause 17 of this Schedule, is $82.74 million.

19 Purpose for which funding is spent or committed to be spent

(1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69A(1) of the Act in the circumstances mentioned in clause 17 of this Schedule:

(a) for the purpose of providing school education at a school for which the authority is approved; and

(b) in accordance with any written directions given by the Minister.

(2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1) of this clause.

(3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:

(a) before 31 December 2022; or

(b) as otherwise directed in writing by the Minister.

(4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.

(5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Authorised Version F2019C00086 registered 22/01/2019

Division 2—Additional financial assistance for non-government schools (2016 census data arrangements) for 2019

20 Circumstances

For the purposes of subsection 69A(1) of the Act, the circumstance for a school for 2019 is that the school is a non-government school.

21 Total amount payable

For the purposes of paragraph 69A(4)(a) of the Act, the total of the amounts determined by the Minister for 2019, taken together, in relation to the circumstances mentioned in clause 20 of this Schedule, is $79.28 million.

22 Purpose for which funding is spent or committed to be spent

(1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69A(1) of the Act in the circumstances mentioned in clause 20 of this Schedule:
  (a) for the purpose of providing school education at a school for which the authority is approved; and
  (b) in accordance with any written directions given by the Minister.

(2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1) of this clause.

(3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:
  (a) before 31 December 2022; or
  (b) as otherwise directed in writing by the Minister.

(4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.

(5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Authorised Version F2019C00086 registered 22/01/2019

Clause 1

Schedule 2—Per-student amounts for 2017 for certain schools

Note: See subclause 5(3) of Schedule 1.

1 Per-student amounts for 2017 for certain schools

For a school specified in column 1 of an item in the following table, the per-student amount is the amount specified in column 2 of the item.

Per-student amounts for 2017

Item	Column 1 School	Column 2 Per-student amount for 2017
1	Albury Wodonga Community College (AGEID: 25136)	$15,892.75
2	Albury Wodonga Community College, Albury (AGEID: 28887)	$14,867.86
3	Al-Faisal College (AGEID: 15403)	$8,410.30
4	Al-Faisal College—Campbelltown (AGEID: 30306)	$8,122.73
5	Al-Faisal College—Liverpool (AGEID: 30305)	$8,128.03
6	Aspect Central Coast School (AGEID: 4079)	$12,883.41
7	Aspect Hunter School (AGEID: 3039)	$12,505.69
8	Aspect Macarthur School (AGEID: 29102)	$12,546.84
9	Aspect Riverina School (AGEID: 29104)	$13,841.56
10	Aspect South Coast School (AGEID: 6747)	$12,231.79
11	Aspect South East Sydney School (AGEID: 15942)	$12,344.46
12	Aspect Treetop School (AGEID: 30339)	$13,081.14
13	Aspect Vern Barnett School (AGEID: 3048)	$11,853.54
14	Aspect Western Sydney School (AGEID: 4280)	$14,482.80
15	Australian Industry Trade College (AGEID: 28118)	$8,798.72
16	Australian Industry Trade College—Redlands (AGEID: 30340)	$8,972.48
17	Australian International Academy, Kellyville Campus (AGEID: 30170)	$7,346.17
18	Australian International Academy of Education (AGEID: 4270)	$9,047.18
19	Australian Islamic College (Dianella) (AGEID: 14588)	$9,161.39
20	Australian Islamic College (Kewdale) (AGEID: 16671)	$9,651.01
21	Australian Islamic College (Thornlie) (AGEID: 13273)	$8,553.27
22	Blakes Crossing Christian College (AGEID: 30155)	$9,077.13
23	Brisbane Boys College (AGEID: 416)	$3,290.06
24	Broughton Anglican College (AGEID: 5492)	$7,305.71
25	Calderwood Christian School (AGEID: 80047)	$11,182.58
26	Calvary Christian College (AGEID: 4228)	$7,763.45

Authorised Version F2019C00086 registered 22/01/2019

Per-student amounts for 2017		
Item	**Column 1** **School**	**Column 2** **Per-student amount for 2017**
27	Calvin Christian School (AGEID: 17627)	$8,679.20
28	Carey Baptist College (AGEID: 15683)	$6,610.51
29	Carey Baptist College—Forrestdale (AGEID: 29930)	$8,493.58
30	Carinity Education—Glendyne (AGEID: 17689)	$15,096.38
31	Carinity Education—Rockhampton (AGEID: 30310)	$20,066.16
32	Carinity Education—Southside (AGEID: 16708)	$15,742.71
33	Carinya Christian School (AGEID: 3321)	$11,723.90
34	Carinya Christian School (AGEID: 4263)	$9,590.92
35	Carmichael College (AGEID: 30254)	$8,674.59
36	Channel Christian School (AGEID: 30320)	$11,721.48
38	Chinchilla Christian School (AGEID: 4245)	$10,156.97
39	Christian Aboriginal Parent-Directed School (AGEID: 2756)	$21,122.84
40	Christian Aboriginal Parent-Directed School (Caps), Kurrawang (AGEID: 8870)	$30,225.68
41	Christian Brothers High School (AGEID: 1348)	$6,682.78
42	Christian Outreach College (AGEID: 4005)	$7,927.65
43	Citipointe Christian College The Christian Outreach College Brisbane (AGEID: 2531)	$6,450.58
44	Clayfield College (AGEID: 432)	$4,679.04
45	Craig Davis College (AGEID: 30001)	$34,486.86
46	Dalby Christian College (AGEID: 2548)	$9,644.49
47	Dynamic Alternative Learning Environment (D.A.L.E.) Christian School (AGEID: 16054)	$23,578.95
48	Dynamic Alternative Learning Environment (D.A.L.E.) Young Parents School (AGEID: 30309)	$19,687.94
49	EDEN College (AGEID: 29772)	$27,671.94
50	Edmund Rice College (AGEID: 1379)	$8,640.24
51	Emmanuel Christian School (AGEID: 30319)	$13,348.67
52	Endeavour Christian College (AGEID: 29365)	$16,707.75
53	Frensham School (AGEID: 1381)	$6,320.87
54	Gib Gate School (AGEID: 1382)	$6,193.60
55	Groves Christian College (AGEID: 17213)	$7,768.27
56	Hilliard Christian School (AGEID: 55)	$12,179.86
57	Hinterland Christian College (AGEID: 5454)	$10,127.16
58	Illawarra Christian School (AGEID: 14564)	$8,186.95
59	Key College (AGEID: 16513)	$20,453.01
60	Kinross Wolaroi School (AGEID: 1410)	$7,269.64
61	Knox Grammar School (AGEID: 1411)	$2,339.71

Authorised Version F2019C00086 registered 22/01/2019

Clause 1

Per-student amounts for 2017

Item	Column 1 School	Column 2 Per-student amount for 2017
62	Livingstone Christian College (AGEID: 17662)	$8,325.34
63	Mercedes College (AGEID: 106)	$7,627.87
64	MLC School (AGEID: 1452)	$5,208.49
65	Montgrove College (AGEID: 16519)	$7,573.54
66	Mueller College (AGEID: 17214)	$8,903.83
67	Muswellbrook Christian School (AGEID: 16412)	$10,208.30
68	Northern Christian School (AGEID: 84755)	$13,199.02
69	North West Christian School (AGEID: 2803)	$13,785.45
70	Pacific Coast Christian School (AGEID: 28198)	$10,433.21
71	Pacific Hope School (AGEID: 30206)	$35,077.37
72	Presbyterian Ladies College (AGEID: 1526)	$4,680.07
73	Presbyterian Ladies' College (PLC) Armidale (AGEID: 1525)	$8,042.90
74	Pymble Ladies' College (AGEID: 1528)	$2,771.72
75	Ravenswood School for Girls (AGEID: 1531)	$2,351.55
76	Redfield College (AGEID: 5601)	$4,715.28
77	Royal Institute for Deaf and Blind Children (RIDBC) Alice Betteridge School (AGEID: 3040)	$22,323.88
78	Royal Institute for Deaf and Blind Children (RIDBC) Garfield Barwick School (AGEID: 13283)	$32,027.62
79	Royal Institute for Deaf and Blind Children (RIDBC) Thomas Pattison School (AGEID: 15957)	$28,012.00
80	Santa Maria College (AGEID: 232)	$5,957.48
81	Seaview Christian College (AGEID: 30314)	$12,909.00
82	Shalom Christian College (AGEID: 13496)	$21,111.80
83	Somerville House (AGEID: 724)	$4,045.21
84	St Aloysius College (AGEID: 306)	$7,056.04
85	St Andrew's Cathedral Gawura School (AGEID: 29067)	$20,531.80
86	St Andrew's Cathedral School (AGEID: 29275)	$3,995.34
87	St Andrew's Christian School (AGEID: 16099)	$12,352.17
88	St Brigid's College (AGEID: 15269)	$7,565.06
89	St Dominic's College (AGEID: 1632)	$8,783.93
90	St Edmund's College (AGEID: 2068)	$7,623.05
91	St Edmund's School (AGEID: 3032)	$18,635.94
92	St Edward's Christian Brothers College (AGEID: 1636)	$8,163.92
93	St Gabriel's School for Hearing Impaired Children (AGEID: 3033)	$17,918.05
94	St John's Anglican College (AGEID: 15331)	$6,916.01
95	St Joseph's College (AGEID: 1442)	$5,833.72

Authorised Version F2019C00086 registered 22/01/2019

Per-student amounts for 2017

Item	Column 1 School	Column 2 Per-student amount for 2017
96	St Mary's Flexible Learning Centre (AGEID: 30203)	$20,517.15
97	St Patrick's College (AGEID: 1900)	$6,189.01
98	St Paul's College (AGEID: 375)	$8,647.18
99	St Peter's Anglican Primary School (AGEID: 4064)	$7,027.27
100	St Philip's Christian College (AGEID: 3317)	$7,404.55
101	St Philip's Christian College—Gosford (AGEID: 2398)	$8,242.95
102	St Philip's Christian College—Port Stephens (AGEID: 14376)	$8,909.65
103	St Pius X College (AGEID: 1954)	$6,974.27
104	Staines Memorial College (AGEID: 28858)	$9,807.41
105	Summerland Christian College (AGEID: 5297)	$9,888.85
106	Suncoast Christian College (AGEID: 2525)	$8,181.84
107	Sunshine Coast Grammar School (AGEID: 15407)	$6,751.92
108	Sydney Grammar School (AGEID: 2021)	$2,628.37
109	Sydney Grammar School, Edgecliff Preparatory School (AGEID: 2019)	$2,200.26
110	Sydney Grammar School, St Ives Preparatory School (AGEID: 2020)	$2,015.11
111	Tangara School for Girls (AGEID: 4021)	$4,118.78
112	The John Berne School (AGEID: 16089)	$25,815.45
113	The King's School (AGEID: 2027)	$4,531.43
114	The Lakes College (AGEID: 22799)	$7,256.47
115	The Lakes College (AGEID: 80038)	$30,209.25
116	The Scots College (AGEID: 2029)	$2,668.66
117	The SCOTS PGC College (AGEID: 738)	$9,671.91
118	The Scots School (AGEID: 2030)	$8,243.29
119	The Springfield Anglican College (AGEID: 15361)	$7,863.66
120	Tom Quinn Community Centre Alternative School (AGEID: 30336)	$18,348.33
121	Tudor House (AGEID: 2034)	$6,405.19
122	Victory College (AGEID: 2545)	$10,282.96
123	Warwick Christian College (AGEID: 26131)	$12,255.14
124	Waverley College (AGEID: 2039)	$6,971.43
125	Wesley College (AGEID: 10940)	$3,743.98
126	Whitsunday Christian College (AGEID: 15362)	$9,657.91
127	Wollemi College (AGEID: 27644)	$8,757.75
128	Wollongong Flexible Learning Centre (AGEID: 29962)	$21,825.19
129	Wongutha Christian Aboriginal Parent-Directed School (AGEID: 13603)	$27,434.31
130	Yiramalay/Wesley Studio School (AGEID: 29953)	$48,570.30

Authorised Version F2019C00086 registered 22/01/2019

Clause 1

Per-student amounts for 2017		
Item	**Column 1** **School**	**Column 2** **Per-student amount for 2017**
131	Youth Outreach Service (YOS) Lawnton (AGEID: 30260)	$18,179.96

Note: AGEID (short for Australian Government Education ID) is the unique identifier used by the Commonwealth for managing client information for Australian schools receiving financial assistance under the Act.

Authorised Version F2019C00086 registered 22/01/2019

Schedule 3—Levels of education: certain schools in South Australia

Note: See section 7.

1 Certain schools in South Australia

For a school specified in an item in the following table, the levels of education constituting primary and secondary education are those mentioned in paragraphs (7)(1)(b) and (2)(b), respectively.

Certain schools in South Australia

Item	Name of school
1	Blackfriars Priory School (AGEID: 15689)
2	Blakes Crossing Christian College (AGEID: 30155)
3	Cabra Dominican College (AGEID: 255)
4	Caritas College (AGEID: 351)
5	Cedar College (AGEID: 14586)
6	Christian Brothers College (AGEID: 15342)
7	Concordia College (AGEID: 15944)
8	Cornerstone College (AGEID: 17262)
9	Crossways Lutheran School, Ceduna (AGEID: 2630)
10	Domino Servite College Inc (AGEID: 30308)
11	Emmaus Christian College Incorporated (AGEID: 2610)
12	Encounter Lutheran College (AGEID: 17272)
13	Endeavour College (AGEID: 16101)
14	Garden College (AGEID: 30212)
14A	Gleeson College (AGEID: 13267)
15	Harvest Christian College (AGEID: 16728)
16	Heritage College Inc (AGEID: 14653)
17	Hope Christian College (AGEID: 2622)
18	Horizon Christian School (AGEID: 14133)
19	Immanuel College (AGEID: 17260)
20	Investigator College (AGEID: 17289)
21	King’s Baptist Grammar School (AGEID: 4039)
22	Loreto College (AGEID: 15690)
23	Maitland Lutheran School (AGEID: 269)
24	Mary Mackillop College (AGEID: 275)
25	Marymount College (AGEID: 276)
26	Mercedes College (AGEID: 279)
27	Meridian School Incorporated (AGEID: 15880)

Authorised Version F2019C00086 registered 22/01/2019

Clause 1

Certain schools in South Australia	
Item	**Name of school**
28	Mid North Christian College (AGEID: 22798)
29	Mount Barker Waldorf School (AGEID: 2611)
30	Navigator College (AGEID: 28557)
31	Nazareth Catholic College (AGEID: 26772)
32	Pembroke School (AGEID: 265)
33	Pinnacle College—Elizabeth East Campus (AGEID: 22817)
34	Portside Christian College (AGEID: 2601)
35	Prescott College Southern (AGEID: 2606)
36	Prince Alfred College (AGEID: 299)
37	Pulteney Grammar School (AGEID: 300)
38	Rivergum College (AGEID: 5529)
39	Rostrevor College (AGEID: 15341)
40	Sacred Heart College (AGEID: 303)
41	Samaritan College (AGEID: 28124)
42	Scotch College (AGEID: 390)
43	Seymour College (AGEID: 298)
44	Southern Montessori School (AGEID: 13279)
45	Southern Vales Christian College (AGEID: 2619)
46	St Aloysius College (AGEID: 306)
47	St Barbara's Parish School (AGEID: 16983)
48	St Columba College (AGEID: 15419)
49	St Dominic's Priory College (AGEID: 315)
50	St Francis de Sales College (AGEID: 381)
51	St Ignatius' College (AGEID: 15343)
52	St John's Grammar School (AGEID: 326)
53	St Joseph's School (AGEID: 352)
54	St Mark's College (AGEID: 362)
55	St Martins Lutheran College (AGEID: 2629)
56	St Mary's College (AGEID: 366)
57	St Michael's College (AGEID: 15691)
58	St Paul's College (AGEID: 375)
59	St Peter's College (AGEID: 252)
60	St Peter's Collegiate Girls' School (AGEID: 377)
60A	Sunrise Christian School Marion (AGEID: 85516)
61	Tatachilla Lutheran College (AGEID: 14290)
62	Temple Christian College (AGEID: 4040)
63	Tenison Woods College (AGEID: 17290)
64	The Hills Christian Community School Incorporated (AGEID: 4038)

Authorised Version F2019C00086 registered 22/01/2019

Certain schools in South Australia	
Item	**Name of school**
65	The Hills Montessori School (AGEID: 2623)
66	Torrens Valley Christian School (AGEID: 2616)
67	Trinity College Blakeview (AGEID: 16029)
68	Trinity College Gawler River School (AGEID: 16879)
69	Trinity College North (AGEID: 16030)
70	Trinity College South (AGEID: 16031)
71	Tyndale Christian School (AGEID: 4046)
72	Tyndale Christian School Murray Bridge (AGEID: 16724)
73	Tyndale Christian School Strathalbyn (AGEID: 13508)
74	Unity College Inc (AGEID: 2605)
75	Walford Anglican School for Girls (AGEID: 401)
76	Westminster School (AGEID: 402)
77	Wilderness School (AGEID: 404)
78	Willunga Waldorf School (AGEID: 13521)
79	Woodcroft College (AGEID: 13281)

Note: AGEID (short for Australian Government Education ID) is the unique identifier used by the Commonwealth for managing client information for Australian schools receiving financial assistance under the Act.

Authorised Version F2019C00086 registered 22/01/2019

Clause 1

Schedule 4—Starting Commonwealth shares for certain schools

Note: See section 16A.

1 Starting Commonwealth shares for certain schools

For a school specified in column 1 of an item in the following table, the starting Commonwealth share is the percentage specified in column 2 of the item.

Starting Commonwealth shares

Item	Column 1 School	Column 2 Starting Commonwealth share
1	Albury Wodonga Community College (AGEID: 25136)	48.8211955280624%
2	Albury Wodonga Community College, Albury (AGEID: 28887)	48.4661505326270%
3	Al-Faisal College (AGEID: 15403)	71.6992001005908%
4	Al-Faisal College—Campbelltown (AGEID: 30306)	72.1654376322807%
5	Al-Faisal College—Liverpool (AGEID: 30305)	71.5390187132141%
5A	Araluen Christian College (AGEID: 15336)	64.8942029740351%
6	Aspect Central Coast School (AGEID: 4079)	25.5616598585510%
7	Aspect Hunter School (AGEID: 3039)	25.1901516288512%
8	Aspect Macarthur School (AGEID: 29102)	28.8772093546382%
9	Aspect Riverina School (AGEID: 29104)	26.9179050387181%
10	Aspect South Coast School (AGEID: 6747)	27.1043253408633%
11	Aspect South East Sydney School (AGEID: 15942)	25.6612555160671%
12	Aspect Treetop School (AGEID: 30339)	25.0873599943858%
13	Aspect Vern Barnett School (AGEID: 3048)	24.6168284282390%
14	Aspect Western Sydney School (AGEID: 4280)	31.1503311107875%
15	Australian Industry Trade College (AGEID: 28118)	72.5207820941737%
16	Australian Industry Trade College—Redlands (AGEID: 30340)	74.7786418935663%
17	Australian International Academy, Kellyville Campus (AGEID: 30170)	72.1065987398766%
18	Australian International Academy of Education (AGEID: 4270)	70.8336603203212%
18A	Australian Islamic College Adelaide (AGEID: 84996)	70.8618634725575%

Authorised Version F2019C00086 registered 22/01/2019

Starting Commonwealth shares		
Item	**Column 1** **School**	**Column 2** **Starting Commonwealth share**
19	Australian Islamic College (Dianella) (AGEID: 14588)	77.3029477379847%
20	Australian Islamic College (Kewdale) (AGEID: 16671)	65.7136629335187%
21	Australian Islamic College (Thornlie) (AGEID: 13273)	63.8026551050662%
22	Blakes Crossing Christian College (AGEID: 30155)	75.8646957235202%
23	Brisbane Boys College (AGEID: 416)	77.6633329457661%
24	Broughton Anglican College (AGEID: 5492)	73.4786864456646%
25	Calderwood Christian School (AGEID: 80047)	84.8491089641012%
26	Calvary Christian College (AGEID: 4228)	74.1631457760165%
27	Calvin Christian School (AGEID: 17627)	70.7638141432998%
28	Carey Baptist College (AGEID: 15683)	71.8695402444461%
29	Carey Baptist College—Forrestdale (AGEID: 29930)	76.3228230993271%
30	Carinity Education—Glendyne (AGEID: 17689)	45.1671328091429%
31	Carinity Education—Rockhampton (AGEID: 30310)	70.2762707482453%
32	Carinity Education—Southside (AGEID: 16708)	47.9797341138407%
33	Carinya Christian School (AGEID: 3321)	74.9503504488285%
34	Carinya Christian School (AGEID: 4263)	66.2259646848742%
35	Carmichael College (AGEID: 30254)	70.6122782000276%
36	Channel Christian School (AGEID: 30320)	80.3489209050332%
37	Charlotte Mason College (AGEID: 84817)	76.1116015606124%
38	Chinchilla Christian College (AGEID: 4245)	66.2793023448318%
39	Christian Aboriginal Parent-Directed School (AGEID: 2756)	66.3131418729447%
40	Christian Aboriginal Parent-Directed School (Caps), Kurrawang (AGEID: 8870)	76.6600070784544%
41	Christian Brothers High School (AGEID: 1348)	69.7621907436576%
42	Christian Outreach College (AGEID: 4005)	69.0832714767509%
43	Citipointe Christian College The Christian Outreach College Brisbane (AGEID: 2531)	80.2760808935746%
44	Clayfield College (AGEID: 432)	72.6387000895762%
45	Craig Davis College (AGEID: 30001)	72.6649481647520%
46	Dalby Christian College (AGEID: 2548)	68.7381473775431%

Authorised Version F2019C00086 registered 22/01/2019

Clause 1

Starting Commonwealth shares		
Item	**Column 1** **School**	**Column 2** **Starting Commonwealth share**
47	Dynamic Alternative Learning Environment (D.A.L.E.) Christian School (AGEID: 16054)	65.9800820771600%
48	Dynamic Alternative Learning Environment (D.A.L.E.) Young Parents School (AGEID: 30309)	55.5947570052009%
49	EDEN College (AGEID: 29772)	78.0630653192559%
50	Edmund Rice College (AGEID: 1379)	82.0245210991853%
51	Emmanuel Christian School (AGEID: 30319)	83.9152117718619%
52	Endeavour Christian College (AGEID: 29365)	79.0285261552167%
53	Frensham School (AGEID: 1381)	73.1896360182342%
53A	Gawa Christian School (AGEID: 18020)	64.8942029740351%
54	Gib Gate School (AGEID: 1382)	58.0235450422818%
55	Groves Christian College (AGEID: 17213)	57.4010527860922%
56	Hilliard Christian School (AGEID: 55)	66.9613662938440%
57	Hinterland Christian College (AGEID: 5454)	66.2050960998458%
58	Illawarra Christian School (AGEID: 14564)	80.8062417793818%
59	Key College (AGEID: 16513)	49.2226466730455%
60	Kinross Wolaroi School (AGEID: 1410)	72.0452921787067%
61	Knox Grammar School (AGEID: 1411)	81.6799020383603%
62	Livingstone Christian College (AGEID: 17662)	71.3869527935565%
62A	Mapuru Yirralka College (AGEID: 28912)	44.9657177432755%
62B	Marrara Christian School (AGEID: 16995)	64.8942029740351%
63	Mercedes College (AGEID: 106)	95.0054866620962%
64	MLC School (AGEID: 1452)	88.0370836254364%
65	Montgrove College (AGEID: 16519)	76.7624347963428%
66	Mueller College (AGEID: 17214)	75.1832668260603%
67A	Nhulunbuy Christian School (AGEID: 16521)	64.8942029740351%
68	Northern Christian School (AGEID: 84755)	82.9418472578858%
68A	Northern Territory Christian College (AGEID: 16981)	64.8942029740351%
69	North West Christian School (AGEID: 2803)	64.6681696890563%
69A	Pacific Brook Christian School (AGEID: 16412)	55.7815802921001%
70	Pacific Coast Christian School (AGEID: 28198)	67.4206735584334%
71	Pacific Hope School (AGEID: 30206)	121.6532757878780%
71A	Palmerston Christian School (AGEID: 15335)	64.8942029740351%
72	Presbyterian Ladies College (AGEID: 1526)	80.8560000413309%

Authorised Version F2019C00086 registered 22/01/2019

Starting Commonwealth shares		
Item	**Column 1** **School**	**Column 2** **Starting Commonwealth share**
73	Presbyterian Ladies' College (PLC) Armidale (AGEID: 1525)	65.8654086903361%
74	Pymble Ladies' College (AGEID: 1528)	104.5120315637080%
75	Ravenswood School for Girls (AGEID: 1531)	77.1826390815258%
76	Redfield College (AGEID: 5601)	62.4034380494687%
77	Royal Institute for Deaf and Blind Children (RIDBC) Alice Betteridge School (AGEID: 3040)	47.8357959397027%
78	Royal Institute for Deaf and Blind Children (RIDBC) Garfield Barwick School (AGEID: 13283)	82.5107592728883%
79	Royal Institute for Deaf and Blind Children (RIDBC) Thomas Pattison School (AGEID: 15957)	63.5163218036350%
80	Santa Maria College (AGEID: 232)	93.5911320619446%
80A	Sattler Christian College (AGEID: 14589)	64.8942029740351%
81	Seaview Christian College (AGEID: 30314)	75.9743517939866%
82	Shalom Christian College (AGEID: 13496)	56.3991342372840%
83	Somerville House (AGEID: 724)	82.8950749388982%
84	St Aloysius College (AGEID: 306)	69.3880483590263%
85	St Andrew's Cathedral Gawura School (AGEID: 29067)	54.5167538690093%
86	St Andrew's Cathedral School (AGEID: 29275)	82.5102226831073%
87	St Andrew's Christian School (AGEID: 16099)	67.6938885814789%
88	St Brigid's College (AGEID: 15269)	77.1992281931506%
89	St Dominic's College (AGEID: 1632)	65.5576532129772%
90	St Edmund's College (AGEID: 2068)	101.2599049314080%
91	St Edmund's School (AGEID: 3032)	42.8829362598815%
92	St Edward's Christian Brothers College (AGEID: 1636)	72.8940813338856%
93	St Gabriel's School for Hearing Impaired Children (AGEID: 3033)	41.8411895588886%
94	St John's Anglican College (AGEID: 15331)	75.0736032131571%
95	St Joseph's College (AGEID: 1442)	109.9415782193520%
96	St Mary's Flexible Learning Centre (AGEID: 30203)	46.1944939756858%
97	St Patrick's College (AGEID: 1900)	85.9945620213759%
98	St Paul's College (AGEID: 375)	63.6225053058534%

Clause 1

Starting Commonwealth shares		
Item	**Column 1** **School**	**Column 2** **Starting Commonwealth share**
99	St Peter's Anglican Primary School (AGEID: 4064)	70.5130321095179%
100	St Philip's Christian College (AGEID: 3317)	80.0313066328361%
101	St Philip's Christian College—Gosford (AGEID: 2398)	70.7119754810385%
102	St Philip's Christian College—Port Stephens (AGEID: 14376)	77.8025672083785%
103	St Pius X College (AGEID: 1954)	162.5809819402880%
104	Staines Memorial College (AGEID: 28858)	66.9741224051203%
105	Summerland Christian College (AGEID: 5297)	76.6439424468203%
106	Suncoast Christian College (AGEID: 2525)	71.2818209090640%
107	Sunshine Coast Grammar School (AGEID: 15407)	65.5237661164868%
108	Sydney Grammar School (AGEID: 2021)	92.9399534438846%
109	Sydney Grammar School, Edgecliff Preparatory School (AGEID: 2019)	97.1454711007720%
110	Sydney Grammar School, St Ives Preparatory School (AGEID: 2020)	89.2619054466916%
111	Tangara School for Girls (AGEID: 4021)	69.0294087244639%
112	The John Berne School (AGEID: 16089)	63.9529440909565%
113	The King's School (AGEID: 2027)	82.1659646966863%
114	The Lakes College (AGEID: 22799)	77.3458881610775%
115	The Lakes College (AGEID: 80038)	77.1539669769758%
116	The Scots College (AGEID: 2029)	83.3892310836450%
117	The SCOTS PGC College (AGEID: 738)	69.8093098654266%
118	The Scots School (AGEID: 2030)	71.1841802005491%
119	The Springfield Anglican College (AGEID: 15361)	77.8981104429128%
120	Tom Quinn Community Centre Alternative School (AGEID: 30336)	53.2899488253848%
121	Tudor House (AGEID: 2034)	67.1071796420408%
122	Victory College (AGEID: 2545)	78.7228566584716%
123	Warwick Christian College (AGEID: 26131)	55.3575394973601%
124	Waverley College (AGEID: 2039)	126.9484220848820%
125	Wesley College (AGEID: 10940)	77.6002024660756%
126	Whitsunday Christian College (AGEID: 15362)	62.4049095408888%
127	Wollemi College (AGEID: 27644)	68.4822987423388%
128	Wollongong Flexible Learning Centre (AGEID: 29962)	55.6256135271664%

Authorised Version F2019C00086 registered 22/01/2019

Starting Commonwealth shares		
Item	**Column 1** **School**	**Column 2** **Starting Commonwealth share**
129	Wongutha Christian Aboriginal Parent-Directed School (AGEID: 13603)	45.6371682551572%
130	Yiramalay/Wesley Studio School (AGEID: 29953)	88.1794781097356%
131	Youth Outreach Service (YOS) Lawnton (AGEID: 30260)	42.2528526421334%

Note: AGEID (short for Australian Government Education ID) is the unique identifier used by the Commonwealth for managing client information for Australian schools receiving financial assistance under the Act.

Authorised Version F2019C00086 registered 22/01/2019

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes
Endnote 2—Abbreviation key
Endnote 3—Legislation history
Endnote 4—Amendment history

Abbreviation key—Endnote 2
The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4
Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes
The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments
A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation "(md)" added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation "(md not incorp)" is added to the details of the amendment included in the amendment history.

Authorised Version F2019C00086 registered 22/01/2019

Endnote 2—Abbreviation key

ad = added or inserted

am = amended

amdt = amendment

c = clause(s)

C[x] = Compilation No. x

Ch = Chapter(s)

def = definition(s)

Dict = Dictionary

disallowed = disallowed by Parliament

Div = Division(s)

ed = editorial change

exp = expires/expired or ceases/ceased to have effect

F = Federal Register of Legislation

gaz = gazette

LA = *Legislation Act 2003*

LIA = *Legislative Instruments Act 2003*

(md) = misdescribed amendment can be given effect

(md not incorp) = misdescribed amendment cannot be given effect

mod = modified/modification

No. = Number(s)

o = order(s)

Ord = Ordinance

orig = original

par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)

pres = present

prev = previous

(prev…) = previously

Pt = Part(s)

r = regulation(s)/rule(s)

reloc = relocated

renum = renumbered

rep = repealed

rs = repealed and substituted

s = section(s)/subsection(s)

Sch = Schedule(s)

Sdiv = Subdivision(s)

SLI = Select Legislative Instrument

SR = Statutory Rules

Sub-Ch = Sub-Chapter(s)

SubPt = Subpart(s)

underlining = whole or part not commenced or to be commenced

Authorised Version F2019C00086 registered 22/01/2019

Endnote 3—Legislation history

Number and year	FRLI registration	Commencement	Application, saving and transitional provisions
195, 2013	31 July 2013 (F2013L01476)	1 Jan 2014 (s 2)	
188, 2014	16 Dec 2014 (F2014L01723)	Sch 2: 1 Jan 2015 (s 2 item 3) Remainder: 17 Dec 2014 (s 2 items 1, 2, 4)	—
140, 2015	24 Aug 2015 (F2015L01305)	25 Aug 2015 (s 2(1) item 1)	—

Name	Registration	Commencement	Application, saving and transitional provisions
Australian Education Amendment Regulation 2016 (No. 1)	9 May 2016 (F2016L00713)	10 May 2016 (s 2(1) item 1)	—
Australian Education Amendment (2016 Measures No. 2) Regulation 2016	29 Sept 2016 (F2016L01545)	30 Sept 2016 (s 2(1) item 1)	—
Australian Education Amendment (2016 Measures No. 3) Regulation 2016	28 Oct 2016 (F2016L01653)	29 Oct 2016 (s 2(1) item 1)	—
Australian Education Amendment (2017 Measures No. 1) Regulations 2017	21 Sept 2017 (F2017L01231)	22 Sept 2017 (s 2(1) item 1)	—
Australian Education Amendment (2017 Measures No. 2) Regulations 2017	20 Nov 2017 (F2017L01501)	Sch 1: 1 Jan 2018 (s 2(1) item 2)	—
Australian Education Amendment (2017 Measures No. 3) Regulations 2017	18 Dec 2017 (F2017L01643)	Sch 1: 1 Jan 2018 (s 2(1) item 2)	—
Australian Education Amendment (2018 Measures No. 1) Regulations 2018	25 July 2018 (F2018L01056)	26 July 2018 (s 2(1) item 1)	—
Australian Education Amendment (2018 Measures No. 2) Regulations 2018	12 Oct 2018 (F2018L01424)	13 Oct 2018 (s 2(1) item 1)	—
Australian Education Amendment (2018 Measures No. 3) Regulations 2018	6 Dec 2018 (F2018L01677)	Sch 2: 1 Jan 2019 (s 2(1) item 3) Remainder: 7 Dec 2018 (s 2(1) items 1, 2)	—

Authorised Version F2019C00086 registered 22/01/2019

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
Division 1	
s 2	rep LIA s 48D
s 4	am No 188, 2014; No 140, 2015; F2016L01653; F2017L01501; F2017L01643
s 5	rs F2017L01501
Division 2	
Subdivision A	
s 6	am No 188, 2014; F2017L01501
Subdivision AA	
Subdivision AA	ad F2018L01677
s 6A	ad F2018L01677
Subdivision B	
s 7	am No 188, 2014
	rs F2017L01643
s 8	am No 188, 2014
	rep F2017L01643
s 9	am No 188, 2014; F2017L01643
Subdivision C	
Subdivision C	ad F2017L01501
s 9A	ad F2017L01501
s 9B	ad F2017L01501
Part 2	
s 10	am F2017L01643
	rep F2018L01677
s 10A	ad F2018L01677
s 11	am No 140, 2015
s 12	am No 188, 2014; No 140, 2015
	rs F2017L01501
s 13	am No 188, 2014; No 140, 2015
	rep F2017L01501
s 13A	ad No 140, 2015
	rep F2017L01501
Part 3	
Part 3 heading	rs F2017L01501
Division 1	
s 15	rep F2017L01501
s 16	am No 188, 2014; F2017L01501

Authorised Version F2019C00086 registered 22/01/2019

Endnote 4—Amendment history

Provision affected	How affected
s 16A	ad F2017L01643
	am F2018L01677
s 17	rs F2017L01501
s 17A	ad F2017L01501
s 18	rs No 140, 2015
	am F2017L01501
s 19	rep No 140, 2015
Division 2	
Subdivision A	rep F2017L01501
s 20	rep F2017L01501
Subdivision B heading	rep F2017L01501
s 21	am F2017L01501; F2018L01424
s 23	am F2017L01501; F2018L01677
Part 4	
Part 4 heading	rs No 188, 2014
Division 1	
Division 1	ad No 188, 2014
s 24AA	ad F2018L01056
s 24A	ad No 140, 2015
	rs F2016L00713
	am F2017L01231
s 24B	ad No 188, 2014
	am F2017L01501
Division 2	
Division 2 heading	ad No 188, 2014
Division 3	
Division 3	ad No 188, 2014
	rs F2017L01501
Subdivision A heading	rep F2017L01501
s 25A	ad No 188, 2014
	am No 140, 2015
	rs F2017L01501
s 25B	ad No 188, 2014
	am No 140, 2015
	rep F2017L01501
s 25C	ad No 188, 2014
	am No 140, 2015
	rep F2017L01501
s 25D	ad No 188, 2014
	rep F2017L01501

Authorised Version F2019C00086 registered 22/01/2019

Provision affected	How affected
s 25E	ad No 188, 2014
	rep F2017L01501
s 25F	ad No 188, 2014
	rep F2017L01501
s 25G	ad No 188, 2014
	rep F2017L01501
Subdivision C	ad F2016L01545
	rep F2017L01501
s 25H	ad F2016L01545
	rep F2017L01501
s 25J	ad F2016L01545
	rep F2017L01501
s 25K	ad F2016L01545
	rep F2017L01501
s 25L	ad F2016L01545
	rep F2017L01501
Part 5	
Division 1	
s 28	am No 140, 2015
Division 2	
Subdivision A	
s 29	am No 188, 2014; No 140, 2015; F2016L01653; F2017L01501; F2017L01643
s 30	am No 188, 2014; No 140, 2015; F2017L01643
s 31	am No 188, 2014; F2017L01501
Subdivision B	
s 34	am No 188, 2014; F2016L01545; F2017L01643; F2018L01677
s 35	am No 140, 2015; F2016L01545; F2018L01677
s 36	am No 140, 2015; F2016L01545; F2017L01501; F2017L01643; F2018L01677
s 37	am No 188, 2014
s 38	am F2017L01643
s 39A	ad F2018L01677
Division 3	
Subdivision A	rep F2017L01501
s 41	rep F2017L01501
Subdivision C	
s 43	am No 140, 2015; F2016L01653; F2017L01501
Subdivision D	rep F2016L01653
s 44	rep F2016L01653
s 45	rep F2016L01653

Authorised Version F2019C00086 registered 22/01/2019

Endnote 4—Amendment history

Provision affected	How affected
Subdivision E	
s 46	am No 140, 2015; F2017L01501
s 47	am No 140, 2015
s 48	am No 140, 2015; F2017L01501; F2017L01643
s 49	am No 140, 2015
s 50	am No 140, 2015; F2017L01501; F2017L01643
s 51	rep No 140, 2015
Subdivision F	
s 52	am No 188, 2014; F2018L01424
s 53	am No 140, 2015; F2016L01653
s 56	am F2017L01501
s 58A	ad No 188, 2014
	am F2017L01501
s 58B	ad F2018L01424
Subdivision H	
s 60	am No 140, 2015
Subdivision I	rep F2017L01501
s 61	am F2016L01653
	rep F2017L01501
Division 5	
Division 5	ad F2017L01501
s 62A	ad F2017L01501
Part 7	
s 65	am No 140, 2015; F2017L01501
s 66	am No 140, 2015; F2017L01501
Part 8	
Part 8	ad No 188, 2014
s 67	ad No 188, 2014
s 68	ad No 140, 2015
	am F2017L01501
s 69	ad F2016L01545
s 70	ad F2016L01653
	ed C6
s 71	ad F2017L01501
s 72	ad F2017L01643
s 73	ad F2018L01677
	am F2018L01677
Schedule 1	
Schedule 1	ad F2017L01501

Authorised Version F2019C00086 registered 22/01/2019

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
c 1	ad F2017L01501
c 2	ad F2017L01501
c 3	ad F2017L01501
Part 2	
Part 2 heading	rs F2017L01643
Division 1	
Division 1 heading	rs F2017L01643
c 4	ad F2017L01501
c 5	ad F2017L01501
c 6	ad F2017L01501
	am F2018L01677
Division 2	
Division 2	rs F2018L01677
c 7	ad F2017L01501
	am F2017L01643
	rs F2018L01677
c 8	ad F2017L01501
	am F2017L01643
	rs F2018L01677
c 9	ad F2017L01501
	rs F2018L01677
c 10	ad F2017L01501
	rs F2018L01677
Part 3	
c 11	ad F2017L01501
c 12	ad F2017L01501
	am F2018L01677
c 13	ad F2017L01501
Part 4	
Part 4 heading	rs F2017L01643
c 14	ad F2017L01501
c 15	ad F2017L01501
c 16	ad F2017L01501
	am F2018L01677
Part 5	
Part 5	ad F2018L01677
Division 1	
c 17	ad F2018L01677
c 18	ad F2018L01677

Authorised Version F2019C00086 registered 22/01/2019

Endnote 4—Amendment history

Provision affected	How affected
c 19	ad F2018L01677
Division 2	
c 20	ad F2018L01677
c 21	ad F2018L01677
c 22	ad F2018L01677
Schedule 2	
Schedule 2	ad F2017L01501
	am F2017L01643
c 1	ad F2017L01501
	am F2018L01677
Schedule 3	
Schedule 3	ad F2017L01643
c 1	ad F2017L01643
	am F2018L01677
Schedule 4	
Schedule 4	ad F2017L01643
c 1	ad F2017L01643
	am F2018L01677

Authorised Version F2019C00086 registered 22/01/2019