

Commonwealth of Australia

*Higher Education Support Act 2003*

OTHER GRANTS GUIDELINES (EDUCATION) 2010

Amendments to Guidelines made under section 238-10 of the  
*Higher Education Support Act 2003*

I, Julia Gillard, Minister for Education, pursuant to section 238-10 of the *Higher Education Support Act 2003* (the Act), make the attached amendment to the Other Grants Guidelines (Education) 2010 dated 22 April 2010 (see F2010L01076), which was registered on the Federal Register of Legislative Instruments on 29 April 2010 and commenced on 30 April 2010, and which provide for matters under Part 2-3 of the Act.

Dated this 16 day of June 2010

Julia Gillard  
JULIA GILLARD  
Minister for Education

COMMONWEALTH OF AUSTRALIA

*Higher Education Support Act 2003*

*Other Grants Guidelines (Education) 2010 (DEEWR)*

**Amendment No. 1**

**(i) CITATION**

This legislative instrument may be cited as Amendment No. 1 to the *Other Grants Guidelines (Education) 2010 (DEEWR)*.

**(ii) AUTHORITY**

This legislative instrument is made under section 238-10 of the *Higher Education Support Act 2003* (the Act).

**(iii) DATE OF EFFECT**

This legislative instrument will come into effect on the day after it is registered on the Federal Register of Legislative Instruments.

**(iv) AMENDMENT**

This legislative instrument amends the *Other Grants Guidelines (Education) 2010 (DEEWR)* dated 22 April 2010 (see F2010L01076) which was registered on the Federal Register of Legislative Instruments on 29 April 2010 and commenced on 30 April 2010.

**PURPOSE**

The purpose of this legislative instrument is to add Chapter 10 of the *Other Grants Guidelines (Education) 2010 (DEEWR)* to provide guidelines for the component of the Structural Adjustment Fund that will be funded under the Act.

The *Other Grants Guidelines (Education) 2010 (DEEWR)* are amended as follows:

**ITEM 1 —new Chapter 10**

After Chapter 9, insert:

**CHAPTER 10 GRANTS TO SUPPORT STRUCTURAL ADJUSTMENT**

**STRUCTURAL ADJUSTMENT FUND PROGRAM**

**10.1 Purpose**

10.1.1 The purpose of this chapter is to specify the Structural Adjustment Fund as a program for the purposes of the *Other Grants Guidelines* in accordance with subsection 41-15(1) of the Act under which grants to

support structural adjustment may be paid in accordance with item 9B of the Table in subsection 41-10(1) of the Act. The program will operate in accordance with Program Administrative Guidelines issued by the Minister.

- 10.1.2 The Structural Adjustment Fund comprises funding provided through the Act under this Chapter and funding provided through the *Nation-building Funds Act 2008* from the Education Investment Fund. Some projects may be funded under only this Chapter, some projects may be funded under both this Chapter and the Education Investment Fund and some projects may be funded from the Education Investment Fund only. See the Program Administrative Guidelines and below for more details.

## 10.2 Program objectives and outcomes

- 10.2.1 The objective of the Structural Adjustment Fund program is to improve the financial sustainability and teaching and learning quality of universities and thereby to improve their ability to provide strong higher education outcomes across the country, particularly in regional Australia and outer metropolitan areas.

Grants under the program will do this by assisting eligible higher education providers (eligibility criteria are specified in the Program Administrative Guidelines) to carry out projects for significant structural adjustments to prepare for the move to a demand driven funding system.

- 10.2.2 Funded projects will contribute significantly to achievement of both of the following outcomes:
- (i) Improved financial sustainability: institutions and campuses having the size, market alignment and agility necessary to be sustainable in a demand driven funding environment; and
  - (ii) Improved quality of teaching and learning provision: quality higher education provision regardless of student location and the mode of delivery of courses.

- 10.2.3 For the purposes of the Structural Adjustment Fund, structural adjustment will mean:
- (i) consolidation of higher education institutions or campuses; and/or
  - (ii) significant collaboration with TAFE institutes and/or other universities; and/or
  - (iii) significant changes in the focus, organisation or operation of institutions or campuses;

directed at achievement of the outcomes specified in 10.2.2.

### **10.3 Allocation of grants**

- 10.3.1 Eligible higher education providers will be invited to submit applications for a funding round that will be conducted on a competitive basis in accordance with this Chapter and the Program Administrative Guidelines.
- 10.3.2 All applications received in a competitive funding round will be assessed by the Department against the evaluation criteria specified in the Program Administrative Guidelines. The Department will make recommendations for funding to the Minister.
- 10.3.3 In the event that the competitive funding round does not result in commitment of the entirety of the funds available for that round, the Minister may direct the Department to enter into negotiations with particular eligible higher education providers with a view to developing projects which are in accordance with this Chapter and the Program Administrative Guidelines.
- 10.3.4 Apart from the funds allocated under the processes specified in paragraphs 10.3.1-10.3.3, an amount of funds not exceeding \$20,000,000 in total may be allocated for structural adjustment projects which the Minister considers are priorities for particular eligible higher education providers. Grants made in this manner will be for projects that will contribute to the outcomes specified in paragraph 10.2.2.
- 10.3.5 Grants will be approved by the Minister in accordance with section 41-20 of the Act. Grants will be subject to conditions determined by the Minister under section 41-25 of the Act. Before approving a grant, the Minister will give consideration to the recommendations of the Department.

#### **Indexation**

- 10.3.6 The total amount allocated to the Structural Adjustment Fund for approval under this Chapter will be indexed in accordance with the method set out in Part 5-6 of the Act, as in force from time to time, for each of the years 2011, 2012 and 2013.