



Other Grants Guidelines (Education) Amendment (No. 2) 2020

I, Dan Tehan, Minister for Education, make the following guidelines.

Dated 12 November 2020

Dan Tehan
Minister for Education

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1 Name

This instrument is the *Other Grants Guidelines (Education) Amendment (No.2) 2020*.

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. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made.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 section 238-10 of the *Higher Education Support Act 2003*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Other Grants Guidelines (Education) 2012

1 After Part 4 of Chapter 7 – Grants for activities that assure and enhance the quality of Australia’s higher education sector

Insert:

PART 5 - HIGHER EDUCATION RELIEF PROGRAM (HERP)

7.135 Purpose

- 7.135.1 The Higher Education Relief Program (HERP) is specified as a program for the purposes of subsection 41-15(1) of the Act. This Part also specifies matters listed in subsection 41-15(2) of the Act in relation to that program.
- 7.135.5 The purpose of the HERP is to assure and enhance the quality of Australia’s higher education sector, in accordance with item 11(a) of the table in subsection 41-10(1) of the Act, during the novel coronavirus (COVID-19) pandemic in 2020.

7.140 Program objective

- 7.140.1 The HERP provides financial assistance to eligible higher education providers affected by the COVID-19 pandemic in 2020 for activities to ensure that these providers continue to operate during, and after, the pandemic, and for specific activities identified in the conditions of grant made under clause 7.155.1 of these Guidelines.
- 7.140.5 The objective of this program is to ensure that higher education providers are able to keep operating and employing staff during, and after, the COVID-19 pandemic, and to assure the ability of these providers to continue to provide quality education services.

7.145 Calculation of grant amounts

- 7.145.1 The HERP for a Table A provider for 2020 will be calculated as follows:

$$HERP = (Max - CGS \text{ Payments for 2020} - JobKeeper \text{ Payments})$$

Where:

Max = For 2020,

Maximum Basic Grant Amount for non-designated courses of study

+

Maximum Basic Grant Amount for designated courses of study

+

Amounts worked out under subsection 33-1(1)(b) of the Act;

CGS Payments for 2020 = the amount a provider is entitled to be paid under section 33-1 of the Act.

JobKeeper Payments = any payments made to the higher education provider in 2020 under Division 4 of Part 2 of the *Coronavirus Economic Response Package (Payments and Benefits) Rules 2020*, an instrument made under the *Coronavirus Economic Response Package (Payments and Benefits) Act 2020*.

7.145.5 The HERP for a non-Table A provider for 2020 will be calculated as follows:

$$HERP = (Max - CGS \text{ Payments for 2020} - JobKeeper \text{ Payments})$$

Where:

Max = For 2020,

The provider's Maximum Basic Grant Amount

+

Amounts worked out under paragraph 33-1(1)(b) of the Act

-

Any funding allocated to the provider to support the delivery of 'short courses' in response to the COVID-19 pandemic, as set out in the provider's funding agreement;

CGS Payments for 2020 = the amount a provider is entitled to be paid under section 33-1 of the Act minus any funding allocated to the provider to support the delivery of 'short courses' in response to the COVID-19 pandemic, as set out in the provider's funding agreement.

JobKeeper Payments = any payments made to the higher education provider in 2020 under Division 4 of Part 2 of the *Coronavirus Economic Response Package (Payments and Benefits) Rules 2020*, an instrument made under the *Coronavirus Economic Response Package (Payments and Benefits) Act 2020*.

7.145.10 If an eligible higher education provider's grant under the HERP is calculated to be less than \$0, the grant amount for that higher education provider is determined to be \$0.

7.150 Extra conditions of eligibility

7.150.1 A provider that has entered into a funding agreement under section 30-25 of Part 2-2 of the Act for 2020 is eligible for a grant under the HERP.

7.155 Conditions of grant

7.155.1 The recipient of a grant under the HERP must comply with any terms of the grant approval imposed by the Minister.