

## **EXPLANATORY STATEMENT**

**Issued by the authority of the Minister for Education**

***Higher Education Support Act 2003***

***Higher Education Support (Other Grants) Amendment (Commonwealth Prac Payment)  
Guidelines 2025***

### **AUTHORITY**

Section 238-10 of the *Higher Education Support Act 2003* (the Act) provides that the Minister may make guidelines for the purposes of the Act. In particular, item 8 of the table at subsection 238-10(1) specifies that the Minister may make Other Grants Guidelines to, amongst other things, provide for matters necessary or convenient to be provided in order to carry out or give effect to Part 2-3 of the Act in relation to grants payable under that Part.

Under subsection 33(3) of the *Acts Interpretation Act 1901*, where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character (including rules, regulations, or by laws), the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument. The amendments to the *Higher Education Support (Other Grants) Guidelines 2022* (the Principal Instrument) made by the *Higher Education Support (Other Grants) Amendment (Commonwealth Prac Payment) Guidelines 2025* (the Amendment Instrument) rely on this provision.

### **PURPOSE AND OPERATION**

The Amendment Instrument amends the Principal Instrument to specify a new program under which grants can be made, being the Commonwealth Prac Payment program (CPP), which will support teaching, nursing, midwifery and social work students to complete their mandatory placements.

The CPP will enable the provision of grants to providers to assist those providers with making payments (equal to the weekly Austudy rate), to eligible students undertaking mandatory placements as part of teaching, nursing, midwifery, and social work courses of study.

The CPP is part of a number of key reforms the Government is introducing in response to the 2023 Employment White Paper and the Australian Universities Accord Final Report, which heard the very real concerns of students and unions about placement poverty and cost of living pressures impacting students' ability to commence and complete their studies to enter the workforce.

While mandatory placements form an important part of learning, they can come at a financial cost to students over-and-above standard costs of living.

Placement poverty disproportionately affects equity groups as they are more likely to choose to study in care and teaching fields of education which have mandatory placement requirements. The financial pressures experienced by students undertaking mandatory placements are exacerbated for women, mature-aged students, students with disability and First Nations students, who are often juggling full-time or part-time study with paid work as well as caring and parental responsibilities and other challenges.

The CPP will support learning outcomes by easing financial pressure on students during mandatory placements and increasing retention rates and completion of qualifications, where the financial impact of placements may have otherwise influenced students to defer or withdraw from study.

The Amendment Instrument also amends the Principal Instrument to specify eligible bodies corporate for the purposes of item 15 of the table in subsection 41-10(1) of the Act. The bodies corporate are being specified to ensure they are able to receive grants to set up systems and infrastructure that will assist them with providing payments to students under the CPP.

## **IMPACT ANALYSIS**

The Office of Impact Analysis has been consulted in relation to the amendments in relation to the CPP and advised that the Amendment Instrument has a minor regulatory impact and that an Impact Analysis is not required (ID: OIA2305323).

## **COMMENCEMENT**

The Amendment Instrument commences the day after it is registered.

## **CONSULTATION**

The policy underpinning the CPP was developed following extensive consultation conducted in the context of developing the Government's 2023 Employment White Paper and following comprehensive consultation as part of the Australian Universities Accord (the Accord) process where the views and feedback of an extensive range of stakeholders, including students, were obtained and considered. The CPP has been further developed in collaboration with the higher education sector and key stakeholders to ensure it can be implemented and administered simply, while remaining targeted to those students most in need.

The Department of Education (department) has consulted with peak bodies (such as Universities Australia, Regional Universities Network and Group of Eight), representative and interest groups (including unions and student voices), higher education providers, relevant faculty bodies (such as the Council of Deans of the relevant disciplines), operational networks (such as the Australian Network of University Planners), accreditation authorities (such as the Australian Nursing and Midwifery Accreditation Council, Australian Association of Social Workers and the Australian Institute for Teaching and School Leadership) and the

States and Territories (through National Teaching Workforce Action Plan, Health Workforce Taskforce and the Tertiary Reform Group) in relation to the CPP.

An Operational Working Group (OWG) has been established to inform program implementation. Membership of the OWG comprises a diverse range of higher education providers and student representatives. Provider and student insights gained through this engagement have influenced the policy settings and program guidelines for the program (for example, changes to allow for providers to consider students with exceptional circumstances to receive payments even if they do not meet certain requirements). The OWG and stakeholders consulted have largely been supportive of the CPP.

## STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS

*Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011*

### Higher Education Support (Other Grants) Amendment (Commonwealth Prac Payment) Guidelines 2025

The *Higher Education Support (Other Grants) Amendment (Commonwealth Prac Payment) Guidelines 2025* (the Amendment Instrument) is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

#### **Overview of the Legislative Instrument**

The Amendment Instrument amends the *Higher Education Support (Other Grants) Guidelines 2022* (the Principal Instrument) to specify a new program under which grants can be made, the Commonwealth Prac Payment program (CPP), which will support teaching, nursing, midwifery and social work students to complete their mandatory placements.

The CPP will enable the provision of grants to providers to assist those providers with making payments (equal to the weekly Austudy rate), to eligible students undertaking mandatory placements as part of teaching, nursing, midwifery, and social work courses of study.

The CPP is part of a number of key reforms the Government is introducing in response to the 2023 Employment White Paper and the Australian Universities Accord Final Report, which heard the very real concerns of students and unions about placement poverty and cost of living pressures impacting students' ability to commence and complete their studies to enter the workforce.

While mandatory placements form an important part of learning, they can come at a financial cost to students over-and-above standard costs of living.

Placement poverty disproportionately affects equity groups as they are more likely to choose to study in care and teaching fields of education which have mandatory placement requirements. The financial pressures experienced by students undertaking mandatory placements are exacerbated for women, mature-aged students, students with disability and First Nations students, who are often juggling full-time or part-time study with paid work as well as caring and parental responsibilities and other challenges.

The CPP will support learning outcomes by easing financial pressure on students during mandatory placements and increasing retention rates and completion of qualifications, where the financial impact of placements may have otherwise influenced students to defer or withdraw from study.

The Amendment Instrument also amends the Principal Instrument to specify eligible bodies corporate for the purposes of item 15 of the table in subsection 41-10(1) of the Act. The bodies corporate are being specified to ensure they are able to receive grants to set up systems and infrastructure that will assist them with providing payments to students under the CPP.

### **Human rights implications**

The Amendment Instrument engages the right to education in Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

#### Right to education

Article 13 of the ICESCR recognises the important personal, societal, economic and intellectual benefits of education. Article 13 also provides that secondary education in all its different forms, including higher education, shall be made generally available and accessible to all by every appropriate means. Article 13(2)(c) of the ICESCR provides that ‘higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education’.

The Amendment Instrument amends the Principal Instrument to establish the CPP. This new program will enable the provision of grants to higher education providers to assist those providers with making payments to eligible students, that address placement poverty experienced by those students as part of their course of study to meet entry-to-practice professional accreditation requirements.

Mandatory placements are a critical component in teaching, nursing, midwifery, and social work courses, but they can place significant financial pressure on students as many have to put their lives on hold, stop working and, in some cases, move to get this essential experience which can often act as a barrier to completing their courses of study. The CPP is intended to support learning outcomes and provide a level of support that will allow students to complete their studies, where the financial impact of the mandatory placement may otherwise have influenced them to defer or withdraw. As such, the CPP supports the right to education as it reduces the barriers that students face in completing their courses of study.

### **Conclusion**

The Amendment Instrument is compatible with human rights because it supports the right to education.

**Minister for Education, the Hon Jason Clare MP**

# HIGHER EDUCATION SUPPORT (OTHER GRANTS) AMENDMENT (COMMONWEALTH PRAC PAYMENT) GUIDELINES 2025

## EXPLANATION OF PROVISIONS

### Section 1: Name

1. This provision specifies the name of the instrument as the *Higher Education Support (Other Grants) Amendment (Commonwealth Prac Payment) Guidelines 2025* (the Amendment Instrument).

### Section 2: Commencement

2. This section provides that the Amendment Instrument commences on the day after it is registered.

### Section 3: Authority

3. This section provides that the Amendment Instrument is made under section 238-10 of the *Higher Education Support Act 2003* (the Act).

### Section 4: Schedules

4. This is a technical provision that explains that each instrument that is specified in a Schedule to the Amendment Instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Higher Education Support (Other Grants) Guidelines 2022*

#### Item 1: Section 4

5. This item inserts definitions into section 4 of the *Higher Education Support (Other Grants) Guidelines 2022* (the Principal Instrument), to define terms that are used in relation to new Part 13 of the Principal Instrument inserted by item 2 (relating to the Commonwealth Prac Payment program (CPP)).

### Item 2: At the end of Part 12

6. This item repeals existing section 67 and substitutes a new section 67.
7. Existing section 67 specifies a list of bodies corporate that are eligible to receive a grant for the purposes of item 11 of the table in subsection 41-10(1) of the Act.
8. New subsection 67(1) reflects the current list of bodies corporate listed in existing section 67, as bodies corporate eligible to receive grants for the purposes of item 11.
9. New subsection 67(2) specifies bodies corporate that are eligible to receive a grant for the purposes of item 15 of the table in subsection 41-10(1) of the Act.
10. The note to the section clarifies that the Minister may impose other conditions that apply to any of the grants made to the bodies listed in section 67, under subsection 41-25(2) of the Act.
11. The bodies corporate listed in new subsection 67(2) have been listed so that the Minister or his delegate is able to approve grants to those bodies to set up systems and infrastructure that will assist them with providing payments to students who are undertaking mandatory practicums as part of their course of study (i.e. payments under the CPP).

### Item 3: At the end of Part 12

12. This item inserts a new Part (Part 13) in the Principal Instrument to specify the CPP as a program under which grants may be made in accordance with subsection 41-15(1) of the Act.

## **Section 79**

13. New section 79 outlines the program objectives.
14. New subsection 79(1) provides that the CPP is specified as a program for the purposes of providing higher education providers with grants to give payments to Commonwealth supported students who are undertaking mandatory practicums (i.e. mandatory placements) as part of their course of study, under item 15 of the table in subsection 41-10(1) of the Act.
15. New subsection 79(2) provides that the objectives of the CPP are to:
  - a. provide grants to higher education providers so they are able to deliver cost of living relief to eligible students undertaking mandatory placements as part of their teaching, nursing, midwifery and social work courses of study; and
  - b. support students' learning outcomes by easing financial pressure on them during their mandatory placements; and

- c. increase students' rates of retention and completion of their courses of study by reducing the financial impact of mandatory placements that may have influenced students to defer or withdraw from study.

## **Section 80**

- 16. New section 80 specifies the bodies corporate that are eligible for grants made for the purposes of item 15 of the table in subsection 41-10(1) of the Act, and provides that higher education providers that are not Table A providers or Table B providers are specified for the purposes of item 15 of the table in subsection 41-10(1) of the Act.
- 17. The note in section 80 provides that Table A providers and Table B providers are eligible for grants made for the purpose of item 15 of the table in subsection 41-10(1), and do not need to be specified in the Principal Instrument.

## **Section 81**

- 18. New section 81 sets out the extra conditions of eligibility that a higher education provider must meet to be eligible to receive a grant under the CPP.
- 19. New subsection 81(1) provides that a provider that is not a Table A provider or a Table B provider is only eligible for a grant under the CPP for a year if it is eligible for grants under Part 2-2 of the Act for the year i.e. if the provider is eligible to receive Commonwealth Grant Scheme funding.
- 20. New subsection 81(2) provides that it is an extra condition of eligibility for the CPP for a year, that a higher education provider in that year, delivers a unit that meets certain requirements (that unit will be referred to as the 'eligible prac unit' for the purposes of new Part 13).
- 21. An eligible prac unit is a unit that is being delivered as part of a course of study that:
  - a. leads to the award of a bachelor degree or master's degree in the fields of study listed in subsection 81(3) (which are midwifery, nursing, social work and teaching), and is accredited or approved by the relevant professional standards body for the purposes of registration or licensing of a person as a nurse, midwife, social worker or teacher in Australia or a State or Territory of Australia; and
  - b. requires the student to participate in one or more mandatory placements that ordinarily involves the student's participation for an average of 30 hours or more per week for the duration of the mandatory placement, or, for a mandatory placement for a course of study in midwifery known as a continuity of care placement, that prevents the student from being able to



maintain paid work due to the need to ensure their availability during the placement.

## **Section 82**

22. New section 82 provides that a grant made to a higher education provider under the CPP is made in respect of a year.

## **Section 83**

23. New section 83 specifies the method by which the amount of a grant under the CPP is to be determined.
24. New subsection 83(1) provides that, subject to subsection 83(3), the amount of a grant for a higher education provider for a year is the sum of the student prac payments amount (as worked out under subsection 83(2)) for the provider for the year, and the amount of the administrative component (as worked under subsection 83(4)) for the provider for the year.
25. The note under subsection 83(1) clarifies that subsection 83(3) reduces the amount of a grant to a provider for a year if the provider does not make payments to its eligible prac students for the year of an amount at least equal to the student prac payments amount for the provider for that year.
26. New subsection 83(2) provides that the 'student prac payment amount' for the provider for the year is the sum of the midwifery (clinical placement) component, midwifery (continuity of care) component, nursing component, social work component, teaching (bachelor) component and teaching (master's) component, worked out in accordance with subsections 83(5) to (10).
27. New subsection 83(3) provides that, for the purpose of working out the amount of grants under the CPP under subsection 83(1), if the total amount of payments that the higher education provider pays to eligible prac students under subsection 86(3) and (5) is less than the student prac payments amount for a year, the amount of the grant for the provider for the year is reduced by an amount equal to the difference between the student prac payments amount and the amount the provider has paid to students under subsection 86(3) and (5), multiplied by 1.05. This reflects that the method by which the amount of grants to higher education providers for the CPP is determined is based on the payments that the provider actually makes to eligible prac students under subsections 86(3) and (5).
28. The note under subsection 83(3) clarifies that the effect of subsection 83(3) is that the method for calculating the grant amount for a provider under the CPP, will take into account any part of a provider's student prac payments amount that the provider does not pay to students under subsection 86(3) and (5), plus a corresponding part of the administrative component related to that amount. Any

amount of a provider's student prac payments amount that the provider did not pay to students and the corresponding part of the administrative component related to that amount, that had been paid to the provider, will be an overpayment for the purposes of the Act, and is not rolled over to the following year under section 41-40 of the Act.

29. New subsection 83(4) provides for how the administrative component of a provider's CPP grant amount is worked out, and provides that the provider's administrative component for a year is determined by multiplying the student prac payments amount for the provider for the year by 0.05. The purpose for paying the administrative component of the CPP grant to providers is to assist providers with the costs of administering the CPP.
30. New subsection 83(5) provides for how a provider's midwifery (clinical placement) component for a year is worked out, and provides that the provider's midwifery (clinical placement) component for a year is the number of eligible midwifery (clinical placement) prac students for the year, plus the number of exceptional circumstances students of the provider for the year participating in a mandatory placement known as a clinical placement for a unit of a course of study in midwifery, multiplied by the weekly Austudy rate for the year, multiplied by 20.
31. New subsection 83(6) provides for how a provider's midwifery (continuity of care) component for a year is worked out, and provides that the provider's midwifery (continuity of care) component for a year is the number of eligible midwifery (continuity of care) prac students for the year, plus the number of exceptional circumstances students of the provider for the year participating in a mandatory placement known as a continuity of care placement for a unit in a course of study in midwifery, multiplied by the weekly Austudy rate for the year, multiplied by 6.
32. The calculation of both the provider's midwifery components (the midwifery (clinical placement) and midwifery (continuity of care) components) reflect the maximum payment that the provider is able to make to an eligible prac student for a course of study in midwifery for all placements completed in that course (see section 87).
33. New subsection 83(7) provides for how a provider's nursing component for a year is worked out, and provides that the provider's nursing component for a year is the number of eligible nursing prac students for the year, plus the number of exceptional circumstances students of the provider for the year participating in a mandatory placement for a unit in a course of study in nursing, multiplied by the weekly Austudy rate for the year, multiplied by 20. The calculation of the provider's nursing component reflects the maximum payment that the provider is able to make to an eligible nursing prac student for a course of study in nursing for all placements completed in that course (see section 87).
34. New subsection 83(8) provides for how a provider's social work component for a year is worked out, and provides that the provider's social work component for a year is the number of eligible social work prac students for the year, plus the number

of exceptional circumstances students of the provider for the year participating in a mandatory placement for a unit in a course of study in social work, multiplied by the weekly Austudy rate for the year, multiplied by 26. The calculation of the provider's social work component reflects the maximum payment that the provider is able to make to an eligible social work prac student for a course of study in social work for all placements completed in that course (see section 87).

35. New subsection 83(9) provides for how a provider's teaching (bachelor) component for a year is worked out, and provides that the provider's teaching component for a year is the number of eligible teaching (bachelor) prac students for the year, plus the number of exceptional circumstances students of the provider for the year participating in a mandatory placement for a unit in a course of study that leads to the award of a bachelor degree in teaching, multiplied by the weekly Austudy rate for the year, multiplied by 16. The calculation of the provider's teaching component reflects the maximum payment that the provider is able to make to an eligible teaching (bachelor) prac student for a bachelor course of study in teaching for all placements completed in that course (see section 87).
36. New subsection 83(10) provides for how a provider's teaching (master's) component for a year is worked out, and provides that the provider's teaching component for a year is the number of eligible teaching (master's) prac students for the year, plus the number of exceptional circumstances students of the provider for the year participating in a mandatory placement for a unit in a course of study that leads to the award of a master's degree in teaching, multiplied by the weekly Austudy rate for the year, multiplied by 12. The calculation of the provider's teaching (master's) component reflects the maximum payment that the provider is able to make to an eligible teaching (master's) prac student for a master's course of study in teaching for all placements completed in that course (see section 87).

## **Section 84**

37. New section 84 defines, for the purposes of new Part 13, the meaning of 'eligible prac student', 'eligible midwifery (clinical placement) prac student', 'eligible midwifery (continuity of care) prac student', 'eligible nursing prac student', 'eligible social work prac student', 'eligible teaching (bachelor) prac student', 'eligible teaching (master's) prac student', and 'exceptional circumstances student'.
38. New subsection 84(1) defines an 'eligible prac student' of a higher education provider for a year as a student who is enrolled in an eligible prac unit delivered by the provider during the year, and is a Commonwealth supported student in relation to that unit or a student the provider reasonably expects will be a Commonwealth supported student in relation to that unit, and must, as part of the requirements to complete the unit, participate in a mandatory placement for a week that either

commences prior to 1 July 2025 and includes 1 July 2025, or commences on or after 1 July 2025.

39. New subsection 84(2) provides that for the purposes of Part 13, an 'eligible midwifery (clinical placement) prac student', 'eligible midwifery (continuity of care) prac student', 'eligible nursing prac student', 'eligible social work prac student', 'eligible teaching (bachelor) prac student', and an 'eligible teaching (master's) prac student' for a provider for a year is an eligible prac student that must participate in a mandatory placement for a unit in their course of study in midwifery, nursing, social work, or teaching (as relevant).
40. Subsection 84(2) also provides that an 'exceptional circumstances student' of a provider for a year is an eligible prac student who must participate in a mandatory placement for a unit in their course of study in midwifery, nursing, social work, or teaching (as relevant), and to whom the provider is satisfied that exceptional circumstances apply, such that, because of their exceptional circumstances, they do not meet the requirements in subsection 86(3) in relation to the mandatory placement.
41. The note under subsection 84(2) clarifies that the Minister has the power under subsection 41-25(2) of the Act to impose further condition on grants, including conditions on when a provider can be satisfied that a student had 'exceptional circumstances', and evidence that a provider must retain in relation to students that the provider determines are 'exceptional circumstances students'.

## **Section 85**

42. New section 85 sets out the general conditions that apply to CPP grants, and provides that a higher education provider must only use the CPP grant provided for a year to make payments to eligible prac students for the year under section 86, and administer those payments (whether for that year or another year).
43. The note under new section 85 also highlights that the Minister can impose other conditions on grants, including conditions on reporting, under subsection 41-25(2) of the Act.

## **Section 86**

44. New section 86 sets out the conditions that apply to CPP grants in relation to higher education providers' payments to eligible prac students.
45. New subsection 86(1) provides that a provider must provide information in writing about the CPP to each student of the provider that the provider anticipates will become an eligible prac student in relation to an eligible prac unit to be delivered by

the provider, as soon as practicable after the student enrolls in an eligible prac unit delivered by the provider.

46. New subsection 86(2) outlines that the information provided must include details of students' eligibility for payments under the CPP, and how to apply for the payment.

47. New subsection 86(3) provides that, subject to subsection (9) and new section 87, a provider must pay an amount equal to the weekly Austudy rate to each eligible prac student who has applied for payments under the CPP, in relation to each week that the student satisfies subsection 86(4) and either:

- participates, or has participated, in a mandatory placement for an eligible prac unit of the provider for the number of hours advised by the provider for that week, consistent with subsection 86(8); or
- participates or has participated in a mandatory continuity of care placement for a course of study in midwifery that prevents the student from being able to maintain paid work during the placement.

48. The note under subsection 86(3) highlights that if a provider does not make payments under subsection 86(3) in a year that at least equal the provider's student prac payments amount for the year, the method for calculating the provider's grant amount for the year will take this into account and the provider's grant amount will be reduced to account for this.

49. New subsection 86(4) provides that an eligible prac student satisfies this subsection if the student:

- is in receipt of an income support payment (within the meaning of subsection 23(1) of the *Social Security Act 1991*); or
- is in receipt of a tertiary education allowance paid under sections 3.3, 3.5, 3.6 or 3.6A of the *Veterans' Children Education Scheme* (an instrument made under subsection 117(3) of the *Veterans' Entitlements Act 1986* which can be found here:
- is in receipt of a tertiary education allowance paid under sections 3.3, 3.5 or 3.6 of the *Military Rehabilitation and Compensation Act Education and Training Scheme 2004* (an instrument made under subsection 258(5) of the *Military Rehabilitation and Compensation Act 2004* which can be found here:
- is in receipt of an amount identified as a 'Living Allowance', which has been appropriated under subsection 55A(1) of the *Student Assistance Act 1973*; or
- in the four preceding study period weeks (as defined in section 4 of the Principal Instrument by the amendments made by item 1 of the Amendment Instrument) prior to the student commencing their mandatory placement, or in the four study period weeks immediately prior to the student applying to

the provider for the payments under the CPP program (whichever is earlier), the student worked on average more than 15 hours a week, and earned, derived or received an income (including amounts of scholarships from the Commonwealth, States and Territories) of less than \$1500 a week before tax, on average over that period.

50. New subsection 86(5) provides that, subject to subsection (9) and section 87, a provider must pay an amount equal to the weekly Austudy amount to an eligible prac student in relation each week that the student is an exceptional circumstances student.
51. The first note under this subsection provides that the effect of section 83 is that payments under this subsection will be made out of the student prac payments amount of the grant.
52. The second note under this subsection explains that the Minister can impose further conditions on grants under subsection 41-25(2) of the Act, including conditions on the number of students that a higher education provider can be satisfied are 'exceptional circumstances students', or that the provider cannot be satisfied that a student is an exceptional circumstances student if doing so will result in the provider paying amounts in relation to 'exceptional circumstances students' above a certain amount.
53. New subsection 86(6) provides that unless conditions imposed on the provider under subsection 41-25(2) of the Act provide otherwise, a higher education provider must make a payment to a student under subsections 86(3) or (5) by the end of the month in which the last day of the week to which the payment relates occurred, or the end of the month in which the student applied to the provider for payments under the CPP (whichever is later).
54. New subsection 86(7) provides that the higher education provider must inform the Department of Education (department) if the provider becomes aware that they will not be able to make a payment to a student in the timeframes specified in new subsection 86(6). The note to the subsection provides that the notification by the provider that they will not be able to make a payment in those timeframes will give the Minister (or his delegate within the department) the opportunity to consider whether to exercise the power to impose conditions under subsection 41-25(2) to enable the provider to make a payment to a student outside of the timeframes specified in subsection (6).
55. New subsection 86(8) provides that for the purpose of subparagraph (3)(a)(i), a higher education provider must advise the student of the number of hours the student must participate in their mandatory placement in each week, and those hours must total an average of 30 hours or more a week for the duration of the placement. This reflects the policy intention that students undertaking the program

should ordinarily have to participate in the placement for an average of 30 hours or more a week across the length of their placement.

56. New subsection 86(9) provides for when a higher education provider must not make a payment to a student for a week. Subsection (9) provides that a higher education provider must not make a payment to a student for a week under subsection 86(3) if the week to which the payment relates commences before 1 July 2025, but includes 1 July 2025, and subparagraph 86(3)(a)(i) applies to the student, and counting only the days in the week starting on 1 July 2025, the number of hours the student participates, or participated in a mandatory placement for the week is less than the number of hours advised by the provider under subsection 86(8). This means that a student will only receive a payment for a week in their placement that commences before 1 July 2025 if they participate in the placement for an average of 30 hours a week during the portion of the week starting 1 July 2025.

## **Section 87**

57. New section 87 provides that the maximum number of weeks in relation to which a higher education provider can make a payment under subsections 86(3) or (5) to an eligible prac student in relation to the student's participation in mandatory placements for a course of study is as follows:

- (a) for a course of study in midwifery—26;
- (b) for course of study in nursing—20;
- (c) for a course of study in social work—26;
- (d) for a course of study that leads to the award of a bachelor degree in teaching—16;
- (e) for a postgraduate course of study that leads to the award of a master's degree in teaching—12.

## **Section 88**

58. New section 88 provides that the amount specified in subparagraph 86(4)(e)(ii) (being the amount of income the student must earn less than to be eligible for a payment) is specified for the year 2025 and is indexed on 1 January 2026, and each subsequent 1 January, using the method of indexation set out in Part 5-6 of the Act.