



Commonwealth Scholarships Guidelines (Research) Amendment (No.1) 2019

COMMONWEALTH OF AUSTRALIA

Higher Education Support Act 2003

I, DAN TEHAN, Minister for Education, make the following legislative instrument.

Dated 27 November 2019

DAN TEHAN

Minister for Education

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Part 1 Preliminary

- 1 Name of Guidelines**
This instrument is the *Commonwealth Scholarships Guidelines (Research) Amendment (No.1) 2019*.
- 2 Commencement**
This instrument commences on the day after it is registered.
- 3 Authority**
This instrument is made under section 238-10 of the *Higher Education Support Act 2003* (Act) for the purposes of Part 2-4 of the Act.
- 4 Schedules**
The *Commonwealth Scholarships Guidelines (Research) 2017* are amended as set out in Schedule 1 to this instrument.

Schedule 1 - Amendments

Commonwealth Scholarships Guidelines (Research) 2017

1 Section i.v:

Insert or amend the following definitions in the appropriate alphabetical order:

<i>ABS</i>	means the Australian Bureau of Statistics
<i>ASCED</i>	means the Australian Standard Classification of Education - 1272.0 - 2001 specified by the <i>ABS</i>
<i>Category 1</i>	is Australian competitive grants <i>R&D</i> income in <i>HERDC</i>
<i>Category 2</i>	is other public sector <i>R&D</i> income in <i>HERDC</i>
<i>Category 3</i>	is industry and other <i>R&D</i> income in <i>HERDC</i>
<i>Category 4</i>	is Cooperative Research Centre <i>R&D</i> income in <i>HERDC</i>
<i>the department</i>	means the Commonwealth Department of Education
<i>R&D or research</i>	means Research and Experimental Development as defined in the Frascati Manual 2015 maintained by the Organisation for Economic Cooperation and Development
<i>Research Doctorate</i>	means a Level 10 Doctoral Degree (Research) or Doctoral Degree (Professional) qualification as described in the AQF

2 Delete paragraph 1.4.15 and replace with:

1.4.15 Grant Amounts for 2017, 2018, 2019 and 2020 Grant Years

Subject to any adjustment that may be made under paragraph 1.4.30, for the 2017, 2018, 2019 and 2020 *Grant Years*, the formula for calculating each *HEP's RTP Grant Amount* is:

$$RTP_{i,y} = (0.75 * B_y * RTPshare_i) + (0.25 * BGA_{i,y})$$

where:

$RTPshare_i$ = the share of RTP Grant Amount* for i^{th} *HEP* in the year prior to the *Grant Year* calculated according to the following formula:

$$RTPshare_{i,y} = \frac{RTP_{i,y-1}}{\sum_{j=1}^n (RTP_{j,y-1})}$$

$y-1$ = Year prior to the *Grant Year**

B_y = *Funding Pool* in year y

$BGA_{i,y}$ = Basic Grant Amount calculated in paragraph 1.4.5

* For the 2017 *Grant Year* only, each *HEP's RTP Grant Amount* for the previous *Grant Year* is equal to the total of Grant Amounts received by that *HEP* in 2016 under the former Australian Postgraduate Awards, International Postgraduate Research Scholarships and Research Training Scheme programs.

3 Delete paragraph 1.4.20 and replace with:

1.4.20 Grant Amounts for 2021 and future Grant Years

Subject to any adjustment that may be made under paragraph 1.4.30, for the 2021 and future *Grant Years*, each *HEP's RTP Grant Amount* is equal to that *HEP's Basic Grant Amount* calculated in paragraph 1.4.5.

4 After paragraph 1.4.25 insert:

1.4.30 Adjustments

- (1) If a *HEP* provides incorrect *HERDC* or *HESDC* data used to calculate the *HEP's RTP Grant Amount* for a *Grant Year*, the *HEP* must correct the information provided to the *department* ('corrected data'), provide supporting evidence that demonstrates the accuracy of the corrected data, and provide information on the causes of the incorrect data.
- (2) If the *HEP* provides corrected data and supporting evidence on or before 1 October in the year the data was first provided the *department* will take into account the corrected data when calculating grant amounts under paragraphs 1.4.5 or 1.4.15 (as applicable).

- (3) Subject to subparagraph 1.4.30(4), if a *HEP* provides either the corrected data or supporting evidence after 1 October in the year the data was first provided, the corrected data will not be used to calculate, or adjust, the *HEP*'s Grant Amount for a *Grant Year*.
- (4) Where corrected data is provided in accordance with subparagraph 1.4.30(3), the *department* will use the method specified in paragraphs 1.4.5 or 1.4.15 (as applicable) to determine the Grant Amount the *HEP* would have been paid for the *Grant Year* if the corrected data had been used. If the *department* determines that a *HEP* has received an overpayment in respect of the *Grant Year*, the *HEP* must repay the amount of the overpayment to the *department*.

5 Delete paragraph 1.6.30 and replace with:

1.6.30 Additional Conditions for Overseas Students

- (1) A *HEP* may only spend up to a maximum of 10 per cent of its *RTP* grant amount in a *Grant Year*, on the provision of *RTP Scholarships* to overseas students.
- (2) When calculating the 10 per cent cap specified in subparagraph 1.6.30(1), a *HEP* must take into account any *RTP* grant amount approved by the Secretary of the *department* under section 41-40 of *the Act* to be rolled over from the previous *Grant Year*.

6 After paragraph 1.6.55 insert:

1.6.60 Items to be reported

A *HEP* must report to the *department* the items specified in column 1 ('Item') of the table, in accordance with the specification in column 2 ('Specification'), in each *Grant Year*. Each Item must be provided by the date specified in column 3 of the table ('Due Date').

Item	Specification	Due Date
<i>HERDC</i> data	<i>HERDC</i> Specifications	30 June
<i>HERDC</i> Audit Certificate		
<i>HERDC</i> Vice-Chancellor's Certification Statement		
The latest set of information provided to the <i>ABS</i> about higher education research and development expenditure that the <i>ABS</i> has returned to the <i>HEP</i>	In the form provided by the <i>ABS</i>	Within 30 days of the <i>ABS</i> returning the information to the <i>HEP</i>

1.6.65 Items reported elsewhere

In addition to the Items in paragraph 1.6.60, the *department* will take into account information otherwise provided to the Commonwealth by the *HEP* in the Items in column 1 below, which must have been prepared in accordance with the Specifications referred to column 2, as part of *RTP* grant amount calculations and in undertaking compliance and monitoring activities in relation to the *RTP*.

Item	Specifications
Acquittal of Australian Government financial assistance or <i>RTP</i> rollover data	Financial Statement Guidelines for Australian <i>HEPs</i>
<i>HESDC</i> data	Higher Education Data Requirements and Change Control document