

Student Assistance Amendment Regulations 2003 (No. 1) 2003 No. 323

Explanatory STATEMENT
Statutory Rules 2003 No. 323

Issued by the authority of the Minister for Education, Science and Training

Subject - *Student Assistance Act 1973*

Student Assistance Amendment Regulations 2003 (No. 1)

Subsection 56(1) of the *Student Assistance Act 1973* (the Act) provides, in part, that the Governor General may make regulations, not inconsistent with the Act, prescribing all matters which, by the Act, are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

The Assistance for Isolated Children (AIC) Scheme is a non-statutory (executive) scheme funded through the Appropriation Acts. The Act provides the statutory mechanism in relation to debt recovery and administrative appeals for this scheme.

Section 48 of the Act requires a person who is receiving, or entitled to receive, an amount under a financial supplement contract or a current special educational assistance scheme, such as the AIC Scheme, to notify the Department of the occurrence of an event prescribed by the regulations within 14 days. Part 3 of the *Student Assistance Regulations 2003* (the Principal Regulations) prescribes definitions (regulation 7) and events (regulation 8) for the administration of the AIC Scheme.

These Regulations amend two definitions in regulation 7 of the Principal Regulations and omit the event prescribed at paragraph 8(d)(ix). These are essentially "housekeeping" matters.

One definition that has been amended (definition of *AIC Policy Manual*) refers to a particular version of a document that has now been updated with a new version. The Regulations replace the date reference. The other definition that has been amended is that for '*partner*', which is aligned with the definition of partner in Part 2 of the Principal Regulations.

The prescribed event that has been omitted has no relevance. Paragraph 8(d)(ix) provides that an increase in the value of assets of a parent of a student to whom an amount relates beyond the maximum value specified in the AIC Policy Manual is a prescribed event. This prescribed event has no relevance as a parent does not have to provide information about the value of their assets in relation to an AIC allowance; this event was incorrectly included in the Principal Regulations.

The Regulations commenced on gazettal.