

Commonwealth Scholarships Guidelines (Research) Amendment (No.1) 2019

**COMMONWEALTH OF AUSTRALIA**

***Higher Education Support Act 2003***

I, DAN TEHAN, Minister for Education, make the following legislative instrument.

Dated 27 November 2019

**DAN TEHAN**

Minister for Education

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Part 1 Preliminary

1. **Name of Guidelines**

This instrument is the *Commonwealth Scholarships Guidelines (Research) Amendment (No.1) 2019*.

1. **Commencement**

This instrument commences on the day after it is registered.

1. **Authority**

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

1. **Schedules**

The *Commonwealth Scholarships Guidelines (Research) 2017* are amended as set out in Schedule 1 to this instrument.

Schedule 1 - Amendments

## ***Commonwealth Scholarships Guidelines (Research) 2017***

## **1 Section i.v:**

Insert or amend the following definitions in the appropriate alphabetical order:

*ABS* means the Australian Bureau of Statistics

*ASCED* means the Australian Standard Classification of Education - 1272.0 - 2001 specified by the *ABS*

*Category 1* is Australian competitive grants *R&D* income in *HERDC*

*Category 2* is other public sector *R&D* income in *HERDC*

*Category 3* is industry and other *R&D* income in *HERDC*

*Category 4* is Cooperative Research Centre *R&D* income in *HERDC*

*the department* means the Commonwealth Department of Education

*R&D* or *research* means Research and Experimental Development as defined in the Frascati Manual 2015 maintained by the Organisation for Economic Cooperation and Development

*Research Doctorate* means a Level 10 Doctoral Degree (Research) or Doctoral Degree (Professional) qualification as described in the AQF

## **2 Delete paragraph 1.4.15 and replace with:**

## **1.4.15 Grant Amounts for 2017, 2018, 2019 and 2020 *Grant Years***

Subject to any adjustment that may be made under paragraph 1.4.30, for the 2017, 2018, 2019 and 2020 *Grant Years,* the formula for calculating each *HEP’s RTP* Grant Amount is:



where:

|  |  |  |
| --- | --- | --- |
|  | = | *the share of RTP* Grant Amount\* for ith *HEP* in the year prior to the *Grant Year* calculated according to the following formula: |
|  | = | Year prior to the *Grant Year* \* |
|  | = | *Funding Pool* in year y |
|  | = | Basic Grant Amount calculated in paragraph 1.4.5 |

\* For the 2017 *Grant Year* only, each *HEP’s* *RTP* Grant Amount for the previous G*rant Year* is equal to the total of Grant Amounts received by that *HEP* in 2016 under the former Australian Postgraduate Awards, International Postgraduate Research Scholarships and Research Training Scheme programs.

## **3 Delete paragraph 1.4.20 and replace with:**

## **1.4.20 Grant Amounts for 2021 and future *Grant Years***

Subject to any adjustment that may be made under paragraph 1.4.30, for the 2021 and future *Grant Years*, each *HEP*’s *RTP* Grant Amount is equal to that *HEP’*s Basic Grant Amount calculated in paragraph 1.4.5.

## **4 After paragraph 1.4.25 insert:**

## **1.4.30 Adjustments**

1. If a *HEP* provides incorrect *HERDC* or *HESDC* data used to calculate the *HEP*’s *RTP* Grant Amount for a *Grant Year*, the *HEP* must correct the information provided to the *department* (‘corrected data’), provide supporting evidence that demonstrates the accuracy of the corrected data, and provide information on the causes of the incorrect data.
2. If the *HEP* provides corrected data and supporting evidence on or before 1 October in the year the data was first provided the *department* will take into account the corrected data when calculating grant amounts under paragraphs 1.4.5 or 1.4.15 (as applicable).
3. Subject to subparagraph 1.4.30(4), if a *HEP* provides either the corrected data or supporting evidence after 1 October in the year the data was first provided, the corrected data will not be used to calculate, or adjust, the *HEP*’s Grant Amount for a *Grant Year*.
4. Where corrected data is provided in accordance with subparagraph 1.4.30(3), the *department* will use the method specified in paragraphs 1.4.5 or 1.4.15 (as applicable) to determine the Grant Amount the *HEP* would have been paid for the *Grant Year* if the corrected data had been used. If the *department* determines that a *HEP* has received an overpayment in respect of the *Grant Year*, the *HEP* must repay the amount of the overpayment to the *department*.

## **5** **Delete paragraph 1.6.30 and replace with:**

## **Additional Conditions for *Overseas Students***

1. A *HEP* may only spend up to a maximum of 10 per cent of its *RTP* grant amount in a *Grant Year*, on the provision of *RTP* *Scholarships* to *overseas students*.
2. When calculating the 10 per cent cap specified in subparagraph 1.6.30(1), a *HEP* must take into account any *RTP* grant amount approved by the Secretary of the *department* under section 41-40 of *the Act* to be rolled over from the previous *Grant Year*.

## **6 After paragraph 1.6.55 insert:**

## **1.6.60 Items to be reported**

A *HEP* must report to the *department* the items specified in column 1 (‘Item’) of the table, in accordance with the specification in column 2 (‘Specification’), in each *Grant Year*. Each Item must be providedby the date specified in column 3 of the table (‘Due Date’).

| **Item** | **Specification** | **Due Date** |
| --- | --- | --- |
| *HERDC* data | *HERDC* Specifications | 30 June |
| *HERDC* Audit Certificate |
| *HERDC* Vice-Chancellor’s Certification Statement |
| The latest set of information provided to the *ABS* about higher education research and development expenditure that the *ABS* has returned to the *HEP* | In the form provided by the *ABS* | Within 30 days of the *ABS* returning the information to the *HEP* |

## **1.6.65 Items reported elsewhere**

In addition to the Items in paragraph 1.6.60, the *department* will take into account information otherwise provided to the Commonwealth by the *HEP* in the Items in column 1 below, which must have been prepared in accordance with the Specifications referred to column 2, as part of *RTP* grant amount calculations and in undertaking compliance and monitoring activities in relation to the *RTP*.

| **Item** | **Specifications** |
| --- | --- |
| Acquittal of Australian Government financial assistance or *RTP* rollover data | Financial Statement Guidelines for Australian *HEPs* |
| *HESDC* data | Higher Education Data Requirements and Change Control document |