



**Schools Assistance (Learning Together—
Achievement Through Choice and
Opportunity) Amendment Act 2006**

No. 29, 2006

**An Act relating to the grant of financial assistance
to the States for primary and secondary education,
and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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Schools Assistance (Learning Together— Achievement Through Choice and Opportunity) Amendment Act 2006

No. 29, 2006

**An Act relating to the grant of financial assistance
to the States for primary and secondary education,
and for related purposes**

[Assented to 6 April 2006]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Amendment Act 2006*.

2 Commencement

- (1) Each provision of this Act 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
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	6 April 2006
2. Schedule 1, items 1 and 2	The day on which this Act receives the Royal Assent.	6 April 2006
3. Schedule 1, item 3	Immediately after the commencement of section 36 of the <i>Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act 2004</i> .	1 January 2005
4. Schedule 1, items 4 to 20	The day on which this Act receives the Royal Assent.	6 April 2006
5. Schedule 1, items 21 and 22	A single day to be fixed by Proclamation. However, if any of the provision(s) do not commence within the period of 6 months beginning on the day on which this Act receives the Royal Assent, they commence on the first day after the end of that period.	6 October 2006
6. Schedule 1, items 23 to 25	The day on which this Act receives the Royal Assent.	6 April 2006
7. Schedule 1, item 26 to 28	At the same time as the provision(s) covered by table item 5.	6 October 2006
8. Schedule 1, items 29 and 30	The day on which this Act receives the Royal Assent.	6 April 2006
9. Schedule 1, item 31	At the same time as the provision(s) covered by table item 5.	6 October 2006
10. Schedule 1, items 32 and 33	The day on which this Act receives the Royal Assent.	6 April 2006

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
11. Schedule 1, item 34	At the same time as the provision(s) covered by table item 5.	6 October 2006
12. Schedule 1, item 35	The day on which this Act receives the Royal Assent.	6 April 2006

Note: This table relates only to the provisions of this Act as originally passed by the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

- (2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or edited in any published version of this Act.

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—Amendments

Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act 2004

1 Section 4

Insert:

special assistance school means a non-government school in a State that:

- (a) has been, or is likely to be, recognised by the State Minister as a special assistance school; and
- (b) primarily caters for students with social, emotional or behavioural difficulties.

2 Paragraph 6(d)

After “special schools”, insert “and special assistance schools”.

3 Subsection 36(4)

Omit “section 20 agreement”, substitute “section 30 agreement”.

Note: This item fixes an incorrect cross-reference in a defined term.

4 After paragraph 47(3)(h)

Insert:

- (ha) whether or not the school is a special assistance school;

5 Paragraph 47(3)(j)

Omit “not a special school”, substitute “neither a special school nor a special assistance school”.

6 After paragraph 49(2)(e)

Insert:

- (ea) to change special assistance school status;

7 Subsection 50(1) (note 2)

Omit “(4) , (5)”, substitute “(4), (4A), (5), (5A)”.

8 After subsection 50(4)

Insert:

- (4A) If a school, in a State, that is included in the list as a special assistance school ceases to be recognised by the State as a special assistance school, the Minister may vary the list to:
- (a) remove the reference to the school as a special assistance school; and
 - (b) include the school's SES score; and
 - (c) change the school's funding level.

9 After subsection 50(5)

Insert:

- (5A) If a school, in a State, that, at a particular time, is:
- (a) included in the list; and
 - (b) not included as a special assistance school;
- at a later time is recognised by the State as a special assistance school, the Minister may vary the list to:
- (c) include a reference to the school as a special assistance school; and
 - (d) remove the school's SES score; and
 - (e) change the school's funding level.

10 Paragraph 64(1)(a)

Omit "not a special school", substitute "neither a special school nor a special assistance school".

11 Paragraph 69(1)(a)

After "amount", insert "(if any)".

12 Paragraph 69(1)(b)

After "amount", insert "(if any)".

13 Subsection 71(7)

After "Special schools", insert "and special assistance schools".

14 Paragraph 74(1)(b)

Omit “not a special school”, substitute “neither a special school nor a special assistance school”.

15 Paragraph 75(b)

Omit “not a special school”, substitute “neither a special school nor a special assistance school”.

16 Paragraph 76(1)(d)

Omit “not a special school”, substitute “neither a special school nor a special assistance school”.

17 Subsection 77(1)

After “special school”, insert “or a special assistance school”.

Note: The heading to section 77 is altered by adding at the end “**and special assistance schools**”.

18 Subdivision G of Division 2 of Part 6 (heading)

Repeal the heading, substitute:

Subdivision G—Special schools and special assistance schools

19 Paragraph 99(2)(a)

After “amount”, insert “(if any)”.

20 Paragraph 99(2)(b)

After “amount”, insert “(if any)”.

21 After Division 1 of Part 11

Insert:

Division 1A—Grant amounts for particular program years

123A Changes to grant amounts for particular program years

- (1) The regulations may specify an amount for a relevant column for a particular program year.
- (2) If regulations are made under subsection (1) specifying an amount for a relevant column for a program year, this Act has effect as if the amount specified in the relevant column for the program year

were the amount specified in the regulations for that relevant column for that program year.

- (3) To avoid doubt, an amount specified in regulations made under subsection (1) may be affected by the operation of section 124 or 126.
- (4) The amount the regulations may specify under subsection (1) may be nil.
- (5) For the purposes of this section, each of the following columns is a *relevant column*:
 - (a) column 2 or 3 of the table in Schedule 3;
 - (b) column 2 or 3 of the table in Schedule 5;
 - (c) column 2 of the table in Schedule 7;
 - (d) column 2 or 3 of the table in Part 1 of Schedule 8;
 - (e) column 2, 3, 4, 5 or 6 of the table in Part 1 of Schedule 9.

22 Section 125

Repeal the section.

23 Schedule 3 (cell at table item 1, column 3)

Repeal the cell, substitute:

35,100

24 Schedule 3 (cell at table item 2, column 3)

Repeal the cell, substitute:

478,233

25 Schedule 3 (cell at table item 4, column 3)

Repeal the cell, substitute:

0

26 Schedule 3 (note 1 to the table)

Repeal the note, substitute:

Note 1: The operation of sections 123A and 126 may affect the amount of the grants.

27 Schedule 5 (note 1 to the table)

Repeal the note, substitute:

Note 1: The operation of sections 123A and 126 may affect the amount of the grants.

28 Schedule 7 (note to the table)

Omit “section 124”, substitute “sections 123A and 124”.

29 Part 1 of Schedule 8 (cell at table item 1, column 3)

Repeal the cell, substitute:
23,794

30 Part 1 of Schedule 8 (cell at table item 2, column 3)

Repeal the cell, substitute:
26,174

31 Part 1 of Schedule 8 (note to the table)

Omit “section 124”, substitute “sections 123A and 124”.

32 Part 1 of Schedule 9 (cell at table item 1, column 6)

Repeal the cell, substitute:
8,691

33 Part 1 of Schedule 9 (cell at table item 2, column 6)

Repeal the cell, substitute:
19,099

34 Part 1 of Schedule 9 (note to the table)

Omit “section 124”, substitute “sections 123A and 124”.

***States Grants (Primary and Secondary Education Assistance)
Act 2000***

**35 Part 1 of Schedule 8 (cell at table item dealing with 2004
program year, column 4)**

Repeal the cell, substitute:
11,447

*[Minister's second reading speech made in—
House of Representatives on 16 February 2006
Senate on 2 March 2006]*

(9/06)