



Universities Accord (Student Support and Other Measures) (Adelaide University) Transitional Rules 2025

I, Jason Clare, Minister for Education, make the following rules.

Dated 26/08/2025

Jason Clare
Minister for Education

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1 Name

This instrument is the *Universities Accord (Student Support and Other Measures) (Adelaide University) Transitional Rules 2025*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The later of the following: (a) the day after this instrument is registered; (b) immediately after the commencement of the Proclamation fixing the commencement day for Schedule 5 to the Act.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under item 1 of Schedule 6 to the *Universities Accord (Student Support and Other Measures) Act 2024*.

4 Definitions

Note: A number of expressions used in this instrument are defined in item 4 of Schedule 5 to the Act, including the following:

- (a) merger time;
- (b) merging university.

In this instrument:

Act means the *Universities Accord (Student Support and Other Measures) Act 2024*.

enabling course has the meaning given by Schedule 1 to the *Higher Education Support Act 2003*.

course of study has the meaning given by Schedule 1 to the *Higher Education Support Act 2003*.

funding agreement means an agreement of a kind mentioned in section 30-25 of the *Higher Education Support Act 2003*.

higher degree by research means an HDR as defined in the *Commonwealth Scholarships Guidelines (Research) 2017*, as in force at the time this instrument was made.

unit of study has the meaning given by Schedule 1 to the *Higher Education Support Act 2003*.

5 Transitional rules in relation to funding agreement for Adelaide University

Purpose of this section

- (1) For the purposes of subitems 1(1) and (2) of Schedule 6 to the Act, this section:
 - (a) prescribes matters of a transitional nature relating to the amendments and repeals made by the Act; and
 - (b) prescribes modifications of sections 30-25 and 30-28 of the *Higher Education Support Act 2003* to the extent necessary to give effect to those prescriptions.

Minister may enter pre-commencement funding agreement

- (2) The Minister may, on behalf of the Commonwealth:
 - (a) enter into a funding agreement with Adelaide University before the merger time; and
 - (b) unilaterally vary that agreement for the purposes of paragraph (3)(c).

Note: This subsection modifies subsection 30-25(1) of the *Higher Education Support Act 2003*, which only permits the Minister to enter a funding agreement with a “higher education provider”. Adelaide University will not become a higher education provider until the merger time, but this subsection permits the Minister to enter an agreement before the merger time.

- (3) That agreement:
 - (a) may only commence on and from the merger time; and
 - (b) must expire at the end of 2026; and
 - (c) may be entered in an incomplete or provisional form, but must be varied under paragraph (2)(b) into a complete and final form before the merger time.

Note: For paragraph (c)—for example, the maximum basic grant amounts to be specified in the agreement for a grant year must ultimately be the amounts mentioned in section 30-27 of the *Higher Education Support Act 2003* as modified by subitem 11(1) of Schedule 5 to the Act. However, the final amount need not be included in the agreement until Adelaide University becomes a Table A provider. As such, this part of the agreement could be left blank in the interim, or a provisional amount could be included.

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- (4) If an agreement is entered in an incomplete or provisional form in accordance with paragraph (3)(c), then despite section 30-28 of the *Higher Education Support Act 2003*, the Secretary must instead cause a copy of the funding agreement to be published on the Department's website within 28 days after the Minister has varied that agreement into a complete and final form.

6 Transitional rules in relation to transfer of enrolments

Purpose of this section

- (1) For the purposes of subitems 1(1) and (2) of Schedule 6 to the Act, this section:
- (a) prescribes matters of a transitional nature relating to the amendments and repeals made by the Act; and
 - (b) prescribes modifications of items 7 and 8 of Schedule 5 to the Act to the extent necessary to give effect to those prescriptions.

Students who will not transfer on 1 January 2026

- (2) Subsection (3) applies to a student (a **relevant student**) who:
- (a) is enrolled in a course of study (**current course**) with a merging university immediately before the merger time; or
 - (b) is a grandfathered student under the *Higher Education Support Act 2003* in relation to a course of study (**current course**) with a merging university immediately before the merger time.
- (3) Items 7 and 8 of Schedule 5 to the Act do not apply in respect of a relevant student who, immediately before 1 January 2026:
- (a) has:
 - (i) where their current course is an enabling course—completed all of the requirements of that course; or
 - (ii) in any other case—met all the requirements for the conferral of a higher education award in their current course; or
 - (b) is enrolled in and has commenced undertaking a unit of study as part of their current course, but has not met all of the requirements to complete that unit; or
 - (c) both:
 - (i) is enrolled in a higher degree by research at a merging university; and
 - (ii) has submitted a thesis for examination that remains under examination.

Students whose transfer will be delayed to 24 March 2026

- (4) Subsection (5) applies to a relevant student who:
- (a) by reason of subsection (3), remains enrolled in a current course with a merging university immediately before 24 March 2026; and
 - (b) has not, immediately before that date:

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- (i) where their current course is an enabling course—completed all of the requirements of that course; or
 - (ii) in any other case—met all the requirements for the conferral of a higher education award in their current course.
 - (5) Despite subsection (3), items 7 and 8 of Schedule 5 to the Act apply to the student as if the reference to the merger time were a reference to 24 March 2026.