



Australian Education Amendment (2017 Measures No. 2) Regulations 2017

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 16 November 2017

Peter Cosgrove
Governor-General

By His Excellency's Command

Simon Birmingham
Minister for Education and Training

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1 Name

This instrument is the *Australian Education Amendment (2017 Measures No. 2) Regulations 2017*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	21 November 2017
2. Schedule 1	1 January 2018.	1 January 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Australian Education Act 2013*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Australian Education Regulation 2013

1 Subsection 4(1) (definition of 5 national reform directions)

Repeal the definition.

2 Subsection 4(1) (definition of approved system arrangement)

Repeal the definition.

3 Subsection 4(1) (definition of approved system authority)

Repeal the definition.

4 Subsection 4(1) (definition of Australian Professional Standard for Principals)

Repeal the definition.

5 Subsection 4(1) (definition of boarding Aboriginal and Torres Strait Islander student)

Repeal the definition.

6 Subsection 4(1)

Insert:

census day has the meaning given by subsection 5(1).

census day enrolment:

- (a) for a government school—has the meaning given by subsection 9A(1); or
- (b) for a non-government school—has the meaning given by subsection 9B(1).

census reference period has the meaning given by subsection 5(6).

Ministerial Council disability guidelines, for a year, means the guidelines for the Nationally Consistent Collection of Data on School Students with Disability approved by the Ministerial Council for the year.

7 Subsection 4(1) (definition of Ministerial Council disability guidelines for the year)

Repeal the definition.

8 Subsection 4(1)

Insert:

NAPLAN Online Data Extract Dictionary means the NAPLAN Online Data Extract Dictionary, issued by ACARA, as in force from time to time.

Note: The NAPLAN Online Data Extract Dictionary could in 2018 be viewed on ACARA's website (<http://www.acara.edu.au>).

National Schools Statistics Collection means the national collection of information on schools undertaken in accordance with the NSSC Collection Manual.

Non-Government Reform Support Fund Guidelines means the *Non-Government Reform Support Fund Guidelines* issued by the Department, as in force from time to time.

Note: The Non-Government Reform Support Fund Guidelines could in 2018 be viewed on the Department's website (<http://www.education.gov.au>).

NSSC Collection Manual means the National Schools Statistics Collection-Collection Manual:

- (a) issued by the Australian Bureau of Statistics; and
- (b) as in force from time to time.

student with disability, for a year, means a student about whom information must be provided, as specified in the Ministerial Council disability guidelines for the year.

9 Section 5

Repeal the section, substitute:

5 Meanings of *census day* and *census reference period*

- (1) The ***census day*** for a non-government school for a year is the day determined in writing by the Minister.

Determining the census day

- (2) The Minister may determine, in writing, that a particular day in a year is the school's census day for the year.
- (3) The Minister must not determine a day to be a school's census day for a year less than 10 weeks before the day unless the Minister is satisfied that special circumstances justify determining that day. If the Minister is so satisfied, the Minister may determine any day, including a past day.

Notifying census day

- (4) The Minister must:
 - (a) notify the approved authority for a school of the school's census day for a year; and
 - (b) do so in a way that makes it reasonably likely the approved authority will become aware of the census day.

Example: A census day could be published on a website that the approved authority is likely to access regularly.

- (5) The notification must be given at least 10 weeks before the census day. If the Minister determines a day under subsection (3) because of special circumstances, the notification must be given as soon as practicable.

Meaning of census reference period

- (6) The ***census reference period*** for a non-government school for a year is the period of 20 school days for the school that ends at the end of the census day for the school for the year.

Note: A public holiday is not a school day.

10 Subparagraph 6(a)(i)

Repeal the subparagraph, substitute:

- (i) is a Table A provider or a Table B provider (within the meaning of the *Higher Education Support Act 2003*); and

11 At the end of Part 1

Add:

Subdivision C—Census day enrolment

9A Government schools

- (1) For the purposes of section 16 of the Act, the number of students at a government school (the school's *census day enrolment*) for a year is the number of primary and secondary students at the school who are to be included in the National Schools Statistics Collection for the year.

Counting part-time students

- (2) For the purposes of working out a census day enrolment for a government school, a student who is not undertaking a full-time study load is to be counted as the fraction of the full-time study load which the student is undertaking.

9B Non-government schools

- (1) For the purposes of section 16 of the Act, the number of students at a non-government school (the school's *census day enrolment*) for a year is the number of primary and secondary students:
 - (a) who are enrolled at the school on the census day for the school for the year; and
 - (b) whose enrolment is for education at a level specified for the school in the approval of the approved authority for the school; and
 - (c) who have a pattern of regular attendance at the school, or at school generally, during the year; and
 - (d) whose attendance is, for at least one day during the census reference period for the school for the year:
 - (i) at a location specified for the school in the approval of the approved authority for the school; or
 - (ii) as a distance education student.

Counting part-time students

- (2) For the purposes of working out a census day enrolment for a non-government school, a student who is not undertaking a full-time study load is to be counted as the fraction of the full-time study load which the student is undertaking.

Minister may determine that a person be included

- (3) The Minister may, in writing, determine that a person who does not meet the requirements set out in paragraphs (1)(c) and (d) is to be included in a non-government school's census day enrolment as a primary student or secondary student (including as a part-time student) if the Minister is satisfied that special circumstances justify the determination.

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- (4) In making a determination under subsection (3), the Minister must have regard to the following:
- (a) the period or periods of attendance by the person at the school, or at school generally, during the year;
 - (b) the pattern of attendance by the person at the school, or at school generally, during the year;
 - (c) whether the person is or will be included in the census day enrolment of another school for the year;
 - (d) for any period of non-attendance by the person—the steps taken by the school to engage the person in the relevant level of education;
 - (e) any other matter the Minister considers relevant.
- (5) A determination under subsection (3) may be made:
- (a) on the Minister’s own initiative; or
 - (b) on application by the approved authority for the school.
- Note: For rules relating to applications, see Division 2 of Part 9 of the Act.
- (6) An application by an approved authority for a school for a determination under subsection (3) that relates to a year must be made within:
- (a) 14 days of the school’s census day for the year; or
 - (b) if the Minister allows a longer period (whether before or after the period referred to in paragraph (a))—that longer period.
- (7) For the purposes of subsection 118(2) of the Act, a determination under subsection (3) is a reviewable decision, and the relevant person for the reviewable decision is the approved authority for the school concerned.

12 Sections 12, 13 and 13A

Repeal the sections, substitute:

12 Pro-rating of recurrent funding

- (1) For the purposes of section 27 of the Act, the total entitlement is to be determined in accordance with this section for a year if one or more of the following events occurs during the year:
- (a) a school begins to provide primary education or secondary education;
 - (b) a school becomes entitled to financial assistance under Part 3 of the Act;
 - (c) a school ceases to provide primary education or secondary education;
 - (d) a school ceases to be entitled to financial assistance under Part 3 of the Act.
- (2) The amount of financial assistance that is to be determined in relation to the school for the year is the lesser of:
- (a) the amount the Minister considers appropriate; and
 - (b) the full amount of financial assistance.
- (3) In deciding an appropriate amount for the purposes of paragraph (2)(a), the Minister must have regard to the following:
- (a) the proportion of the school year during which the school was providing education or was entitled to financial assistance under Part 3 of the Act;
 - (b) the time during the school year when the school began or ceased to provide education or be entitled to financial assistance under Part 3 of the Act;

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- (c) in the case of a school that has ceased to provide education or be entitled to financial assistance under Part 3 of the Act—the amount of any financial assistance that has already been paid for the school for the year in accordance with determinations under subsection 25(1) of the Act.

- (4) Subsection (3) does not limit the matters to which the Minister may have regard.

13 Part 3 (heading)

Repeal the heading, substitute:

Part 3—Recurrent funding for schools

14 Section 15

Repeal the section.

15 Section 16 (heading)

Repeal the heading, substitute:

16 Definition of *Aboriginal and Torres Strait Islander student*

16 Subsection 16(1)

Omit “(1)”.

17 Subsection 16(2)

Repeal the subsection.

18 Section 17

Repeal the section, substitute:

17 Disability loading—disability loading percentages

- (1) For the purposes of subsection 36(5) of the Act, this section prescribes disability loading percentages.

Supplementary disability loading percentage

- (2) The supplementary disability loading percentage is:
- (a) for a primary school—42%; and
 - (b) for a secondary school—33%; and
 - (c) for a combined school—the percentage worked out using the following formula:

$$\frac{\text{Primary student supplementary adjustment number} + \text{Secondary student supplementary adjustment number}}{\text{Total number of students at the school classified as needing a supplementary level of adjustment}} \times \frac{\text{The SRS funding amount for the year for a student at the school}}{\text{The SRS funding amount for the year for a student at the school}}$$

Substantial disability loading percentage

- (3) The substantial disability loading percentage is:
- (a) for a primary school—146%; and

- (b) for a secondary school—116%; and
 (c) for a combined school—the percentage worked out using the following formula:

$$\frac{\text{Primary student substantial adjustment number} + \text{Secondary student substantial adjustment number}}{\text{Total number of students at the school classified as needing a substantial level of adjustment}} \times \text{The SRS funding amount for the year for a student at the school}$$

Extensive disability loading percentage

- (4) The extensive disability loading percentage is:
 (a) for a primary school—312%; and
 (b) for a secondary school—248%; and
 (c) for a combined school—the percentage worked out using the following formula:

$$\frac{\text{Primary student extensive adjustment number} + \text{Secondary student extensive adjustment number}}{\text{Total number of students at the school classified as needing an extensive level of adjustment}} \times \text{The SRS funding amount for the year for a student at the school}$$

Note: The SRS funding amount for a year for a student at a combined school is worked out in accordance with section 34 of the Act.

- (5) The **primary student extensive adjustment number** is the amount worked out using the following formula:

$$\text{Number of primary students at the school classified as needing an extensive level of adjustment} \times 312\% \times \text{The SRS funding amount for the year for a primary student}$$

- (6) The **primary student substantial adjustment number** is the amount worked out using the following formula:

$$\text{Number of primary students at the school classified as needing a substantial level of adjustment} \times 146\% \times \text{The SRS funding amount for the year for a primary student}$$

- (7) The **primary student supplementary adjustment number** is the amount worked out using the following formula:

$$\text{Number of primary students at the school classified as needing a supplementary level of adjustment} \times 42\% \times \text{The SRS funding amount for the year for a primary student}$$

- (8) The **secondary student extensive adjustment number** is the number worked out using the following formula:

$$\text{Number of secondary students at the school classified as needing an extensive level of adjustment} \times 248\% \times \text{The SRS funding amount for the year for a secondary student}$$

- (9) The *secondary student substantial adjustment number* is the number worked out using the following formula:

$$\frac{\text{Number of secondary students at the school classified as needing a substantial level of adjustment}}{\text{The SRS funding amount for the year for a secondary student}} \times 116\%$$

- (10) The *secondary student supplementary adjustment number* is the number worked out using the following formula:

$$\frac{\text{Number of secondary students at the school classified as needing a supplementary level of adjustment}}{\text{The SRS funding amount for the year for a secondary student}} \times 33\%$$

17A Disability loading—levels of adjustment

For the purposes of subsection 36(6) of the Act, a student needs a supplementary level of adjustment, a substantial level of adjustment or an extensive level of adjustment for a year if the student is classified as receiving that level of adjustment in accordance with the Ministerial Council disability guidelines for the year.

Note: References to student in this regulation and in section 36 of the Act do not include references to overseas students: see the definitions of *primary student* and *secondary student* in section 6 of the Act.

19 Subsection 18(1) (heading)

Repeal the heading, substitute:

Socio-educational disadvantage loading—students in quartile 1

20 Subsection 18(2) (heading)

Repeal the heading, substitute:

Socio-educational disadvantage loading—students in quartile 2

21 Subsection 18(4) (note at the end of the definition of *total ACARA students for the school for the year*)

Omit “sections 16 and 17”, substitute “section 16”.

22 Subdivision A of Division 2 of Part 3

Repeal the Subdivision.

23 Subdivision B of Division 2 of Part 3 (heading)

Repeal the heading.

24 Subsection 21(1)

Omit “receives distance education”, substitute “is a distance education student”.

25 At the end of section 23

Add:

SES score for 2018

- (5) In working out an average SES dimension score for a school for 2018 under subsection (3), the Minister must use:
- (a) if the Secretary has a statement of addresses for the school for one or more of the years from 2012 to 2016 (inclusive)—that statement, or the most recent of those statements; or
 - (b) otherwise—the most recent statement of addresses for the school in the Secretary’s possession.
- (6) For each residential address represented in a statement of addresses mentioned in subsection (5), the Minister must use the SES dimension score for the SES dimension of the Statistical Area Level 1 to which the address has been assigned, as determined in the 2011 Census of Population and Housing.

Note: Information about the 2011 Census of Population and Housing could in 2017 be viewed on the website of the Australian Bureau of Statistics (<http://www.abs.gov.au>).

26 Section 24B

Omit “paragraphs 68(4)(a) and (b)”, substitute “paragraph 68(4)(a)”.

27 Division 3 of Part 4

Repeal the Division, substitute:

Division 3—Funding in prescribed circumstances**25A Funding in prescribed circumstances**

Schedule 1 has effect.

Note: Schedule 1 deals with financial assistance payable under sections 69A and 69B of the Act.

28 Subsection 29(1)

Omit all the words after “in accordance”, substitute “with Division 2 of Part 3 of the Act (recurrent funding for schools) for the purpose of providing school education at a school for which the approved authority is approved”.

29 Subsection 31(1)

Omit all the words after “Part 5 of”, substitute:

the Act (funding for non-government representative bodies):

- (a) for the purpose of supporting school education; and
- (b) in accordance with the Non-Government Reform Support Fund Guidelines.

30 Subsections 31(2) and (3)

Repeal the subsections, substitute:

- (2) Financial assistance mentioned in subsection (1) must be spent, or committed to be spent:
- (a) in the year in which the financial assistance is paid to the non-government representative body; or

(b) if a determination is made by the Minister under subsection (3) for the non-government representative body—before the day, or within the period, specified in the determination.

(3) For the purposes of paragraph (2)(b), the Minister may determine, in writing, a day before, or a period within which, a non-government representative body must spend, or commit to spend, financial assistance mentioned in subsection (1).

31 Paragraph 36(1)(fa)

Omit “section 25A or 25H”, substitute “Schedule 1”.

32 Subsection 36(1) (note)

Omit “section 61 of this regulation and paragraph 78(3)(a)”, substitute “subsection 78(3)”.

33 Subdivision A of Division 3 of Part 5

Repeal the Subdivision.

34 Subsection 43(3)

Repeal the subsection, substitute:

- (3) An approved authority for a school must provide to ACARA the following information about each student at the school who is required to undertake an assessment mentioned in items 1 to 6 of the table in subsection (1):
- (a) the student’s result in the assessment, or if the student did not undertake the assessment, an indication of that fact;
 - (b) the information specified in:
 - (i) the Data Standards Manual: Student Background Characteristics; and
 - (ii) for an assessment mentioned in items 1 and 2 of that table—the NAPLAN Online Data Extract Dictionary.
- (3A) The information mentioned in subsection (3) must be provided to ACARA:
- (a) no later than the day or days determined by the Minister; and
 - (b) in a way or ways (if any) determined by the Minister.

35 Subsection 46(5)

After “for a year”, insert “for a non-government school”.

36 At the end of section 46

Add:

- (6) A census return for a year for a government school must be given to the Secretary by the day determined by the Minister.

37 Subsection 48(1)

Omit “receiving primary education or secondary education at government schools on the schools’ census day”, substitute “included in government schools’ census day enrolments”.

38 Subparagraph 48(1)(b)(iii)

Repeal the subparagraph, substitute:
(iii) distance education students.

39 Subsection 48(1) (note)

Omit “sections 16 and 17”, substitute “section 16”.

40 Subsection 48(2)

Omit “receiving primary education or secondary education at government schools on the schools’ census day”, substitute “included in government schools’ census day enrolments”.

41 Subsection 50(1)

Omit “receiving primary education or secondary education at a non-government school on the school’s census day”, substitute “included in a non-government school’s census day enrolment”.

42 Subparagraph 50(1)(b)(v)

Repeal the subparagraph, substitute:
(v) distance education students;

43 Subsection 50(1) (note)

Repeal the note.

44 Subsection 50(2)

Omit “receiving primary education or secondary education at a non-government school on the school’s census day”, substitute “included in a non-government school’s census day enrolment”.

45 After paragraph 56(e)

Insert:

- ; (f) any other information that is specified in the Data Standards Manual: Student Background Characteristics, but not so as to explicitly identify any student.

46 Section 58A (heading)

Repeal the heading, substitute:

58A Required information—students with disability**47 Subsection 58A(1)**

Omit all the words after “in relation to each student”, substitute “with disability at the school”.

48 Subsection 58A(1) (note)

Repeal the note.

49 Paragraph 58A(2)(a)

Repeal the paragraph.

50 After paragraph 58A(2)(c)

Insert:

- (ca) the student's year of schooling; and
- (cb) if the student is not undertaking a full-time study load, the fraction of the full-time study load that the student is undertaking; and

51 After subsection 58A(2)

Insert:

- (2A) An overseas student is taken to be a student for the purposes of this section.

52 After subsection 58A(3)

Insert:

- (3A) If a school has more than one location, the information mentioned in subsection (1) or (2) must be provided for each location of the school.

53 Subsection 58A(4) (definition of *disability*)

Repeal the definition.

54 Subdivision I of Division 3 of Part 5

Repeal the Subdivision.

55 At the end of Part 5

Add:

Division 5—Former approved authorities and bodies

62A Continuing requirements

- (1) For the purposes of subsection 96A(1) of the Act, this section prescribes requirements that must be met by a person who was:
 - (a) an approved authority for a school; or
 - (b) a block grant authority for a school; or
 - (c) a non-government representative body for a school.
- (2) The person must meet the requirements set out in Division 2 as if:
 - (a) section 36, subsections 37(1), (2) and (4) and section 38 applied in relation only to a year in which the person spent, or committed to spend, financial assistance provided under the Act; and
 - (b) section 40 were omitted.

56 Section 65 (heading)

Repeal the heading, substitute:

65 Using or disclosing school education information

57 Subsection 65(1)

Omit “make a record of, use or disclose protected”, substitute “use or disclose school education”.

58 After paragraph 65(1)(a)

Insert:

(aa) the National School Resourcing Board;

59 At the end of subsection 65(1)

Add:

Note: For *National School Resourcing Board*, see section 128 of the Act.**60 Subsection 65(2)**

Omit “protected”, substitute “school education”.

61 Subsection 65(4)

Omit “protected”, substitute “school education”.

62 Paragraph 66(1)(b)

Repeal the paragraph.

63 Subsection 66(2) (note)

Repeal the note.

64 Subsection 66(4) (note)

Repeal the note.

65 Subsection 68(10) (heading)

Repeal the heading, substitute:

*School education information***66 Subsection 68(10)**

Omit “protected”, substitute “school education”.

67 In the appropriate position in Part 8

Insert:

71 Application provisions for the *Australian Education Amendment (2017 Measures No. 2) Regulations 2017**Funding in prescribed circumstances—students with disability*

- (1) Despite the repeal of Subdivision C of Division 3 of Part 4 of this regulation as in force immediately before the commencement of this section, that Subdivision continues to have effect for the purposes of determinations by the Minister under section 69A of the Act in relation to 2016 or 2017.

Funding for previous years

- (2) Despite the amendments made by the *Australian Education Amendment (2017 Measures No. 2) Regulations 2017*, this regulation, as in force immediately before the commencement of this section, continues to apply in relation to financial assistance for years before 2018.

68 At the end of the regulation

Add:

Schedule 1—Funding in prescribed circumstances

Note: See section 25A.

Part 1—Additional support for Northern Territory government schools

1 Circumstances

- (1) For the purposes of subsection 69B(1) of the Act, the circumstances for a school for a relevant transition year are:
 - (a) the school is a government school located in the Northern Territory; and
 - (b) the approved authority for the school has entered into an arrangement with the Minister relating to the use of financial assistance payable under subsection 69B(1) of the Act.
- (2) In this Part:

relevant transition year means any of the years from 2018 to 2027 (inclusive).

2 Amounts payable

Total amount of funding for relevant transition years

For the purposes of paragraph 69B(4)(a) of the Act, the total of the amounts determined by the Minister for relevant transition years, taken together, in relation to the circumstances mentioned in clause 1, is \$78.453 million.

3 Purpose for which funding is spent or committed to be spent

- (1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69B(1) of the Act in the circumstances mentioned in clause 1:
 - (a) for the purpose of supporting school education; and
 - (b) in accordance with the arrangement mentioned in paragraph 1(1)(b).
- (2) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:
 - (a) in the year in which the financial assistance is paid to the approved authority; or
 - (b) as otherwise directed in writing by the Minister.
- (3) For the purposes of paragraph (2)(b) of this clause, the Minister may give written directions to an approved authority.
- (4) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Part 2—Transition and adjustment funding for non-government schools

Division 1—Transition assistance for low growth non-government schools for 2018

4 Circumstances

For the purposes of subsection 69A(1) of the Act, the circumstances for a school for 2018 are:

- (a) the school is a non-government school; and
- (b) subsection 78(6) of the Act does not apply to the approved authority for the school for that year; and
- (c) the school's Commonwealth share for that year is greater than 80%.

5 Amounts payable

Total amount of funding for 2018

- (1) For the purposes of paragraph 69A(4)(a) of the Act, the total of the amounts determined by the Minister for 2018 in relation to the circumstances mentioned in clause 4 is the sum of the total amounts determined by the Minister under subclause (2).

Maximum amount of funding for a particular school for 2018

- (2) For the purposes of paragraph 69A(2)(b) of the Act, the total of the amounts determined by the Minister for a school for 2018, in relation to the circumstances mentioned in clause 4, must not exceed the difference between:
 - (a) the amount payable under section 32 of the Act for the school for that year; and
 - (b) the amount worked out using the following formula:

Per-student amount for the school for 2017 × 103% × Number of students at the school for 2018

- (3) In this Division:

2017 recurrent funding for an approved authority means the amount worked out under subsection 35B(3) of the Act for the approved authority.

per-student amount for a school for 2017 means:

- (a) if the school is specified in column 1 of an item in the table in clause 1 of Schedule 2—the amount specified in column 2 of the item; or
- (b) otherwise—the 2017 recurrent funding for the school's approved authority divided by the number of students at the schools of the approved authority for 2017.

6 Purpose for which funding is spent or committed to be spent

- (1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69A(1) of the Act in the circumstances mentioned in clause 4:

- (a) for the purpose of providing school education at a school for which the authority is approved; and
 - (b) in accordance with any written directions given by the Minister.
- (2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1).
- (3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:
 - (a) before 2028; or
 - (b) as otherwise directed in writing by the Minister.
- (4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.
- (5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Division 2—National Adjustment Assistance Fund

7 Circumstances

- (1) For the purposes of subsection 69B(1) of the Act, the circumstances for a school for a relevant transition year are:
 - (a) the school is a non-government school; and
 - (b) subsection 78(6) of the Act does not apply to the approved authority for the school for the relevant transition year; and
 - (c) either of the following applies:
 - (i) the per-student amount for the school for the year is less than the per-student amount for the school for 2017;
 - (ii) the per-student amount for the school for the year is less than the per-student amount for the school for the previous year.

- (2) In this Division:

2017 recurrent funding for an approved authority means the amount worked out under subsection 35B(3) of the Act for the approved authority.

per-student amount, for a school for a year, means:

- (a) for 2017:
 - (i) if the school is specified in column 1 of an item in the table in clause 1 of Schedule 2—the amount specified in column 2 of the item; or
 - (ii) otherwise—the 2017 recurrent funding for the school’s approved authority divided by the number of students at the schools of the approved authority for 2017; or
- (b) for a later year:
 - (i) if the per-student amount for the school for 2017 is specified in the table in clause 1 of Schedule 2—the amount payable under section 32 of the Act for the school for the year divided by the number of students at the school for the year; or
 - (ii) otherwise—the sum of the amounts payable under section 32 of the Act for the schools of the approved authority for the school for the

year divided by the number of students at the schools of the approved authority for the year.

relevant transition year means any of the years from 2019 to 2027 (inclusive).

8 Amounts payable

Total amount of funding for the transition years

- (1) For the purposes of paragraph 69B(4)(a) of the Act, the total of the amounts determined by the Minister for the relevant transition years, taken together, in relation to the circumstances mentioned in clause 7, is \$39.9 million.

Maximum amount of funding for a particular school for a year

- (2) For the purposes of paragraph 69B(2)(b) of the Act, the total of the amounts determined by the Minister for a school for a relevant transition year, in relation to the circumstances mentioned in clause 7, must not exceed the difference between:
 - (a) the amount payable under section 32 of the Act for the school for the transition year; and
 - (b) the highest per-student amount for the school for the years from 2017 to the previous relevant transition year (inclusive) multiplied by the number of students at the school for the transition year.

9 Matters that Minister may have regard to

For the purposes of paragraph 130(2)(b) of the Act, in making a decision under subsection 69B(1) of the Act about the amount of financial assistance that is payable for a school for a transition year in the circumstances mentioned in clause 7, the Minister may have regard to the National Adjustment Assistance Fund Guidelines, as in force from time to time.

10 Purpose for which funding is spent or committed to be spent

- (1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69B(1) of the Act in the circumstances mentioned in clause 7:
 - (a) for the purpose of providing school education at a school for which the authority is approved; and
 - (b) in accordance with any written directions given by the Minister.
- (2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1).
- (3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:
 - (a) before 2028; or
 - (b) as otherwise directed in writing by the Minister.
- (4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.

- (5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Part 3—Adjustment assistance for ACT non-government schools

11 Circumstances

- (1) For the purposes of subsection 69B(1) of the Act, the circumstance for a school for a relevant transition year is that the school is a non-government school located in the Australian Capital Territory.
- (2) In this Part:
- relevant transition year* means any of the years from 2018 to 2027 (inclusive).

12 Amounts payable

Total amount of funding for relevant transition years

For the purposes of paragraph 69B(4)(a) of the Act, the total of the amounts determined by the Minister for relevant transition years, taken together, in relation to the circumstances mentioned in clause 11, is \$46.07 million.

13 Purpose for which funding is spent or committed to be spent

- (1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69B(1) of the Act in the circumstances mentioned in clause 11:
- (a) for the purpose of providing school education at a school for which the authority is approved; and
- (b) in accordance with any written directions given by the Minister.
- (2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1).
- (3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:
- (a) before 2028; or
- (b) as otherwise directed in writing by the Minister.
- (4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.
- (5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Part 4—Transition assistance for system weighted average SES schools for 2018

14 Circumstances

For the purposes of subsection 69A(1) of the Act, the circumstances for a school for 2018 are:

- (a) in 2017 the approved authority for the school was an approved system authority; and
- (b) the SES score for the school for 2017 was specified in the *Australian Education (SES Scores) Determination 2013*.

15 Amounts payable

Total amount of funding for 2018

- (1) For the purposes of paragraph 69A(4)(a) of the Act, the total of the amounts determined by the Minister for 2018 in relation to the circumstances mentioned in clause 14 is the sum of the total amounts determined by the Minister under subclause (2).

Maximum amount of funding for a particular school for 2018

- (2) For the purposes of paragraph 69A(2)(b) of the Act, the total of the amounts determined by the Minister for a school for 2018, in relation to the circumstances mentioned in clause 14, must not exceed the difference between:
 - (a) the amount payable under section 32 of the Act for the school for 2018; and
 - (b) the amount that would be payable under section 32 of the Act for the school for 2018 if that amount were calculated using the SES score for the school for 2017.

16 Purpose for which funding is spent or committed to be spent

- (1) For the purposes of paragraph 78(2)(a) of the Act, an approved authority for a school must spend, or commit to spend, financial assistance that is payable for the school under subsection 69B(1) of the Act in the circumstances mentioned in clause 14:
 - (a) for the purpose of providing school education at a school for which the authority is approved; and
 - (b) in accordance with any written directions given by the Minister.
- (2) Subsections 29(2) and (3) of this regulation have effect as if a reference in those subsections to subsection (1) included a reference to subclause (1).
- (3) Financial assistance mentioned in subclause (1) must be spent, or committed to be spent:
 - (a) before 2028; or
 - (b) as otherwise directed in writing by the Minister.
- (4) For the purposes of paragraphs (1)(b) and (3)(b) of this clause, the Minister may give written directions to an approved authority.

- (5) Any interest earned on financial assistance mentioned in subclause (1) must be spent, or committed to be spent, in the same way as the financial assistance.

Schedule 2—Per-student amounts for 2017 for certain schools

Note: See subclauses 5(3) and 7(2) of Schedule 1.

1 Per-student amounts for 2017 for certain schools

For a school specified in column 1 of an item in the following table, the per-student amount is the amount specified in column 2 of the item.

Per-student amounts for 2017		
Item	Column 1 School	Column 2 Per-student amount for 2017
1	Albury Wodonga Community College (AGEID: 25136)	\$15,820.24
2	Albury Wodonga Community College, Albury (AGEID: 28887)	\$14,867.86
3	Al-Faisal College (AGEID: 15403)	\$8,410.30
4	Al-Faisal College—Campbelltown (AGEID: 30306)	\$8,122.73
5	Al-Faisal College—Liverpool (AGEID: 30305)	\$8,128.03
6	Aspect Central Coast School (AGEID: 4079)	\$12,883.41
7	Aspect Hunter School (AGEID: 3039)	\$12,505.69
8	Aspect Macarthur School (AGEID: 29102)	\$12,546.84
9	Aspect Riverina School (AGEID: 29104)	\$13,841.56
10	Aspect South Coast School (AGEID: 6747)	\$12,231.79
11	Aspect South East Sydney School (AGEID: 15942)	\$12,344.46
12	Aspect Treetop School (AGEID: 30339)	\$13,081.14
13	Aspect Vern Barnett School (AGEID: 3048)	\$11,853.54
14	Aspect Western Sydney School (AGEID: 4280)	\$14,482.80
15	Australian Industry Trade College (AGEID: 28118)	\$8,798.72
16	Australian Industry Trade College—Redlands (AGEID: 30340)	\$8,972.48
17	Australian International Academy, Kellyville Campus (AGEID: 30170)	\$7,346.17
18	Australian International Academy of Education (AGEID: 4270)	\$9,047.18
19	Australian Islamic College (Dianella) (AGEID: 14588)	\$9,161.39
20	Australian Islamic College (Kewdale) (AGEID: 16671)	\$9,651.01
21	Australian Islamic College (Thornlie) (AGEID: 13273)	\$8,553.27
22	Blakes Crossing Christian College (AGEID: 30155)	\$9,077.13
23	Brisbane Boys College (AGEID: 416)	\$3,290.06
24	Broughton Anglican College (AGEID: 5492)	\$7,305.71
25	Calderwood Christian School (AGEID: 80047)	\$11,182.58
26	Calvary Christian College (AGEID: 4228)	\$7,763.45
27	Calvin Christian School (AGEID: 17627)	\$8,679.20
28	Carey Baptist College (AGEID: 15683)	\$6,610.51

Per-student amounts for 2017		
Item	Column 1 School	Column 2 Per-student amount for 2017
29	Carey Baptist College—Forrestdale (AGEID: 29930)	\$8,493.58
30	Carinity Education—Glendyne (AGEID: 17689)	\$15,096.38
31	Carinity Education—Rockhampton (AGEID: 30310)	\$20,066.16
32	Carinity Education—Southside (AGEID: 16708)	\$15,742.71
33	Carinya Christian School (AGEID: 3321)	\$11,723.90
34	Carinya Christian School (AGEID: 4263)	\$9,590.92
35	Carmichael College (AGEID: 30254)	\$8,674.59
36	Channel Christian School (AGEID: 30320)	\$11,721.48
37	Charlotte Mason College (AGEID: 84817)	\$5,340.37
38	Chinchilla Christian School (AGEID: 4245)	\$10,156.97
39	Christian Aboriginal Parent-Directed School (AGEID: 2756)	\$21,122.84
40	Christian Aboriginal Parent-Directed School (Caps), Kurrawang (AGEID: 8870)	\$30,225.68
41	Christian Brothers High School (AGEID: 1348)	\$6,682.78
42	Christian Outreach College (AGEID: 4005)	\$7,927.65
43	Citipointe Christian College The Christian Outreach College Brisbane (AGEID: 2531)	\$6,450.58
44	Clayfield College (AGEID: 432)	\$4,679.15
45	Craig Davis College (AGEID: 30001)	\$34,486.86
46	Dalby Christian College (AGEID: 2548)	\$9,644.49
47	Dynamic Alternative Learning Environment (D.A.L.E.) Christian School (AGEID: 16054)	\$23,578.95
48	Dynamic Alternative Learning Environment (D.A.L.E.) Young Parents School (AGEID: 30309)	\$19,687.94
49	EDEN College (AGEID: 29772)	\$27,671.94
50	Edmund Rice College (AGEID: 1379)	\$8,640.10
51	Emmanuel Christian School (AGEID: 30319)	\$13,348.67
52	Endeavour Christian College (AGEID: 29365)	\$16,716.91
53	Frensham School (AGEID: 1381)	\$6,320.87
54	Gib Gate School (AGEID: 1382)	\$6,193.60
55	Groves Christian College (AGEID: 17213)	\$7,768.27
56	Hilliard Christian School (AGEID: 55)	\$12,179.86
57	Hinterland Christian College (AGEID: 5454)	\$10,127.16
58	Illawarra Christian School (AGEID: 14564)	\$8,186.95
59	Key College (AGEID: 16513)	\$20,453.01
60	Kinross Wolaroi School (AGEID: 1410)	\$7,269.64
61	Knox Grammar School (AGEID: 1411)	\$2,339.71
62	Livingstone Christian College (AGEID: 17662)	\$8,324.28
63	Mercedes College (AGEID: 106)	\$7,627.87
64	MLC School (AGEID: 1452)	\$5,208.49
65	Montgrove College (AGEID: 16519)	\$7,573.54

Schedule 1 Amendments

Per-student amounts for 2017		
Item	Column 1 School	Column 2 Per-student amount for 2017
66	Mueller College (AGEID: 17214)	\$8,903.83
67	Muswellbrook Christian School (AGEID: 16412)	\$10,208.30
68	Northern Christian School (AGEID: 84755)	\$13,199.02
69	North West Christian School (AGEID: 2803)	\$13,785.45
70	Pacific Coast Christian School (AGEID: 28198)	\$10,433.21
71	Pacific Hope School (AGEID: 30206)	\$35,077.37
72	Presbyterian Ladies College (AGEID: 1526)	\$4,680.07
73	Presbyterian Ladies' College (PLC) Armidale (AGEID: 1525)	\$8,042.90
74	Pymble Ladies' College (AGEID: 1528)	\$2,771.72
75	Ravenswood School for Girls (AGEID: 1531)	\$2,351.55
76	Redfield College (AGEID: 5601)	\$4,715.28
77	Royal Institute for Deaf and Blind Children (RIDBC) Alice Betteridge School (AGEID: 3040)	\$22,323.88
78	Royal Institute for Deaf and Blind Children (RIDBC) Garfield Barwick School (AGEID: 13283)	\$32,027.62
79	Royal Institute for Deaf and Blind Children (RIDBC) Thomas Pattison School (AGEID: 15957)	\$28,012.00
80	Santa Maria College (AGEID: 232)	\$5,957.48
81	Seaview Christian College (AGEID: 30314)	\$12,909.00
82	Shalom Christian College (AGEID: 13496)	\$21,111.80
83	Somerville House (AGEID: 724)	\$4,045.30
84	St Aloysius College (AGEID: 306)	\$7,056.04
85	St Andrew's Cathedral Gawura School (AGEID: 29067)	\$20,531.80
86	St Andrew's Cathedral School (AGEID: 29275)	\$3,995.50
87	St Andrew's Christian School (AGEID: 16099)	\$12,352.17
88	St Brigid's College (AGEID: 15269)	\$7,565.06
89	St Dominic's College (AGEID: 1632)	\$8,783.93
90	St Edmund's College (AGEID: 2068)	\$7,622.93
91	St Edmund's School (AGEID: 3032)	\$18,635.94
92	St Edward's Christian Brothers College (AGEID: 1636)	\$8,163.92
93	St Gabriel's School for Hearing Impaired Children (AGEID: 3033)	\$17,918.05
94	St John's Anglican College (AGEID: 15331)	\$6,916.01
95	St Joseph's College (AGEID: 1442)	\$5,833.72
96	St Mary's Flexible Learning Centre (AGEID: 30203)	\$20,517.15
97	St Patrick's College (AGEID: 1900)	\$6,189.01
98	St Paul's College (AGEID: 375)	\$8,647.04
99	St Peter's Anglican Primary School (AGEID: 4064)	\$7,027.27
100	St Philip's Christian College (AGEID: 3317)	\$7,404.55
101	St Philip's Christian College—Gosford (AGEID: 2398)	\$8,242.95
102	St Philip's Christian College—Port Stephens (AGEID: 14376)	\$8,909.65
103	St Pius X College (AGEID: 1954)	\$6,974.27

Per-student amounts for 2017		
Item	Column 1 School	Column 2 Per-student amount for 2017
104	Staines Memorial College (AGEID: 28858)	\$9,807.41
105	Summerland Christian College (AGEID: 5297)	\$9,888.85
106	Suncoast Christian College (AGEID: 2525)	\$8,181.84
107	Sunshine Coast Grammar School (AGEID: 15407)	\$6,752.07
108	Sydney Grammar School (AGEID: 2021)	\$2,628.37
109	Sydney Grammar School, Edgecliff Preparatory School (AGEID: 2019)	\$2,200.26
110	Sydney Grammar School, St Ives Preparatory School (AGEID: 2020)	\$2,015.11
111	Tangara School for Girls (AGEID: 4021)	\$4,118.78
112	The John Berne School (AGEID: 16089)	\$25,815.45
113	The King's School (AGEID: 2027)	\$4,531.43
114	The Lakes College (AGEID: 22799)	\$7,256.47
115	The Lakes College (AGEID: 80038)	\$30,209.25
116	The Scots College (AGEID: 2029)	\$2,668.66
117	The SCOTS PGC College (AGEID: 738)	\$9,671.91
118	The Scots School (AGEID: 2030)	\$8,243.29
119	The Springfield Anglican College (AGEID: 15361)	\$7,863.66
120	Tom Quinn Community Centre Alternative School (AGEID: 30336)	\$18,348.33
121	Tudor House (AGEID: 2034)	\$6,405.19
122	Victory College (AGEID: 2545)	\$10,284.98
123	Warwick Christian College (AGEID: 26131)	\$12,241.97
124	Waverley College (AGEID: 2039)	\$6,971.43
125	Wesley College (AGEID: 10940)	\$3,743.98
126	Whitsunday Christian College (AGEID: 15362)	\$9,657.91
127	Wollemi College (AGEID: 27644)	\$8,757.75
128	Wollongong Flexible Learning Centre (AGEID: 29962)	\$21,825.19
129	Wongutha Christian Aboriginal Parent-Directed School (AGEID: 13603)	\$27,434.31
130	Yiramalay/Wesley Studio School (AGEID: 29953)	\$48,570.30
131	Youth Outreach Service (YOS) Lawnton (AGEID: 30260)	\$18,179.96

Note: AGEID (short for Australian Government Education ID) is the unique identifier used by the Commonwealth for managing client information for Australian schools receiving financial assistance under the Act.