



Indigenous Education (Supplementary Assistance) Amendment Act 1999

No. 157, 1999



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An Act to amend the *Indigenous Education (Supplementary Assistance) Act 1989* and the *Student Assistance Act 1973*

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An Act to amend the *Indigenous Education (Supplementary Assistance) Act 1989* and the *Student Assistance Act 1973*

[Assented to 8 December 1999]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Indigenous Education (Supplementary Assistance) Amendment Act 1999*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the Indigenous Education (Supplementary Assistance) Act 1989

1 Section 3

Insert:

ABSTUDY approved course means a course that:

- (a) is provided through a mixture of distance education and either or both of the following:
 - (i) residential education;
 - (ii) face-to-face education; and
- (b) is provided at a VET institution or higher education institution; and
- (c) is approved as a mixed mode away-from-base course under the ABSTUDY Scheme.

2 Section 3

Insert:

higher education institution means an institution within the meaning of section 4 of the *Higher Education Funding Act 1988*.

3 Section 3 (at the end of the definition of *permitted payment*)

Add:

; but does not include a payment made under Division 3 of Part 2.

4 Subsection 9A(1)

Omit “either, or both,”, substitute “any one or more”.

5 At the end of subsection 9A(1)

Add:

; (c) funding for an ABSTUDY approved course.

6 At the end of section 9A

Add:

- (3) If the agreement provides for the payment of money for an ABSTUDY approved course, the amount of the payment is worked out under Division 3.

7 At the end of Part 2

Add:

Division 3—Funding for ABSTUDY approved courses

10L Amount of payment for ABSTUDY approved courses

- (1) The Minister may make an agreement with an education provider authorising a payment to the provider of an amount for an ABSTUDY approved course (the *2000 ABSTUDY approved course*):
- (a) that is run by the provider in the 2000 calendar year; and
 - (b) for which Indigenous students are enrolled.

- (2) The amount of the payment must not exceed the amount worked out using the formula:

Unit cost × Number of Indigenous students

where:

number of Indigenous students means the number of Indigenous students enrolled for the 2000 ABSTUDY approved course.

unit cost means the unit cost for the 2000 ABSTUDY approved course (see subsections (3) and (4)).

- (3) If funding was provided in the 1998 calendar year in respect of Indigenous students enrolled for that year in ABSTUDY approved courses run by the education provider, then the *unit cost* for the 2000 ABSTUDY approved course is worked out using the formula:

$$\frac{1998 \text{ funding} \times 1999 \text{ IF} \times 2000 \text{ IF}}{1998 \text{ number of Indigenous students}}$$

where:

1998 funding means the amount of funding that was provided in the 1998 calendar year in respect of Indigenous students enrolled

for that year in ABSTUDY approved courses run by the education provider.

1998 number of Indigenous students means the number of Indigenous students who were enrolled for the 1998 calendar year in ABSTUDY approved courses run by the education provider.

1999 IF means the indexation factor that applies for the 1999 calendar year.

2000 IF means the indexation factor that applies for the 2000 calendar year.

- (4) If:
- (a) subsection (3) does not apply; or
 - (b) the 2000 ABSTUDY approved course was not an ABSTUDY approved course in 1998;
- then the **unit cost** for the 2000 ABSTUDY approved course is the median of the unit costs that are worked out under subsection (3).

10M Indexation of amounts

- (1) The indexation factor for a calendar year (the **current year**) is worked out using the formula:

$$\frac{\text{Index number for the recent June quarter}}{\text{Index number for the previous June quarter}}$$

where:

index number, for a quarter, means the All Groups Consumer Price Index number that is the weighted average of the 8 capital cities and is published by the Australian Statistician for that quarter.

previous June quarter means the June quarter before the recent June quarter.

recent June quarter means the June quarter in the year before the current year.

- (2) The indexation factor worked out under subsection (1) must be rounded up or down to 3 places (rounding up in the case of exactly halfway between).

- (3) If at any time (whether before or after the commencement of this section) the Australian Statistician has changed or changes the reference base for the Consumer Price Index, then, for the purposes of applying this section after the change, only index numbers published in terms of the new reference base are to be used.

8 After section 11

Insert:

12 Appropriations for payments made under Division 3 of Part 2

Payments made under Division 3 of Part 2 must be made out of the Consolidated Revenue Fund, which is appropriated accordingly.

9 Subsection 13B(7)

Omit "\$121,976,000", substitute "\$124,249,000".

Note: The heading to section 13B is altered by omitting "2000" and substituting "2001".

10 At the end of section 13B

Add:

- (8) \$127,991,000 is appropriated out of the Consolidated Revenue Fund in respect of the period that starts on 1 January 2000 and ends on 30 June 2001 for the purpose of making permitted payments during that period.

11 Subsections 13C(1) and (2)

Omit "or (7)", substitute ", (7) or (8)".

Schedule 2—Amendment of the Student Assistance Act 1973

1 At the end of paragraph 55A(1)(c)

Add “, other than in relation to the away-from-base element of that Scheme for mixed mode study”.

*[Minister’s second reading speech made in—
House of Representatives on 30 June 1999
Senate on 12 October 1999]*

(141/99)
