



Commonwealth of Australia

Higher Education Support Act 2003

COMMONWEALTH SCHOLARSHIPS GUIDELINES (EDUCATION) 2013

Guidelines made pursuant to section 238-10 of the Higher Education Support Act 2003

I, Christopher Pyne, Minister for Education, pursuant to section 238-10 of the *Higher Education Support Act 2003* (the Act) and section 33(3) of the *Acts Interpretation Act 1901* make the *Commonwealth Scholarships Guidelines (Education) 2013* which provide for matters under Part 2-4 of the Act.

Dated this 9th day of December 2013.

Signed

Christopher Pyne

Minister for Education

Commonwealth of Australia

Higher Education Support Act 2003

Commonwealth Scholarships Guidelines 2013

(i) CITATION

This legislative instrument may be cited as the *Commonwealth Scholarships Guidelines (Education) 2013*.

(ii) AUTHORITY

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

(iii) COMMENCEMENT

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

(iv) REVOCATION

The *Commonwealth Scholarships Guidelines (Education) 2012* (F2010L00696) (the Former Guidelines) and all subsequent amendments are revoked.

(iv) TRANSITIONAL ARRANGEMENTS

The revocation of the Former Guidelines does not affect the validity of a payment or decision made under those guidelines. A decision made under the Former Guidelines is taken to continue to have effect as if it were made under the *Commonwealth Scholarships Guidelines (Education) 2012*.

Commonwealth Scholarships Guidelines (Education) 2013

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CHAPTER 1 INTRODUCTION

1.1 PURPOSE

The purpose of these Guidelines is to specify Commonwealth Scholarships programs under section 46-20 of *the Act*.

1.5 INTERPRETATION

1.5.1 Unless the contrary intention appears, the terms used in these Guidelines have the same meaning as in *the Act*.

1.5.5 In these Guidelines, unless the contrary intention appears:

<i>Act</i>	means the <i>Higher Education Support Act 2003</i>
<i>AQF</i>	means the Australian Qualifications Framework which is a unified system of national qualifications which includes the higher education sector
<i>ASGC-RA</i>	means the Australian Standard Geographic Classification Remoteness Areas, a geographic classification system developed in 2001 by the Australian Bureau of Statistics (ABS), as a statistical geography structure which allows quantitative comparisons between 'city' and 'country' Australia. The ASGC-RA classifies data from census Collection Districts (CDs) into broad geographical categories, called Remoteness Areas (RAs). This mechanism is used only for scholarships provided under Chapters 2 and 3 of these Guidelines.
<i>Associate Degree</i>	is a two year qualification accredited against higher education requirements and able to be offered by providers meeting the requirements set by the higher education sector in accordance with the (<i>MCEETYA National Protocols for Higher Education Approval Processes</i>) and will be “grandfathered” until entitlement is consumed. From 1 January 2010 new Associate Degrees scholarships will be not be available for offer by higher education providers
<i>ATSIHEAC</i>	means the Aboriginal and Torres Strait Islander Higher Education Advisory Council
<i>CAS</i>	means a Commonwealth Accommodation Scholarship including the categories of <i>CAS-Ordinary</i> ; a <i>CAS-Specialist</i> ; a <i>CAS-Associate Degree</i> , <i>Indigenous Enabling-CAS</i> ; and an <i>Indigenous Access Scholarship</i> , more fully described in paragraph 2.1.1 and paragraph 4.1 of these Guidelines and will be “grandfathered” until entitlement is consumed

<i>CECS</i>	means a Commonwealth Education Costs Scholarship including the categories of <i>CECS-Ordinary</i> ; a <i>CECS-Priority Discipline</i> ; a <i>CECS-Associate Degree</i> and an <i>Indigenous Enabling-CECS</i> , more fully described in paragraph 2.1.1 and paragraph 4.1 of these Guidelines and will be “grandfathered” until entitlement is consumed
<i>commencing scholarship holder</i>	means a student in their first <i>scholarship period</i>
<i>commencing student</i>	means a student undertaking a course at entry level for the first time with the <i>provider</i> . From 1 January 2010 this will only apply to Indigenous students.
<i>continuing scholarship holder</i>	means a student in their second or subsequent <i>scholarship period</i>
<i>course start date</i>	means for students commencing study at a tertiary institution, the start of the orientation period, or if students do not attend the orientation period, the actual day the course starts i.e. the first day of classes
<i>cross-institutional programs</i>	A student is enrolled in a cross-institutional program if all of the following criteria are met: <ul style="list-style-type: none"> • a program of study comprising a unit or a set of units of study is being undertaken with one <i>provider</i> (the host provider) as part of a course of study for which the student is enrolled with another <i>provider</i> (the home <i>provider</i>); and • there is an arrangement for recognition between the two providers; and • the cost of providing the program of study at the host provider is met by the host provider; and • the home <i>provider</i> is not being funded for the program of study through student contributions or tuition fees paid by the student, through the CGS in the case of Commonwealth supported students, or through funding provided by an employer, an Australian Government, State or Territory department or agency, or any other individual or body
<i>CS</i>	means a Commonwealth Scholarship awarded prior to 1 January 2010 specified in Chapter 4 of these Guidelines
<i>Department</i>	means, in accordance with the Administrative Arrangements Order, the Department responsible for administering Part 2-4 of the <i>Act</i> or part thereof.

<i>eligible enabling course</i>	has the same meaning as “enabling course” as defined in Schedule 1 of the <i>Act</i> ; with the additional provisions that it must be the equivalent of at least 10 weeks full-time in duration; provide a pathway into an undergraduate course; and not be a course aimed at fast-tracking an undergraduate degree
<i>eligible graduate or postgraduate</i>	a graduate diploma (or equivalent graduate or postgraduate course of study) in an area of National Priority required for initial registration to practice in the chosen National Priority area
<i>full-time student</i>	in respect of a scholarship, is a student with a full-time student load
<i>full-time student load</i>	in respect of a scholarship, is at least 75% of an <i>EFTSL</i> in the <i>scholarship period</i> for which the scholarship is being paid
<i>HEIMS</i>	means the Higher Education Information Management System
<i>IAS</i>	means Indigenous Access Scholarships
<i>ICS</i>	means an Indigenous Commonwealth Scholarship as specified in Chapter 2 of these Guidelines
<i>Indigenous</i>	for the purposes of Chapter 2 and 3 of these Guidelines, means a person who is of Australian Aboriginal or Torres Strait Islander descent; identifies as an Australian Aboriginal or Torres Strait Islander; and is accepted as an Australian Aboriginal or Torres Strait Islander in the community in which he/she lives or has lived
<i>Indigenous Access Scholarships</i>	is a one-off payment for Indigenous students when undertaking an <i>eligible enabling course</i> , undergraduate course or <i>eligible graduate or post graduate course</i> . This also referred to as an Indigenous Access Payment
<i>Indigenous Education Unit</i>	means a unit located in a <i>provider</i> dedicated to the support of <i>Indigenous</i> students
<i>internal student</i>	means a student who, for the majority of units of study in which they are enrolled in the <i>scholarship period</i> , is required to attend, on a regular basis, the campus of the <i>provider</i> or the campus of a host provider approved by the <i>provider</i> through a cross-institutional arrangement

<i>ISS</i>	means an <i>Indigenous</i> Staff Scholarship as outlined in Chapter 3 of these Guidelines
<i>Minister</i>	means, in accordance with the Administrative Arrangement Order, the Minister responsible for administering Part 2-4 of the Act or part thereof, or the Secretary or APS employee of the Department when acting under a delegation made pursuant to Sections 238-1 and 238-5 of the Act
<i>mixed-mode</i>	means a course delivered through a combination of distance education and face-to-face teaching
<i>National Accommodation</i>	<i>National Accommodation Scholarship</i> has the same meaning as <i>CAS-Specialist</i> and <i>CAS Scholarship (NAS)-Specialist</i> . Not available for new offers from 2010 as specified in paragraph 4.1. Existing scholarships are “grandfathered” until entitlement is consumed.
<i>National Priority</i>	has the meaning given by section 30-20 of <i>the Act</i>
<i>National Priority Discipline</i>	as defined in Schedule 1 of these Guidelines
<i>National Priority Scholarship (NPS)</i>	has the same meaning as <i>CECS-Priority Discipline</i> and will not be available for new offers from 2010 as specified in paragraph 4.1 and will be “grandfathered” until entitlement is consumed
<i>National Priority Student</i>	means a Commonwealth supported student undertaking a course of <i>National Priority</i> as defined in section 30-20 of the <i>Act</i>
<i>provider</i>	is the higher education provider that is administering the scholarship on behalf of the Commonwealth Government
<i>Relocation scholarship</i>	means those accommodation scholarships administered by the Department of Human Services
<i>scholarship period</i>	in respect of a <i>CS</i> or an <i>ICS</i> means a six-month period from either 1 January to 30 June or 1 July to 31 December
<i>Secretary</i>	means the Secretary of the Department
<i>specialist courses</i>	means courses identified by <i>providers</i> through a competitive bidding process and for which the <i>Department</i> has allocated <i>CAS-Specialist</i> scholarships.

<i>Student start-up loan</i>	means those education income contingent loans administered by the Department of Human Services
<i>Student start-up scholarship</i>	means those education scholarships administered by the Department of Human Services
<i>suspension</i>	in respect of a scholarship, means a period of time during which a scholarship holder is not receiving scholarship payments

1.5.10 Any reference to a part, division or section of the *Act* is a reference to that part, division or section as in force from time to time.

1.5.15 Terms used in these Guidelines that are in italics have the meaning stated in paragraph 1.5.5 of these Guidelines.

CHAPTER 2 INDIGENOUS COMMONWEALTH SCHOLARSHIPS PROGRAM

2.1 PROGRAM OBJECTIVES

The objective of the Indigenous Commonwealth Scholarships (ICS) Program is to facilitate choice in higher education and to increase higher education participation for Indigenous students.

The primary aim of the *Indigenous Access Scholarship* is to improve higher education access for *Indigenous* people, particularly those who need to relocate from regional and remote areas, through a one-off payment to take up a higher education undergraduate or *eligible enabling course*. The Indigenous Access Scholarship is targeted at eligible *commencing students*.

2.1.1 Description of Scholarships

- (1) Indigenous Commonwealth Scholarships, which are standard scholarships, for the purposes of paragraph 46-10 (aa) of the *Act* are of two main types:
 - (a) Indigenous Commonwealth Education Costs Scholarships (*Indigenous-CECS*) which are generally to assist with education costs; and
 - (b) Indigenous Commonwealth Accommodation Scholarships (*Indigenous-CAS*) which are generally to assist with accommodation costs.
- (2) The *Indigenous-CECS* comprise two categories:
 - (a) *Indigenous-CECS* with funding for up to eight *scholarship periods* to assist *Indigenous* students enrolled in undergraduate courses (not limited to areas of *National Priority*) or a graduate diploma (or equivalent post *graduate course of study*) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*.
 - (b) *Indigenous Enabling-CECS*, with funding for up to two scholarship periods, to assist Indigenous students to undertake an eligible enabling course.
- (3) The *Indigenous-CAS* comprises three categories:
 - (a) *Indigenous-CAS* with funding for up to eight *scholarship periods* to assist *Indigenous* students with accommodation costs to undertake an undergraduate course (not limited to areas of *National Priority*) or a graduate diploma (or equivalent post graduate course of study) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*;
 - (b) *Indigenous Enabling-CAS*, with funding for up to two *scholarship periods*, to assist *Indigenous* students with accommodation costs to undertake an *eligible enabling course*;
 - (c) *Indigenous Access Scholarship (IAS)* which is a one-off scholarship payment, to assist *Indigenous* students to undertake an *eligible enabling course*, undergraduate course or graduate diploma (or equivalent post graduate course of study) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority* field.

2.1.5 Class of Commonwealth Scholarship

An *ICS* specified under these Guidelines is an indirectly-paid standard scholarship under paragraph 46-10 (aa) of *the Act*.

2.5 GRANTS

2.5.1 How Grant Amounts are to be Determined

The maximum amount of *ICS* grant to be paid to a provider under section 46-15 of the *Act* for a year will equal the sum of the *Indigenous-CECS* grant amount; the *Indigenous-CAS* grant amount and the *IAS* grant amount.

Grant amounts are calculated for each *ICS* category specified in paragraph 2.1.1 of these Guidelines as follows:

$$\text{Grant Amount} = \text{Number of } ICS \text{ in the category allocated to } \textit{the provider}, \text{ as determined under paragraphs 2.5.5(1) to 2.5.5(3) of these Guidelines} \times \text{Value of the } ICS \text{ for each category}$$

The value of *ICS* for each category for a year is set out in the table below.

Scholarship type	2014	2015	2016
<i>IECECS / ICECS</i>	\$2,492	2014 amount multiplied by 0.9875 and then indexed in accordance with the method set out in Part 5-6, division 198 of the <i>Act</i> .	2015 amount indexed in accordance with the method set out in Part 5-6, division 198 of the <i>Act</i> .
<i>IECAS / ICAS</i>	\$4,985		
<i>IAS</i>	\$4,702		

The amount for 2017 and later years is the amount for the previous year indexed in accordance with the method set out in Part 5-6, division 198 of the *Act*.

2.5.5 How the Allocation of *ICS* to a *Provider* will be Determined

Allocation of *Indigenous-CECS*, *Indigenous Enabling-CECS*, *Indigenous-CAS* and *Indigenous Enabling-CAS* to individual *providers* in a given year will be determined by the number of *IAS* allocated to the *provider* in that year, the cap on each scholarship type and the commitment that the *provider* must meet based on previous years' awarding of scholarships.

The Department will undertake a competitive bidding process prior to 31 October of the calendar year for allocation in the following calendar year.

Indigenous Access Scholarship (IAS)

- (1) The number of IAS allocated to a *provider* in a given year will be determined as follows:
 - (a) IAS will be allocated to eligible *providers* that offer *eligible enabling courses*, undergraduate courses or graduate diplomas (or equivalent post graduate courses of study) in an area of National Priority required for initial registration to practice in the chosen National Priority field.

Indigenous-CECS and Indigenous Enabling-CECS

- (2) The number of *Indigenous-CECS* and *Indigenous Enabling-CECS* allocated to an eligible scholarship *provider* in a given year will be determined as follows:
 - (a) *Providers* will be automatically allocated a number of *Indigenous-CECS* equal to the amount of previous year(s) *Indigenous Enabling-CECS* recipients who have indicated they will continue into full-time undergraduate study at the *provider* in the scholarship year (including those students who undertook their enabling course at a different provider but will enrol in full-time undergraduate study at the *provider* in question), subject to this information being supplied to the *Department* by the advised deadline.
 - (b) Additional *Indigenous-CECS* and *Indigenous-Enabling CECS* will be allocated to eligible *providers* following a competitive bidding process administered by the *Department* in accordance with identified selection criteria. The total number of *Indigenous-CECS* and *Indigenous-Enabling CECS* allocated to a *provider* in a given year will equal the number of IAS allocated in that year where possible and in accordance with 2.15.5(3) below.

Indigenous-CAS and Indigenous Enabling-CAS

- (3) The number of *Indigenous-CAS* and *Indigenous Enabling-CAS* allocated to an eligible *provider* in a given year will be determined as follows:
 - (a) *Providers* will be automatically allocated a number of *Indigenous-CAS* equal to the amount of previous year(s) *Indigenous Enabling-CAS* recipients who have indicated they will continue into full-time undergraduate study in the scholarship year at the *provider* (including those students who undertook their enabling course at a different provider but will enrol in full-time undergraduate study at the *provider* in question), subject to this information being supplied to the *Department* by the advised deadline.
 - (b) Additional *Indigenous-CAS* and *Indigenous Enabling-CAS* will be allocated to eligible *providers* following a competitive bidding process administered by the *Department* in accordance with identified selection criteria. The number of *Indigenous-CAS* must not exceed the number of *Indigenous-CECS*, and the number of *Indigenous Enabling-CAS* must not exceed the number of *Indigenous Enabling-CECS* allocated to a *provider* in a given year where possible and in accordance with 2.15.5(4) below.

2.5.10 Actions for Unawarded ICS

- (1) By 30 April in any given year, a *provider* should assess the status of unawarded ICS for that same year and determine a course of action for each category of ICS. Wherever

possible, the *provider* should undertake action so as to award the maximum number of *ICS* within that year.

- (2) If a *provider* has insufficient student demand for a particular category of *ICS* initially allocated for that same calendar year, they must consider one of the following courses of action:
 - (a) conversion across *ICS* type in accordance with paragraph 2.5.10(3-6)
 - (b) return unspent funds to the *Department* in accordance with paragraphs 2.5.10(8-9).

Conversion across ICS type

- (3) A *provider* may convert unawarded *Indigenous-CECS* to *Indigenous-CAS* or vice versa to better match student demand.
- (4) A *provider* may convert unawarded *Indigenous Enabling-CECS* to *Indigenous Enabling-CAS* or vice versa to better match student demand.
- (5) Such conversions must be approved in writing by the *Department* before they can be effected.
- (6) *Indigenous-CECS* cannot be converted into *Indigenous-Enabling CECS* or vice versa, and *Indigenous CAS* cannot be converted into *Indigenous-Enabling CAS* or vice versa.
- (7) The *provider* must seek approval for conversions from the *Department* by 31 May of the year in which the *ICS* were allocated by the *Department*.

Rollover and offset of funds against allocation

- (8) By 31 October in any given year, any unawarded *Indigenous-CECS*, *Indigenous-CAS*, *Indigenous Enabling-CECS*, *Indigenous Enabling-CAS* or *Indigenous Access Scholarships* may be rolled over pursuant to a determination made by the *Secretary* or a delegate of the *Secretary* under section 46-35 of the *Act*. *Providers* must report to the *Department* no later than 10 working days prior to 31 October which scholarships they require to be rolled over.
 - (a) The *Department* will make the appropriate adjustment in the next year by offsetting the number of unawarded scholarships from the allocations made in accordance with paragraphs 2.5.5(1)-(3) of these Guidelines against the next calendar year's allocation.
 - (b) The *Secretary* may determine other conditions that would apply to the unspent grant amount pursuant to paragraph 46-35(2)(b) of the *Act*.

Return of unawarded ICS funds to the Department

- (9) If a *provider* does not wish to award or convert unawarded scholarships to another *ICS* category with demonstrated unmet student demand the *provider* must return unawarded *ICS* funds to the *Department* by 31 May in that calendar year.
- (10) The Minister or a delegate of the Minister may reallocate any *ICS* that are returned by *providers* under paragraph (9) above.

2.10 STUDENT ELIGIBILITY REQUIREMENTS

Under paragraph 46-20(2)(c) of the *Act*, student eligibility requirements may be specified for indirectly-paid *ICS*.

(1) Concurrent Scholarships

- (a) A student can hold an *IAS* concurrently with another category of *CAS*.
- (b) A student can hold an *IAS* concurrently with a *Student Start-up scholarship* or a *Student Start-up Loan* and/or *Relocation scholarship*.
- (c) A student may NOT concurrently hold an *Indigenous-CECS* and an *Indigenous Enabling-CECS*.
- (d) A student may NOT concurrently hold an *Indigenous-CAS* and an *Indigenous Enabling-CAS*.
- (e) A student may NOT concurrently hold *CS* scholarships with different *providers* even if the *CS* are of different scholarship types.
- (f) A student may NOT concurrently hold an *Indigenous-CECS* or *Indigenous Enabling-CECS* and a *Student Start-up scholarship* or a *Student Start-up Loan*.
- (g) A student may NOT concurrently hold an *Indigenous-CAS* or *Indigenous Enabling-CAS* and a *Relocation scholarship*.

(2) The maximum duration a student can have access to one or more scholarships described in paragraph 2.1.1 is for a total of eight *scholarship periods*.

- (a) The exception to this provision is where a student accessing an *Indigenous Enabling-CECS* or an *Indigenous Enabling-CAS* scholarship progresses to an undergraduate course. In that case, the student will have access to one or more scholarships described in paragraph 2.1.1 for a maximum of ten *scholarship periods* (being two periods of an enabling scholarship and up to eight periods of another *ICS* type).

(3) A scholarship holder who undertakes a program of study:

- (a) overseas, or
- (b) with a host provider approved by their *provider* through a cross institutional arrangement as a Commonwealth supported student,

will not be precluded from continuing to access an *ICS* during this period, so long as the program of study is approved by their scholarship *provider*, and counts toward the requirements for the course of study in which the student is enrolled. All *ICS* student eligibility criteria must be maintained by a recipient during this period with the scholarship *provider*.

2.10.1 Basic Eligibility Requirements

- (1) A student is not eligible for an *Indigenous-CECS* if they have already received a *CECS-Ordinary* in previous years for the maximum duration of eight scholarship periods.
- (2) A student is not eligible for an *Indigenous Enabling-CECS* if they have already received a scholarship for the same purpose in previous years for the maximum duration of two scholarship periods.
- (3) A student is not eligible for an *Indigenous-CAS* if they have already received a *CAS-Ordinary* in previous years for the maximum duration of eight scholarship periods.

- (4) A student is not eligible for an *Indigenous Enabling-CAS* if they have already received a scholarship for the same purpose in previous years for the maximum duration of two scholarship periods.
- (5) A student is not eligible for an *IAS* if they have previously received payment, in part or in whole, of an *IAS*, or part thereof.
- (6) During the eight *scholarship periods*, a student may be in receipt of an Indigenous *CECS* and an Indigenous *CAS* scholarship concurrently depending upon eligibility for the type of *ICS*.

Indigenous-CECS and Indigenous-CAS

- (7) To be eligible for an *Indigenous-CECS* or *Indigenous-CAS* a student must, by the first census date (as determined in accordance with section 169-25 of *the Act*) of the *scholarship period*:
 - (a) be an Australian citizen; and
 - (b) be an *Indigenous* person:
 - (i) A student's declaration of their Aboriginality or Torres Strait Islander status during the *ICS* application process should normally be accepted as sufficient evidence of their *Indigenous* status. However, where this status is unclear or uncertainty exists as to the Aboriginality or Torres Strait Islander status of the student, the *provider's Indigenous Education Unit* (if the *provider* has one) should be consulted where possible. Evidence may be required to establish that he or she is an Aboriginal or Torres Strait Islander person. The following documentation is acceptable in confirming a student's status as an *Indigenous* person: an affirmation signed by the student, declaring that he/she identifies as an Australian Aboriginal or Torres Strait Islander; and a letter signed by the Chairperson of an Aboriginal and Torres Strait Islander incorporated organisation in a community in which the student lives or has previously lived; and
 - (c) meet the low socio-economic status requirements specified in paragraph 2.10.5 of these Guidelines; and
 - (d) be enrolled in or undertaking a course of study (for the purposes of cross-institutional studies) with an eligible scholarship *provider* as a Commonwealth supported student in an undergraduate course not limited to areas of *National Priority* or a graduate diploma (or equivalent post graduate course of study) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*; and
 - (e) meet the *full-time student* requirements specified in paragraph 2.10.10 of these Guidelines; and
 - (f) not already have completed the requirements of a course of study (with any *provider*) regarded by the scholarship *provider* to be equivalent to or higher than an Australian bachelor's award, unless each such award is a prerequisite to their current undergraduate course of study (Note: *ICS* are intended primarily for students undertaking an initial qualification); and
 - (g) meet other eligibility requirements as specified in paragraph 2.10.10 of these Guidelines; and

(h) in the case of the *Indigenous-CAS*, meet the additional eligibility requirements as specified in paragraph 2.10.15 of these Guidelines.

Indigenous Enabling-CECS and Indigenous Enabling-CAS

(8) To be eligible for an *Indigenous Enabling-CECS* or *Indigenous Enabling-CAS*, a student must:

- (a) meet the eligibility requirements stated at 7(a) to (h) above; and
- (b) be enrolled in or undertaking an *eligible enabling course* with a *provider* as a Commonwealth supported student, as defined in the *Act*; and
- (c) undertake the course on a full-time or part-time basis, noting that:
 - (i) a student who is in receipt of an *Indigenous Enabling-CECS* scholarship while studying part-time, and who wishes to progress to another form of *ICS*, must meet the full-time eligibility requirements as outlined in paragraph 2.10.10 of these Guidelines for the new *ICS*; and
 - (ii) a student who undertakes an enabling course on a part-time basis will not be eligible to receive an *IAS* or an *Indigenous Enabling-CAS* while enrolled in an enabling course.
- (d) in the case of *Indigenous Enabling-CAS* meet the additional *CAS* eligibility requirements as specified in paragraph 2.10.15 of these Guidelines.

IAS

(9) To be eligible for an *IAS* a student must:

- (a) meet the eligibility requirements stated at 7(a) to (g) above; and
- (b) be a *commencing student* who:
 - (iii) has accepted the offer of a place; or
 - (iv) been enrolled; or
 - (v) is undertaking a course:
 - I. in an eligible enabling course, undergraduate course or graduate diploma (or equivalent post graduate course of study) in an area of National Priority required for initial registration to practice in the chosen National Priority field as a Commonwealth supported student.

In exceptional circumstances, if a continuing student is required as part of their course to undertake study in a location distant from their previous place of study, *providers* may give consideration to these students when awarding an *IAS*.

2.10.5 Low Socio-Economic Status Requirements

- (1) A student is not eligible for an *Indigenous CS* unless the *provider* is satisfied that the student is able to demonstrate low socio-economic status either:
- (a) through being in receipt of a means-tested Commonwealth income support payment (such as Austudy, ABSTUDY, Youth Allowance, etc); or
 - (b) on the basis of an assessment conducted by or on behalf of the eligible scholarship *provider*.

Where a student is unable to demonstrate eligibility under (1) (a) above, the *provider* must give the student the option of undergoing an assessment of low socio-economic status to determine eligibility.

- (2) In assessing low socio-economic status to determine eligibility for *Indigenous-CECS*, *Indigenous-CAS*, *Indigenous Enabling-CECS*, *Indigenous Enabling-CAS* and *IAS*, *providers* should consider the range of disadvantages which may affect the immediate financial status of *Indigenous* students accessing higher education. Such factors may include geographical isolation, stability of financial status, as well as family circumstances, such as illness or bereavement, which may affect the level of family financial support. In making this assessment, *providers* should consult with *the provider's Indigenous Education Unit* where one exists.

2.10.10 Full-time Student Requirements

- (1) Generally, a student undertaking or intending to undertake less than a *full-time student load* is not eligible for a *ICS* unless there are exceptional circumstances which prevent the student from studying full-time.
 - (a) The exception to this requirement is for *Indigenous* students undertaking or intending to undertake an *eligible enabling course* - refer paragraph (4) below.
- (2) The decision that a person cannot study full-time due to exceptional circumstances is to be made by the *provider*. A *provider* may take into account factors such as disability, significant family care responsibilities, *Indigenous* community responsibilities, and course constraints outside a student's control, in determining a student's inability to undertake a *full-time student load*.
- (3) A student whose course load falls below a *full-time student load* must have their *ICS* eligibility status reviewed, in accordance with the ongoing eligibility requirements under paragraph 2.25 of these Guidelines, and will be ineligible to retain their *ICS* unless the *provider* determines that there are exceptional circumstances which prevent the student from continuing to study on a full-time basis.
- (4) *Indigenous* students who enrol in an *eligible enabling course* are eligible to receive an *Indigenous Enabling-CECS* if they undertake the course on a part-time basis. However, to be eligible for another category of *ICS* upon completion of the enabling course, the students must enrol in the further course of study as a *full-time student*. Such students are not automatically entitled to the relevant *ICS* on enrolment in full-time course of study as full-time *Indigenous Enabling-CECS* recipients would be, but are subject to a competitive process as are other eligible commencing students.

2.10.15 Additional Eligibility Requirements for *Indigenous-CAS* and *Indigenous Enabling-CAS*

- (1) In determining a student's eligibility for an *Indigenous-CAS* or an *Indigenous Enabling-CAS*, the *provider* must determine whether the student has lived in a regional or remote area consistent with paragraph 2.10.15(2)(a) below. *Providers* must be guided by the *ASGC-RA*. *Providers* may use the following link to assist in determining a student's eligibility: <http://www.doctorconnect.gov.au/>. The Remote Areas (RA) classifications are:

- RA1 - Major Cities of Australia
- RA2 - Inner Regional Australia
- RA3 - Outer Regional Australia
- RA4 - Remote Australia
- RA5 - Very Remote Australia

A *provider* must deem a student ineligible if they come from a locality belonging to the RA1 classification. The remaining classifications would assist *providers* in assessing students' eligibility for an *Indigenous-CAS* or an *Indigenous Enabling-CAS*.

- (2) In addition to the eligibility requirements defined in paragraph 2.10 of these Guidelines, the *provider* must be satisfied that:
- (a) within the four years immediately preceding the commencement of the current course of study (including study within another program or at another provider, where the student has transferred):
 - (i) the student has lived in a regional or remote area of Australia for a total of at least three years; or
 - (ii) the student completed the final two years of schooling in a high school or college in a regional or remote area; or
 - (iii) it was necessary for the student to live away from their regional or remote home to complete the whole or the majority of their secondary schooling at a high school or college in a major city; or
 - (iv) the student has lived in a regional or remote area of Australia for a total of at least two years, and the student has relocated from the regional or remote area of Australia to undertake vocational education and training (eg TAFE) for a maximum of two years duration immediately preceding the commencement of their undergraduate course; and
 - (b) it was necessary for the student to move from the regional or remote area in order to undertake a higher education course of study; and
 - (c) as a result of paragraph (b), the student will incur additional accommodation costs; and
 - (d) the student is enrolled as an internal student in units of study that form part of the course of study the student is undertaking unless the student can demonstrate the need to move, in accordance with paragraph 2.10.15(2)(b).
- (3) For the purpose of determining under paragraph 2.10.15(2)(b) the necessity for the student to move, a student should normally be enrolled as an internal student to be deemed eligible for CAS unless the student can demonstrate that there are exceptional circumstances preventing them from doing so, including, but not limited to the following:
- (a) the need for the student to attend classes or access other study related facilities on the campus at which the student is enrolled with the eligible scholarship *provider* or a host provider approved by the eligible scholarship *provider* through a cross-institutional arrangement;
 - (b) the distance between the student's home and the relevant campus;
 - (c) the availability and quality of transport infrastructure between the student's home and the relevant campus; and
 - (d) limitations on the student's mobility due to disability and/or carer responsibilities.

2.15 APPLICATION, SELECTION AND OFFER PROCESSES AND POLICIES

Eligible scholarship *providers* are responsible, in conjunction with their *Indigenous Education Units*, for the *ICS* application, selection and offer processes and must make information about the processes, policies and conditions of scholarship readily and publicly available.

2.15.1 Applications

- (1) Applications for *ICS* must be submitted in the form approved by the relevant *provider* and by the date determined by the *provider*. A *provider* should include on their application form advice to the student that they are to advise the Department of Human Services that they have applied for a Commonwealth Scholarship.
- (2) *Providers* must include the following statement in the application form, immediately prior to the applicant's signature block: "Giving false or misleading information is a serious offence under the *Criminal Code Act 1995* (Commonwealth)".
- (3) A *provider's ICS* application form may contain information advising students that they may incur a debt to the Commonwealth if they make a claim, and receive payments, for a scholarship to which they are not entitled.

2.15.5 Selection Policy

- (1) A *provider* must maintain an *ICS* selection policy which accords with these Guidelines and the fairness requirements in subdivision 19-D of Part 2-1 of *the Act*. Each *provider* must select students for an *ICS* in accordance with its selection policy.
- (2) A *provider's* selection policy must specify that a student is not to be selected for a *ICS* unless the *provider* is satisfied that the student meets or, by the first census date (as determined in accordance with section 169-25 of the *Act*) or *course start date* (for *Indigenous enabling* students), of the *scholarship periods* and before any *ICS* payment is made, will meet, the eligibility criteria as set out in paragraph 2.10 of these Guidelines.

Scholarship Interactions

- (3) Where students are eligible, and subject to availability, a *provider* must provide those students who are awarded an *IAS* with either an *Indigenous-CECS* or *Indigenous Enabling-CECS* (as determined by the student's program of study) unless the student is in receipt of a *Student Start-up Scholarship* or a *Student Start-up Loan*. If an *Indigenous-CECS* or *Indigenous Enabling-CECS* is unavailable the student should be referred to the Department of Human Services for assessment for a *Student Start-up Scholarship* or a *Student Start-up Loan*.
- (4) Where eligible, and subject to availability, a *provider* will provide those students who are awarded an *IAS* with either an *Indigenous-CAS* or *Indigenous Enabling-CAS* (as determined by the student's program of study) unless the student is in receipt of a *Relocation Scholarship*. If an *Indigenous-CAS* or *Indigenous Enabling-CAS* is unavailable the student should be referred to the Department of Human Services for assessment for a *Relocation Scholarship*.
- (5) An applicant eligible for an *IAS* may be eligible for a *Student Start-up Scholarship* or *Student Start-up Loan* and/or a *Relocation Scholarship*.

- (6) If a student is assessed to be eligible for an available *Indigenous-CAS* or *Indigenous Enabling-CAS*, the *provider* must ensure that the student is not in receipt of a *Relocation Scholarship*, and make information available on the benefits of the *Indigenous-CAS* or *Indigenous Enabling-CAS* and the *Relocation Scholarship* to the student to assist the student to make an informed choice as to which scholarship is of the most benefit according to the student's particular circumstances, before awarding the student the *Indigenous-CAS* or *Indigenous Enabling-CAS*.
- (7) A student cannot be in receipt of an *Indigenous-CAS* without also being in receipt of either an *Indigenous-CECS*, *Student Start-up Scholarship* or a *Student Start-up Loan*.
- (8) A student cannot be in receipt of an *Indigenous Enabling-CAS* without also being in receipt of an *Indigenous Enabling-CECS*, *Student Start-up Scholarship* or a *Student Start-up Loan*.
- (9) If a *provider* offers a student an *Indigenous Enabling-CECS* without a *IAS*, then the *provider* must also award that student an *Indigenous-CECS* or, if eligible, an *Indigenous-CAS* relevant to the student's level of study, if the student has successfully completed the *enabling* course and progresses as a *full-time student* to an undergraduate course offered by the *provider*.
- (10) If a *provider* offers a student an *Indigenous Enabling-CECS* then the *provider* must also award that student an *Indigenous-CECS* if the student has successfully completed the *enabling* course and progresses as a *full-time student* to an undergraduate course offered by the *provider*. Note: this entitlement is not automatic if the student undertook the *enabling* course on a part-time basis.
- (11) If a *provider* offers a student an *Indigenous Enabling-CAS* then the *provider* must also award that student an *Indigenous-CAS* if the student has successfully completed the *enabling* course and progresses as a *full-time student* to an undergraduate course offered by the *provider*.
- (12) If a student receives an *Indigenous Enabling-CECS* and, if eligible, an *Indigenous Enabling-CAS*, but, after successful completion of the *enabling* course, chooses to progress as a *full-time student* to an undergraduate course of study offered by another *provider*, that *provider* must give the student priority when allocating its *Indigenous-CECS* and *Indigenous-CAS*.
- (13) Prior to awarding any Commonwealth Scholarship, *providers* may seek written confirmation from a student that he or she is not in receipt of either a *Relocation Scholarship* and/or a *Student Start-up Scholarship* or *Student Start-up Loan*.
- (14) Where a student is made an offer of a Governor General's Indigenous Student Teacher Scholarship and is receiving an *Indigenous CECS* or *Indigenous CAS*, the student must advise the relevant *provider* of their choice in writing.

Priority for the offer of *Indigenous Access Scholarships (IAS)*

- (15) A *provider* must make sufficient information available to students to assist students to compare the *IAS*, *Indigenous-CECS*, *Indigenous Enabling-CECS*, *Indigenous-CAS*, and *Indigenous Enabling-CAS* with the *Relocation Scholarship*, *Student Start-up Scholarship* and *Student Start-up Loan*. This information must be in such a form that a student can determine which scholarships are of the most benefit according to the student's particular circumstances.

- (16) In determining the allocation of *IAS* to eligible students under paragraph 2.10.1, the *provider* should give priority in its allocation to students who have to relocate from a regional or remote area to attend their course of study, and who meet the additional eligibility requirements outlined in paragraph 2.10.15 of these Guidelines.
- (17) If a *provider* has a number of *IAS* remaining after awarding to students under paragraph 2.10.15 above, the *provider* may offer those *IAS* to other eligible students who do not meet the additional requirements under paragraph 2.10.15. However, a student awarded an *IAS* who does not meet the additional requirements under paragraph 2.10.15 is only eligible to receive the *Indigenous-CECS* (or *Indigenous Enabling-CECS*) and not the *Indigenous-CAS* (or *Indigenous Enabling-CAS*) in addition to the *IAS*.

2.15.10 Offer Process

- (1) Where there are sufficient eligible applicants, a *provider* must, in any given year, offer the number of *ICS* it is allocated in accordance with paragraph 2.5.5 of these Guidelines.
- (2) Prior to finalising an offer of an *ICS*, the *provider* must ensure compliance with the Scholarship Interactions at paragraph 2.15.5 (3-17).
- (3) When making an offer of an *ICS*, the *provider* must notify the applicant in writing and advise the applicant of the assistance to which they are entitled and the conditions of the *ICS* as specified at paragraph 2.25 of these Guidelines. A *provider* should include on their offer letter advice to the student that they are to advise the Department of Human Services that they have been offered an Indigenous Commonwealth Scholarship.
- (4) Where there are sufficient eligible applicants, a *provider* must make the offer of an *ICS* to eligible applicants within 10 working days of offering such applicants a Commonwealth-supported place. Such offers must be made on the condition that the student is eligible to receive payment of an *ICS* on the student's first census date for the *scholarship period*.
- (5) A *provider* must notify the Department, as directed by the Department, of the personal information referred to in paragraph 2.15.15, in relation to:
- (a) the *IAS* recipients it understands to be in receipt of a *Student Start-up Scholarship* or a *Student Start-up Loan*;
 - (b) *Indigenous-CECS* and *Indigenous Enabling-CECS* recipients who are hence ineligible for a *Student Start-up Scholarship* or a *Student Start-up Loan*; and
 - (c) *Indigenous-CAS* and *Indigenous Enabling-CAS* recipients who are hence ineligible for *Relocation Scholarships*.
- by 22 January for the first semester and, for second semester offers by 15 June, of the calendar year.
- (6) Where a number of *ICS* offers are not accepted by students, *providers* may make second and subsequent round offers to students who were deemed eligible through the *provider's* assessment process.
- (7) *Providers* may offer scholarships mid-year where such scholarships can be supported under their *ICS* allocation. Before finalising the offer of an *ICS*, the provider must advise the student that a mid-year offer of an *ICS* may affect any *Student Start-up Scholarship*, *Student Start-up Loan* and/or *Relocation Scholarship/s* that the student is receiving.
- (8) *Providers* must ensure that students, at the time of accepting an offer of an *ICS*:

- (a) accept the conditions of the *ICS*; and
- (b) agree to provide personal information to the *provider* upon request in order to assess the student's ongoing eligibility for a *ICS* and facilitate the issuing of a letter and commemorative certificate to *commencing scholarship holders* in a form approved by the *Minister* and issued by the *Department*.

2.15.15 Collection of personal information

- (1) The *Department* is bound by the *Privacy Act 1988*. *Providers* must ensure that they and any other person acting for and on their behalf comply with the Information Privacy Principles (IPPs) under section 14 of the *Privacy Act 1988* when handling students' personal information. *Providers* and any other person acting for and on behalf of *providers* must ensure when collecting personal information from students that students are notified (consistent with IPP 2) that their personal information will be used for the purposes of administering the *ICS* program and that their personal information will be disclosed to the *Department* for the *Department's* purposes of administering the *ICS* program, and disclosed by the *Department* to the Department of Human Services to be used for the Department of Human Services' purposes of administering the *Relocation scholarships, Student Start-up Scholarships* and *Student Start-up Loans*. With effect from 12 March 2014, higher education providers will be required to comply with the Australian Privacy Principles in the *Privacy Act* instead of the IPPs.

Higher education providers are also required by subsection 19-60(2) of the *Act* to have a procedure under which a student enrolled with the higher education provider or body corporate may apply for and receive a copy of personal information that it holds in relation to that student.

Personal information to be collected by *providers* includes:

- (a) the student's name;
 - (b) date of birth;
 - (c) address; and
 - (d) scholarship type.
- (2) Subject to paragraph (4) below, *providers* must provide to the *Department* the personal information specified in subparagraph (1) above, no later than 15 working days after the *commencing scholarship holder's* first census date.
- (3) For *commencing scholarship holders* in receipt of an *Indigenous Enabling-CECS* or *Indigenous Enabling-CAS*, the personal information must be provided within 15 working days after the *commencing scholarship holder's* first census date.
- (4) In relation to *IAS* recipients, *providers* or persons acting for and on behalf of *providers* must provide to the *Department* the personal information specified in paragraph (1) above no later than 15 working days after the student has accepted the scholarship.
- (5) Personal information pertaining to *continuing scholarship holders* must be submitted to the *Department* no later than required in the standard reporting requirements provided by *HEIMS*.
- (6) The *provider* must seek approval for conversions from the *Department* by 31 May of the year in which the *ICS* were allocated by the *Department*.

2.20 PAYMENTS TO STUDENTS

- (1) A *provider* must pay the value of an *ICS* to a student who is awarded an *ICS* in accordance with these Guidelines.
- (2) A *provider* must spend *Indigenous-CECS* grant amounts only on the making of *Indigenous CECS* payments to students awarded an *Indigenous-CECS* who are undertaking an *eligible* course of study.
- (3) A *provider* must spend *Indigenous-CAS* grant amounts only on *Indigenous-CAS* payments to students awarded an *Indigenous-CAS* who are undertaking an eligible course of study.
- (4) A *provider* must spend *IAS* grant amounts only on *IAS* payments to students awarded a *IAS* who are undertaking an *eligible enabling course* of study or undergraduate course of study, undergraduate course or graduate diploma (or equivalent post graduate course of study) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority* field with the *provider*.
- (5) Where a student is undertaking an approved cross-institutional course of study, the home *provider* and not the host provider is responsible for the awarding and payment of the *ICS*.
- (6) *ICS* grants may only be used for *ICS* payments.
- (7) Students must state if they have consumed any entitlement of an *ICS* with the *provider*, or any other *provider* upon enrolment. Prior to payment of an *IAS*, the student must sign a declaration stating that they have not accepted the offer of an *IAS* at any other *provider*.
- (8) Prior to payment of an *Indigenous-CECS* or *Indigenous Enabling-CECS*, the student must sign a declaration stating that he or she has not accepted a *Student Start-up Scholarship* or *Student Start-up Loan*. Where a student has received or remains qualified for a *Student Start-up Scholarship* or *Student Start-up Loan*, a payment of an *Indigenous-CECS* or *Indigenous Enabling-CECS* to the student cannot be made.
- (9) Prior to payment of an *Indigenous-CAS* or *Indigenous Enabling-CAS*, the student must sign a declaration stating that he or she has not accepted a *Relocation Scholarship*. Where a student has received or remains qualified for a *Relocation Scholarship*, a payment of an *Indigenous-CAS* or *Indigenous Enabling-CAS* to the student cannot be made.
- (10) For the *IAS*, the *provider* must ensure that a student that has been offered a scholarship meets the eligibility criteria referred to in paragraph 2.10.1 of these Guidelines at the time the student accepts the scholarship offer in order for the student to receive the first payment of this scholarship.
- (11) For the *IAS*, students that receive the first payment of this scholarship, but for legitimate and genuine reasons do not meet the eligibility requirements at the student's first census date, may not be required to repay the first scholarship payment. It is the responsibility of the *provider* to determine if a student's reasons are legitimate and genuine.

2.20.1 Payment Arrangements

- (1) An eligible scholarship *provider* will make payments directly to eligible students who have accepted the scholarship.
- (2) The payments will be made as follows:

- (a) for *Indigenous-CECS and Indigenous-CAS* offered to students before the census date, payment totalling 50% of the annual value of the *ICS* will be made in each six-month period as soon as practicable after the student's first census date or within six weeks after the student's first census date, for study being undertaken in that *scholarship period*. The census date must be determined in accordance with section 169-25 of the Act.
- (b) for *Indigenous-CECS and Indigenous-CAS* offered to students on or after the census date, payment totalling 50% of the annual value of the *ICS* will be made within six weeks of the student accepting the *ICS*. Thereafter, one payment totalling 50% of the annual value of the *ICS*, will be made in each six-month period as soon as practicable after the student's first census date or within six weeks after the student's first census date for study being undertaken in that *scholarship period*.
- (c) for *Indigenous Enabling-CECS and Indigenous Enabling-CAS*, payment totalling 50% of the value of the scholarship will be made as soon as practicable after the student's first *course start date*, or within six weeks after the student's first *course start date*. The remaining 50% payment will be made in the six-month period following the student's first *course start date* provided the student meets all of the relevant eligibility criteria in paragraph 2.10 of these Guidelines at the time of payment. For enabling courses that are six-months or less in duration, the student will only receive 50% of the value of the scholarship. The *provider* may award the remaining 50% of the scholarship to another eligible student undertaking a six-month enabling course, keeping in mind that in so doing the *provider* will be committing two *Indigenous-CECS* (and where relevant *Indigenous-CAS*) from one *Indigenous Enabling-CAS* (subject to eligibility conditions listed at paragraph 2.10 of these Guidelines) and should be confident of its ability to meet this commitment.
- (d) for *IAS* payment totalling 50% of the value of the scholarship will be made as soon as practicable after the student has accepted the offer of the scholarship. The *provider* will pay the remaining amount as soon as practicable after the student's first census date, or within six weeks after the student's first census date, provided the student maintains enrolment and meets the other eligibility criteria at the student's first census date.

2.25 CONDITIONS OF SCHOLARSHIP

2.25.1 Ongoing Eligibility Requirements

- (1) Each *provider* is responsible for monitoring the ongoing eligibility of its students to ensure that each student continues to meet the eligibility requirements for an *ICS* as set out in paragraph 2.10 and, where applicable, any further selection criteria specified by the eligible scholarship *provider* under paragraph 2.15.5(2) of these Guidelines. A *provider* must confirm a student's eligibility for an *ICS* prior to making an *ICS* payment.

2.25.5 Suspension of an ICS

- (1) An eligible scholarship *provider* may approve requests for periods of *suspension* of an *ICS* in accordance with the eligible scholarship *provider*'s own policies.
- (2) For student's progressing from an *Indigenous Enabling-CECS* or *Indigenous Enabling-CAS* to an *Indigenous-CECS* or *Indigenous-CAS*, the maximum *suspension* a *provider* can allow between courses is one year.

2.25.10 Termination of an ICS

- (1) An eligible scholarship *provider* must terminate an *ICS*:
 - (a) if the student ceases to meet the eligibility criteria specified in paragraph 2.10 or 2.25.1 or, where applicable, any criteria specified by the eligible scholarship *provider* under paragraph 2.15.5(2) of these Guidelines, other than during a period of approved *suspension*; or
 - (b) once the maximum scholarship entitlement period has been reached; or
 - (c) if the eligible scholarship *provider* determines that the student:
 - (i) has failed to maintain satisfactory academic progress and there are no extenuating circumstances for such failure; or
 - (ii) has, after investigation by the *provider*, committed serious misconduct during a course of study whilst doing a course at an eligible scholarship *provider* including, but not limited to, the provision of false or misleading information within paragraph 2.25.15 of these Guidelines.

Providers are encouraged to consult with their *Indigenous Education Units* in such cases where possible.

- (2) An eligible scholarship *provider* may not terminate a student's *ICS* for any other reason.

2.25.15 Provision of False or Misleading Information

- (1) If an eligible scholarship *provider* or a person acting for and on behalf of an eligible scholarship *provider* or the *Department* knows or has reason to believe that a student in receipt of an *ICS* has provided false or misleading information to the *provider* or a person acting for and on behalf of the *provider* in relation to the *ICS*, the *provider* or a person acting for and on behalf of the *provider* must immediately:
 - (a) re-assess the student's entitlement to the *ICS*; and
 - (b) notify the *Department* of the suspected offence and provide to the *Department* the student's application and where possible, the original copies of any other relevant information requested by the *Department*.
- (2) In such circumstances the *provider* or the person acting for and on behalf of the *provider* should not communicate with or alert the student to the investigation of the possible offence. Contact will be made in due course by a member of staff of the Branch of the *Department* responsible for legal investigations.

CHAPTER 3 *INDIGENOUS* STAFF SCHOLARSHIPS

3.1 PROGRAM OBJECTIVES

- (1) The objective of the *Indigenous* Staff Scholarship (*ISS*) Program is to develop *Indigenous* leadership in the higher education sector through the provision of opportunities for professional development, with priority given to:
 - (a) people undertaking postgraduate awards, and
 - (b) people who have not previously been in receipt of an *ISS*.

3.1.1 Description of Scholarship

- (1) *ISS* are awarded nationally under the Program to enable *Indigenous* staff (academic or general) of a *provider* to take leave from their employment to undertake 12 months full-time higher education study in their chosen academic or professional area. The *ISS* are directed towards *Indigenous* staff who have actively encouraged *Indigenous* students to participate in higher education and complete their studies.
- (2) Five *ISS* will be awarded each year.

3.1.5 Class of Commonwealth Scholarship

An *ISS* specified under these Guidelines is an indirectly-paid standard scholarship under subsection 46-10 (aa) of *the Act*.

3.5 GRANTS

3.5.5 How Grant Amounts are to be Determined

The amount of grant paid to a *provider* for the *ISS* will be equal to the value of the *ISS* multiplied by the number of *ISS* holders who are studying with the *provider*.

3.10 STUDENT ELIGIBILITY REQUIREMENTS

3.10.1 Basic Eligibility Requirements

- (1) To be eligible for an *ISS*, the applicant must:
 - (a) be an *Indigenous* person; and
 - (b) be employed by a *provider*; and
 - (c) be enrolled in a full-time course of study leading to a higher education award with an eligible scholarship *provider* upon commencement of the *ISS*; and
 - (d) have a Letter of Support from their employing *provider*. The Letter of Support must include an undertaking by the employing *provider* that it will hold the applicant's position of employment for 12 months while the applicant undertakes full-time study. The undertaking must include holding the applicant's position open where the applicant has:
 - (i) changed their course of study; or

(ii) transferred their enrolment to another eligible scholarship *provider* since accepting the *ISS* where this change or transfer has been approved by the *Department* in accordance with paragraphs 3.25.25 and 3.25.30 of these Guidelines.

- (2) A person will be considered to be an *Indigenous* person for the purposes of *ISS*, where the person:
- (a) is of Australian Aboriginal or Torres Strait Islander descent; and
 - (b) identifies as an Australian Aboriginal or Torres Strait Islander; and
 - (c) is accepted as an Australian Aboriginal or Torres Strait Islander in the community in which he/she lives or has lived.
- (3) The following documentation is acceptable as evidence of being *Indigenous*:
- (a) an affirmation signed by the applicant, declaring that they identify as an Australian Aboriginal or Torres Strait Islander; and
 - (b) confirmation in writing with the corporate seal from the chairperson of the Aboriginal or Torres Strait Islander incorporated organisation in a community in which the applicant lives or has previously lived.

3.15 APPLICATION, SELECTION AND OFFER PROCESSES AND POLICIES

3.15.1 Application Process

- (1) Applications for *ISS* must be made to the *Department* according to the published application form. Application forms will be made available on request.
- (2) The Aboriginal and Torres Strait Islander Higher Education Advisory Council (*ATSHEAC*) will advise the *Minister* on the applicants the *ATSHEAC* determines are most suitable.

3.15.5 Selection Policy

- (1) *ISS* will be awarded by the *Minister* who may accept advice from the *ATSHEAC* and who may take into account any other relevant matter.
- (2) The primary considerations in assessment of applications by *ATSHEAC* will be:
 - (a) the extent to which applicants have actively encouraged *Indigenous* students to participate in higher education and complete their course; and
 - (b) the extent to which applicants have demonstrated leadership with regard to *Indigenous* issues within the higher education sector.
- (3) Additional criteria for assessment of applications for the *ISS* may be published in these Guidelines from time to time.

3.15.10 Offer Process

- (1) A Letter of Offer will be forwarded to successful applicants. The conditions in accepting the *ISS* are outlined in paragraph 3.25 of these Guidelines. In accepting an *ISS*, the applicant is agreeing to abide by the conditions of the *ISS*. A Letter of Acceptance must be received by the successful applicant before the *ISS* can commence (refer to paragraph 3.25.10(2)).
- (2) An *ISS* offer is made on the condition that the successful applicant enrolls in a full-time course of study leading to a higher education award with a *provider*. The Letter of Acceptance from the successful applicant must include evidence of being enrolled full-time.

3.20 CONDITION OF GRANTS TO PROVIDERS

3.20.1 Payments to Providers

- (1) The Commonwealth will grant amounts for *ISS* to the *provider*, in accordance with approved payment arrangements made under the *Act*.
- (2) Grant amounts must only be used for the purpose of making *ISS* payments to students and for the payment of student's tuition fees and/or student contribution amounts, otherwise funds will be recovered under the *Act*.

3.20.5 Payment of tuition fees and/or student contribution amounts

The *provider* will be paid the amount specified at 3.25.1 for each *ISS* it administers. This amount is made available for payment of tuition fees and/or student contribution amounts. Any unspent funds will be recovered from the *provider* under the *Act*.

3.20.10 Recovery of Funds on Termination or Transfer of ISS

Where an *ISS* has been terminated, or the *Department* has approved a transfer under paragraph 3.25.30 of these Guidelines, any overpayments or unspent grant amounts will be recovered from the *provider* at which the student is transferring under section 164-15 of the *Act*.

3.20.15 Provider Reporting and Notice Requirements

(1) General Final Report

A grant to the *provider* to pay an *ISS* is made on the condition that the *provider* submits a report to the *Department* within one month of the completion of the tenure of the *ISS*.

The report must:

- (a) comment on the Program and advise whether the *provider* considers the Program is achieving its objectives (as specified in paragraph 3.1) and, if not, where in the *provider's* opinion improvements may be made; and
- (b) include a statement from the student's supervisor, or a relevant academic authority employed by the *provider*, outlining the studies undertaken and including a copy of the academic record for the period.

(2) General Notice Requirements

The *provider* must give notification in writing to the *Department* immediately:

- (a) if, in the *provider's* opinion, the student is not carrying out the conditions of the *ISS* in accordance with the conditions set out in these Guidelines; or
- (b) if the *ISS* has undergone a *suspension* at the instigation of the student, in accordance with paragraph 3.25.15 of these Guidelines; or
- (c) if the student no longer meets the eligibility requirements under paragraph 3.10.1 of these Guidelines.

(3) Audited Financial Statement

Providers are required to submit a Financial Statement to the *Department* within three months of completion of the *ISS*. The Financial Statement must cover the period of payments showing final expenditure against total funds provided, and a declaration made by the *provider* stating that all funds were expended for the purposes for which they were granted. The Financial Statement must be signed by the Chief Executive Officer or Chief Internal Auditor of the *provider*.

3.25 CONDITIONS OF SCHOLARSHIP

A grant to a *provider* is made on the condition that *ISS* payments are made to students in accordance with the following Conditions of Scholarship.

3.25.1 Value of the *ISS*

3.25.1 The value of an Indigenous Staff Scholarship for a year is the sum of the amounts listed for that year as set out in the table below.

Scholarship type	2014	2015	2016
ISS – stipend	\$26,757	2014 amount multiplied by 0.9875 and then indexed in accordance with the method set out in Part 5-6, division 198 of the Act.	2015 amount indexed in accordance with the method set out in Part 5-6, division 198 of the Act.
ISS – tuition fees and / or student contribution amounts	\$13,271		

The amount for 2017 and later years is the amount for the previous year indexed in accordance with the method set out in Part 5-6, division 198 of the *Act*.

3.25.5 Duration of the *ISS*

The *ISS* are for a period of 12 months from the *course start date* of the course of study.

3.25.10 Commencement of the *ISS*

- (1) The *ISS* must begin the year following the acceptance of the *ISS* and the student must be enrolled in a full-time course of study with a *provider* in that year.
- (2) The *ISS* and payment to the *provider* cannot commence until the *Department* receives the signed Letter of Acceptance.

3.25.15 Suspension of the ISS

- (1) After commencement of the *ISS*, a student may seek to suspend the remainder of the *ISS* by applying in writing to *the Department*.
- (2) Unless otherwise specified in writing to the student by the *Department*, the maximum period of a *suspension* will be six months.

3.25.20 Withdrawal from Course

If a student withdraws from or completes the course of study in which they are enrolled, they must immediately advise the *Department* in writing.

3.25.25 Change of Course of study

A student may change to another course of study with the *provider* during the tenure of the *ISS* with the approval of the *Department*. Students must apply in writing to the *Department* for approval.

3.25.30 Transfer of a Scholarship

- (1) The *Department* may approve transfer to another *provider* of an *ISS* during the tenure of the *ISS*.
- (2) Any request to transfer an *ISS* requires the written support of both the student's current and proposed *providers*. Transfer is subject to the student being offered a higher degree place with the new *provider*.
- (3) Once the *Department* approves a transfer, written advice will be provided to the student, the original *provider* and the new *provider*, indicating the commencement date of the approved transfer. Grant amounts provided for the purposes of *ISS* which are unspent by the original *provider* will be transferred to the new *provider*.

3.25.35 Eligibility for Concurrent Scholarships or Awards

A student may receive a concurrent award or scholarship separate to the *ISS* to assist in their course of study where the concurrent award or scholarship is not for the purposes of tuition fees.

3.25.40 Work

There is no limit on the income a student may receive from work. However, the *provider* must be satisfied that a student's work does not interfere with their studies.

3.25.45 Leave

Students shall be entitled to leave from study in accordance with the usual practices of the *provider*.

3.25.50 Student Reporting Requirements

- (1) A month after completion of the first six month period of study, the student must provide a Statement of Progress to the *Department* from the student's supervisor or a relevant academic authority employed by the *provider*.
- (2) A month after completion of the *ISS*, the student must provide a final report to the *Department* including a copy of their academic transcript.

3.25.55 Termination

- (1) The *Minister* may terminate an *ISS* if:
 - (a) the student fails to comply with any condition of the *ISS* as identified in these Guidelines; or
 - (b) the *provider* determines that the student has failed to maintain satisfactory academic progress.

CHAPTER 4 COMMONWEALTH SCHOLARSHIPS (GRANDFATHERED STUDENT) PROGRAM

4.1 PROGRAM OBJECTIVES

The objective of the Commonwealth Scholarships (Grandfathered Student) program is to meet the commitment to students for Commonwealth Scholarships awarded prior to 1 January 2010, until the scholarship is consumed. *Providers* will be responsible for the continued administration of continuing *CS* students until the entitlement is consumed.

4.1.1 Description of Scholarships

- (1) Commonwealth Scholarships awarded prior to 1 January 2010, which are standard scholarships, for the purposes of paragraph 46-10 (aa) of the *Act* are of two main types:
 - (a) *CECS*, which are generally to assist with education costs; and
 - (b) *CAS*, which are generally to assist with accommodation costs.
- (2) *CECS* comprise three categories:
 - (a) *CECS–Ordinary*, with funding for up to eight *scholarship periods* from time of awarding to assist students enrolled in undergraduate courses (not limited to areas of *National Priority*) or a graduate diploma (or equivalent post graduate course of study) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*;
 - (b) *CECS–Priority Discipline*, with funding for up to eight *scholarship periods* from time of awarding, to assist students enrolled in *National Priority* disciplines as defined in Schedule 1 in these Guidelines. This is commonly referred to as *National Priority Scholarships (NPS)*;
 - (c) *CECS–Associate Degree*, with funding for up to four *scholarship periods*, from time of awarding to assist with general education costs for *Associate Degrees*.
- (3) *CAS* comprises three categories:
 - (a) *CAS–Ordinary*, with funding for up to eight *scholarship periods*;
 - (b) *CAS–Specialist*, with funding for up to eight *scholarship periods*, to assist students who have to relocate to undertake a specialist course not available near their home. This scholarship category is commonly referred to as *National Accommodation Scholarships (NAS)*;
 - (c) *CAS–Associate Degree*, with funding for up to four *scholarship periods*, to assist with general accommodation costs for an *Associate Degree*.

4.1.5 Class of Commonwealth Scholarship

A *CS* specified under these Guidelines is an indirectly-paid standard scholarship under paragraph 46-10 (aa) of the *Act*.

4.5 GRANTS

4.5.1 How Grant Amounts are to be Determined

The maximum amount of grant for *CS* awarded prior to 1 January 2010 to be paid to a *provider* under section 46-15 of the *Act* for a year will equal the sum of the *CECS* grant amount and the *CAS* grant amount. Grant amounts are calculated for each *CS* category specified in paragraph 4.1 of these Guidelines as follows:

$$\text{Grant Amount} = \text{Number of } CS \text{ in the category allocated to the } provider, \text{ as determined under paragraphs } 4.5.10(1) - 4.5.10(6) \text{ of these Guidelines} \times \text{Value of the } CS \text{ for each category}$$

4.5.5 No grants may be paid under this Chapter for a year after 2014.

4.5.10 How the Allocation of *CS* to a *Provider* will be Determined

CECS–Ordinary

- (1) The number of *CECS–Ordinary* allocated to an eligible *provider* will be the number of continuing students maintaining eligibility and entitlement reported by the *provider* by 15 October of each calendar year prior to 2015.

CECS–Priority Discipline (National Priority Scholarship)

- (2) The number of *CECS–Priority Discipline* allocated to an eligible *provider* will be the number of continuing students maintaining eligibility and entitlement reported by the *provider* by 15 October of each calendar year prior to 2015.

CECS-Associate Degrees

- (3) The number of *CECS-Associate Degrees* allocated to an eligible scholarship will be the number of continuing students maintaining eligibility and entitlement reported by the *provider* by 15 October of each calendar year prior to 2015.

CAS–Ordinary

- (4) The number of *CAS-Ordinary* allocated to an eligible scholarship *provider* will be the number of continuing students maintaining eligibility and entitlement reported by the *provider* by 15 October of each calendar year prior to 2015.

CAS–Specialist (National Accommodation Scholarships)

- (5) The number of *CAS-Specialist* allocated to a *provider* will be determined by the number of continuing students maintaining eligibility and entitlement reported by the *provider* by 15 October of each calendar year prior to 2015.

CAS Associate Degrees

- (6) The number of *CAS-Associate Degrees* allocated to a *provider* will be the number of continuing students maintaining eligibility and entitlement reported by the *provider* by 15 October of each calendar year prior to 2015.

Notification of Continuing Student Numbers

(7) *Providers* are required to electronically notify the Department of items 4.5.10(1)-4.5.10(6) via the scholarships@innovation.gov.au inbox.

Conversion within CS type

(8) There are no provisions for conversion of *CS* within type.

Conversion across CS type

(9) There are no provisions for conversion of *CS* across *CS* type.

Return of CS funds to the Department

(10) (a) A *provider* must notify the *Department* in writing of the unused amount of the unspent scholarship funds by 15 October 2010, and for each subsequent calendar year prior to 2015.

(b) A *provider* must return any unspent *CS* to the *Department* by 31 December of each calendar year prior to 2015.

4.10 STUDENT ELIGIBILITY REQUIREMENTS

Under paragraph 46-20(2)(c) of *the Act*, student eligibility requirements may be specified for indirectly-paid *CS*.

(1) Concurrent Scholarships

(a) a student may hold only one type of scholarship from each of the respective *CECS* and *CAS* categories, at any one time from any one *provider*. For example, a student can hold a *CECS-Ordinary* and a *CAS-Specialist* concurrently but they cannot, however, be in receipt of a *CECS-Ordinary* and *CECS-Priority Discipline*;

(b) a student may NOT concurrently hold scholarships with different *providers* even if the *CS* are of different scholarship types; and

(c) a student may NOT concurrently hold a *Student Start-up scholarship* or *Student Start-up Loan* with any *CECS* or a *Relocation Scholarship* with a *CAS*.

(2) The maximum duration a student can have access to one or more scholarships described in paragraph 4.1.1 is for a total of eight *scholarship periods*. A student is entitled to a total of four *scholarships periods* if undertaking a *CECS-Associate Degree*.

(3) A scholarship holder who undertakes a program of study:

(a) overseas; or

(b) with a host *provider* approved by their *provider* through a cross institutional arrangement as a Commonwealth supported student,

will not be precluded from continuing to access a *CS* during this period, so long as the program of study is approved by their scholarship *provider*, and counts toward the requirements for the course of study in which the student is enrolled. All *CS* student eligibility criteria must be maintained by a recipient during this period with the scholarship *provider*.

4.10.1 Basic Eligibility Requirements

CECS–Ordinary and CAS–Ordinary

- (1) To continue to be eligible for a *CECS–Ordinary* or *CAS–Ordinary* a student must, by the first census date (as determined in accordance with section 169-25 of the *Act*) of the *scholarship period*:
 - (a) be an Australian citizen or the holder of a permanent humanitarian visa; and
 - (b) be enrolled in or undertaking a course of study (for the purposes of cross-institutional studies) with an eligible scholarship *provider* as a Commonwealth supported student in an undergraduate course not limited to areas of *National Priority* or a graduate diploma (or equivalent post graduate course of study) in an area of *National Priority* required for initial registration to practice in the chosen *National Priority*; and
 - (c) meet the low socio-economic status requirements specified in paragraph 4.10.5 of these Guidelines; and
 - (d) meet the *full-time student* requirements specified in paragraph 4.10.10 of these Guidelines;
 - (e) meet other eligibility requirements as specified in paragraph 4.10.1(1) or (5); and
 - (f) not already be in receipt of a CS from any other provider.
- (2) Transitional arrangements for students currently in receipt of *CECS–Ordinary* or *CAS–Ordinary* while enrolled in a course of study in *National Priority* areas (as described in section 30-20 of *the Act*) are that if:
 - (a) a person is in receipt of a *CECS–Ordinary* or a *CAS–Ordinary*, awarded prior to 1 January 2010 for a post-graduate course of study in which the student is enrolled; and
 - (b) the person remains eligible for the *CECS–Ordinary* or *CAS–Ordinary*; and
 - (c) the person has not exhausted the maximum duration of their *CS* (as defined in paragraph 4.1 of these Guidelines); and
 - (d) the person has neither:
 - (i) discontinued his or her enrolment in the course since that commencement (except on receipt of an official leave of absence from the scholarship *provider*); nor
 - (ii) completed the requirements of the course for which the *CECS–Ordinary* or *CAS–Ordinary* was awarded;

then the person is taken for the purposes of these Guidelines to remain eligible for the *CECS–Ordinary* or *CAS–Ordinary* until the *CS* is terminated.

CECS–Priority Discipline

- (3) A *National Priority Discipline* is one of the priority disciplines as covered by the broad degrees related to the Fields of Education outlined in Schedule 1 of these Guidelines. To maintain qualification for a *CECS–Priority Discipline*, students must undertake either:

- (a) a National Priority Discipline course of study in one of the broad degrees related to the Fields of Education (under Schedule 1); or
 - (b) a major (in a National Priority Discipline area) within the student's degree structure as part of the student's chosen course of study.
- (4) To be eligible for a *CECS-Priority Discipline* a student must, by the first census date (as determined in accordance with section 169-25 of the *Act*) of the *scholarship period*:
- (a) be an Australian citizen or the holder of a permanent humanitarian visa; and
 - (b) be enrolled in or undertaking a course of study with an eligible scholarship *provider* as a Commonwealth supported student, as defined in *the Act* in:
 - (i) an undergraduate course of study; or
 - (ii) a post-graduate course of study required for initial registration for the purposes of practising in the relevant profession as per Schedule 3 of Determination of Education Institutions and Courses under Subsections 3(1) and 5D(1) of the *Student Assistance Act 1973*.

Providers seeking to award a *CECS-Priority Discipline* scholarship to students undertaking courses outside of these disciplines must seek prior approval from the *Department*; and

- (c) meet the low socio-economic status requirements specified in paragraph 4.10.5 of these Guidelines; and
- (d) meet the *full-time student* requirements specified in paragraph 4.10.10 of these Guidelines; and
- (e) not already have completed the requirements of a course of study (with any *provider*) regarded by the scholarship *provider* to be equivalent to or higher than an Australian bachelor's award:
 - (i) unless the award is a prerequisite to their current undergraduate or post-graduate course of study; or
 - (ii) was not in a priority discipline area as identified in Schedule 1; and
- (f) meet other eligibility requirements as specified in paragraph 4.10.1(2) above; and
- (g) not already be in receipt of the same *CS*, from any *provider*.

(5) Any student who is in receipt of a *CECS-Priority Discipline* who has met the ongoing *CAS* eligibility criteria as per paragraph 4.10.5 and 4.10.10 below must continue to be eligible to receive a *CAS-Ordinary* in addition to a *CECS-Priority Discipline*.

CECS Associate-Degree and CAS-Associate Degree

- (6) To continue to be eligible for a *CECS-Associate Degree* or *CAS-Associate Degree*, a student must:
- (a) meet the basic eligibility requirements of 4.10.1; and
 - (b) be enrolled in a *Associate Degree* course.

2010 will be the final year of allocation of funding for *CECS-Associate Degree* and *CAS-Associate Degree* scholarships.

CAS-Specialist

- (7) A *specialist course* (for purposes of *CAS-Specialist scholarships*), is a course identified by *providers* through a competitive bidding process, and for which the *Department* has allocated *CAS-Specialist* scholarships.
- (8) To be eligible for a *CAS-Specialist* scholarship a student must, by the first census date (as determined in accordance with section 169-25 of *the Act*) of the *scholarship period*:
- (a) be an Australian citizen or the holder of a permanent humanitarian visa; and
 - (b) be enrolled as an *internal student* in a *specialist course* and undertaking such a course with an eligible scholarship *provider* as a Commonwealth supported student in:
 - (i) an undergraduate course of study; or
 - (ii) a post-graduate course of study required for initial registration for the purposes of practising in the relevant profession as per Schedule 3 to Determination of Education Institutions and Courses under subsections 3(1) and 5D(1) of the *Student Assistance Act 1973*.
 - (c) meet the low socio-economic status requirements specified in paragraph 4.10.5 of these Guidelines; and
 - (d) meet the *full-time student* requirements specified in paragraph 4.10.10 of these Guidelines; and
 - (e) relocate a distance greater than 100kms from their home to take up the study in the *specialist course* and incur additional accommodation costs.

Additional eligibility Requirements for *CAS-Ordinary, CAS-Specialist, CAS-Associate Degrees*

- (9) The student must continue to be enrolled as an internal student in units of study that form part of the course of study the student is undertaking, and in addition, the student can demonstrate the need to move in accordance with paragraph 4.10.10 (2) and/or there are limitations on the student's mobility due to disability and/or carer responsibilities.

4.10.5 Low Socio-Economic Status Requirements

- (1) A student is not eligible for a *CS* unless the *provider* is satisfied that the student is able to demonstrate continued low socio-economic status either:
- (a) through being in receipt of a means-tested Commonwealth income support payment (including, but not limited to, Austudy, ABSTUDY, Youth Allowance); or
 - (b) on the basis of a comprehensive assessment conducted by or on behalf of the eligible scholarship *provider*.

Where a student is unable to demonstrate eligibility under (1) (a) above, the *provider* must give the student the option of undergoing a comprehensive assessment of low socio-economic status to determine ongoing eligibility.

4.10.10 Full-time Student Requirements

- (1) A student whose course load falls below a *full-time student load* must have their *CS* eligibility status reviewed, in accordance with the ongoing eligibility requirements under paragraph 4.25.1 of these Guidelines, and will be ineligible to retain their *CS* unless *the provider* determines that there are exceptional circumstances which prevent the student from continuing to study on a full-time basis.
- (2) A *CAS* may continue to be paid for the need for the student to attend classes or access other study related facilities on the campus at which the student is enrolled with the eligible scholarship *provider* or a host provider approved by the eligible scholarship *provider* through a cross-institutional arrangement.

4.15 GRANDFATHERING ARRANGEMENT AND STUDENT INFORMATION

Eligible scholarship *providers* are responsible for the ongoing reporting and payment of eligible continuing *CS* to recipients where that *CS* was awarded prior to 1 January 2010 until the entitlement is consumed and must make information about the processes, policies and conditions of scholarship readily and publicly available.

4.15.1 Provider's liability

- (1) The *provider* is responsible for managing and funding any liabilities above their allocation when that liability is created by the *provider* awarding a *CS* beyond its allocated *CS*.

4.15.5 Student information

- (1) The Department is bound by the *Privacy Act 1988*. *Providers* must ensure that they and any other person acting for and on their behalf comply with the Information Privacy Principles under section 14 of the *Privacy Act 1988* when handling students' personal information. With effect from 12 March 2014, *providers* will instead be required to comply with the Australian Privacy Principles in the Privacy Act.

Higher education providers and bodies corporate are also required by subsection 19-60(2) of the *Act* to have a procedure under which a student enrolled with the higher education provider or body corporate may apply for and receive a copy of personal information that it holds in relation to that student.

- (2) Personal information pertaining to *continuing scholarship holders* must be submitted to the *Department* no later than required in the standard reporting requirements provided by *HEIMS*.

4.20 PAYMENTS TO STUDENTS

- (1) A *provider* must pay the value of a *CS* to a student who has been awarded a *CS* in accordance with these Guidelines.
- (2) A *provider* must spend *CECS* grant amounts only on the making of *CECS* payments to students in receipt of a *CECS* who are undertaking an *eligible* course of study.
- (3) A *provider* must spend *CAS* grant amounts only on *CAS* payments to students who have been awarded a *CAS* who are undertaking an *eligible* course of study.

- (4) Where a student is undertaking an approved cross-institutional course of study, the home *provider* and not the host *provider* is responsible for the continued payment of the *CS*.
- (5) *CS* grants may only be used for *CS* payments.

4.20.1 Value of Scholarships

- (1) The value of a scholarship is the amount advised by the Australian Government by 1 August each year prior to 2014.

4.20.5 Payment Arrangements

- (1) An eligible scholarship *provider* will make payments directly to eligible students who are in receipt of the scholarship.
- (2) The payments will be made as follows:
 - (a) for *CECS–Ordinary*, *CECS–Priority Discipline*, *CAS–Ordinary*, *CAS–Specialist* and *CECS-Associate Degree* offered to students before census date, payment totalling 50% of the annual value of the *CS* will be made in each six-month period as soon as practicable after the student’s first census date or within six weeks after the student’s first census date, as determined in accordance with section 169-25 of *the Act*, for study being undertaken in that *scholarship period*.
 - (b) for *CECS–Ordinary*, *CAS–Ordinary*, *CECS–Priority Discipline*, *CAS–Specialist* and *CAS-Associate Degrees* offered to students on or after census date, payment totalling 50% of the annual value of the *CS* will be made within six weeks of the student accepting the *CS*. Thereafter, one payment totalling 50% of the annual value of the *CS* will be made in each six-month period as soon as practicable after the student’s first census date or within six weeks after the student’s first census date, as determined in accordance with section 169-25 of *the Act*, for study being undertaken in that *scholarship period*.

4.25 CONDITIONS OF SCHOLARSHIP

4.25.1 Ongoing Eligibility Requirements

- (1) Each *provider* is responsible for monitoring the ongoing eligibility of its students to ensure that each student continues to meet the eligibility requirements for a *CS* as set out in paragraph 4.10 of these Guidelines. A *provider* must confirm a student’s eligibility for a *CS* prior to making a *CS* payment.

4.25.5 Suspension of a CS

An eligible scholarship *provider* may approve requests for periods of *suspension* of a *CS* in accordance with the eligible scholarship *provider*’s own policies.

4.25.10 Maximum Duration of a CS

- (1) An eligible student can be in receipt of a *CS* for up to eight *scholarship periods* only.

- (2) During the eight *scholarship periods*, a student may be in receipt of a *CECS* and a *CAS* scholarship concurrently or separately, depending on the *provider's* internal *CS* application and selection policy.
- (3) The maximum duration of each *CS* is as follows:
 - (a) a *CECS–Ordinary*, *CECS–Priority Discipline*, *CAS–Ordinary* and *CAS–Specialist* is eight *scholarship periods*;
 - (b) a *CECS-Associate Degree* or a *CAS-Associate Degree* is four *scholarship periods*;
- (4) A student must not be in receipt of a *CS* from more than one *provider* at any one time.

4.25.15 Termination of a *CS*

- (1) An eligible scholarship *provider* must terminate a *CS*:
 - (a) if the student ceases to meet the eligibility criteria specified in paragraph 4.10 or 4.25 of these Guidelines, other than during a period of approved *suspension*; or
 - (b) once the maximum scholarship entitlement period has been reached; or
 - (c) if the eligible scholarship *provider* determines that the student:
 - (i) has failed to maintain satisfactory academic progress and there are no extenuating circumstances for such failure; or
 - (ii) has, after investigation by the *provider*, committed serious misconduct during a course of study whilst doing a course at an *eligible scholarship provider* including, but not limited to, the provision of false or misleading information within paragraph 4.25.20 of these Guidelines
- (2) An eligible scholarship *provider* may not terminate a student's *CS* for any other reason.

4.25.20 Provision of False or Misleading Information

- (1) If an eligible scholarship *provider* or a person acting for and on behalf of an eligible scholarship *provider* or the *Department* knows or has reason to believe that a student in receipt of a *CS* has provided false or misleading information to the *provider* or a person acting for and on behalf of the *provider* in relation to the *CS*, the *provider* or a person acting for and on behalf of the *provider* must immediately:
 - (a) re-assess the student's entitlement to the *CS*; and
 - (b) notify the *Department* of the suspected offence and provide to the *Department* the student's application and where possible, the original copies of any other relevant information requested by the *Department*.
- (2) In such circumstances the *provider* or the person acting for and on behalf of the *provider* should not communicate with or alert the student to the investigation of the possible offence. Contact will be made in due course by a member of staff of the *Department's* Investigations Branch.

Schedule 1

The following Fields of Education will be accepted for the purposes of *CECS–Priority Discipline scholarships*:

- Natural & Physical Science (01 - broad field)

- Information Technology (02 - broad field)
- Engineering & Related Technologies (03 - broad field)
- Architecture & Building (04 – broad field)
- Medical Studies (0601)
- Nursing (0603)
- Pharmacy (0605)
- Dental Studies (0607)
- Education (07 - broad field)
- Optical Science (0609)
- Indigenous Health (061305)
- Radiography (0615)
- Physiotherapy (061701)
- Occupational Therapy (061703)
- Chiropractic & Osteopathy (061705)
- Speech Pathology (061707)
- Audiology (061709)
- Podiatry (061713)
- Nutrition & Dietetics (069901)
- Paramedical Studies (069905)
- Accounting (0801)