



Commonwealth of Australia

*Higher Education Support Act 2003*

**OTHER GRANTS GUIDELINES (EDUCATION) 2012**

Amendments to 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) make the attached amendment No. 3 to the *Other Grants Guidelines (Education) 2012* which provide for matters under part 2-3 of the Act.

Dated this 20<sup>th</sup> day of November 2014.

Signed

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CHRISTOPHER PYNE  
Minister for Education

**Commonwealth of Australia**

***Higher Education Support Act 2003***

**Other Grants Guidelines (Education) 2012 – Amendment No. 3**

**(i) CITATION**

This legislative instrument may be cited as Amendment No. 3 to the *Other Grants Guidelines (Education) 2012*.

**(ii) AUTHORITY**

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

**(iii) DATE OF EFFECT**

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

**(iv) PURPOSE**

The purpose of this legislative instrument is to repeal and substitute Chapter 4 of the *Other Grants Guidelines (Education) 2012* to enable funds to be provided to New South Wales universities to assist with the cost of higher education providers' superannuation liabilities.

## ITEM 1 – Chapter 4

Repeal chapter 4 and substitute:

### CHAPTER 4 GRANTS TO ASSIST WITH THE COST OF HIGHER EDUCATION PROVIDERS' SUPERANNUATION LIABILITIES

#### HIGHER EDUCATION SUPERANNUATION PROGRAM

##### 4.1 Purpose

4.1.1 The purpose of these guidelines is to specify:

- (a) in accordance with subsection 41-15(1) of the Act the Higher Education Superannuation Program (the "Program") as a program under which grants can be paid for the purpose of assisting with the cost of providers' superannuation liabilities as specified in item 6 of the table in subsection 41-10(1) of the Act; and
- (b) under subsection 41-15(2) of the Act, other matters relevant to the Program.

##### 4.2 Program objectives

4.2.1 The objective of the Program is to provide Commonwealth financial assistance to eligible Higher Education Providers to cover certain superannuation expenses.

4.2.2 The Commonwealth contributes to expenses incurred by eligible providers that have former employees who are members of an eligible superannuation scheme or fund.

##### 4.3 Conditions of eligibility

4.3.1 Only the Higher Education Providers listed below are eligible to receive grants under this program:

- Deakin University
- La Trobe University
- Monash University
- Royal Melbourne Institute of Technology University
- Swinburne University of Technology
- The University of Melbourne
- Federation University (formerly University of Ballarat)
- Victoria University
- Curtin University of Technology
- Edith Cowan University
- The Flinders University of South Australia
- The University of Adelaide
- University of South Australia
- University of Tasmania
- Charles Darwin University
- University of Canberra
- Australian Catholic University
- The University of Sydney
- The University of New South Wales
- Macquarie University
- University of Newcastle
- Southern Cross University

- University of Technology, Sydney
- University of New England
- University of Western Sydney
- University of Wollongong
- Charles Sturt University

4.3.2 To receive a grant under the program, a provider must have former employees who are members of one of the following superannuation schemes or funds:

- New South Wales State Superannuation Scheme
- New South Wales State Authorities Superannuation Scheme
- New South Wales State Authorities Non-Contributory Scheme
- Victorian State Superannuation Fund – Revised Scheme
- Victorian State Superannuation Fund – New Scheme
- Western Australian Government Employees Superannuation Scheme
- South Australian Superannuation Fund
- Tasmanian Retirement Benefits Fund
- Catholic Superannuation Fund
- Commonwealth Superannuation Scheme
- Public Sector Superannuation Scheme

#### **4.4 Grants made under the Program may cover:**

- ongoing superannuation expenses. This may include, but is not limited to administrative fees, management fees and applicable taxes; and/or
- paying out superannuation liabilities.

#### **4.5 Grants made under the Program will not cover:**

- superannuation employer contributions for current employees; and/or
- superannuation liabilities attributed to excess salary increases.

#### **4.6 Grant approval**

4.6.1 Grants will be approved by the *Minister* under section 41-20 of the Act.

#### **4.7 Grant amounts**

4.7.1 The Program grant amounts will be determined in writing by the *Minister* under paragraph 41-30(b) of the Act.

#### **4.8 Conditions that apply to grants**

4.8.1 The *Minister* may determine conditions that apply to grants under subparagraph 41-25(b)(i) of the Act.

#### **4.9 Reconciliation**

4.9.1 Grants provided to eligible providers will be reconciled with actual member entitlements paid by eligible providers for the eligible funds or schemes.

4.9.2 Eligible providers must:

- obtain evidential supporting documentation and/or information from the relevant superannuation fund or scheme or actuary and provide the information to the Department upon request. This may include but is not limited to invoices from the fund or scheme; and

- (b) provide authority for the Commonwealth to obtain further information in relation to the expenses and liabilities covered under the Grant from the relevant superannuation fund or scheme or actuary.