

EXPLANATORY STATEMENT

Issued by the authority of Minister for Employment, Workforce, Skills, Small and Family
Business

Higher Education Support Act 2003

Higher Education Support (Other Grants) Guidelines 2022

AUTHORITY

The *Higher Education Support (Other Grants) Guidelines 2022* ('Other Grants Guidelines') are made by the Minister for Employment, Workforce, Skills, Small and Family Business under section 238-10 of the *Higher Education Support Act 2003* ('HESA').

PURPOSE AND OPERATION

The Other Grants Guidelines are made for the purposes of the "other grants" that are payable to certain higher education providers and bodies corporate under Part 2-3 of HESA. The primary purpose of the Other Grant Guidelines is to set out the eligibility criteria, amounts and conditions that apply to grants payable in respect of grant programs that operate under Part 2-3 of HESA.

In particular, and as set out in the general outline provision at section 6 of the Other Grants Guidelines, section 41-10 of HESA contains a table which states the purposes for which other grants made under Part 2-3 of HESA may be made and says that the Other Grant Guidelines may:

- (a) specify certain bodies corporate that are eligible for grants in relation to particular purposes set out in the table in that section;
- (b) specify national institutes for the purposes of item 4 in the table in that section; and
- (c) specify extra conditions of eligibility to receive a grant under a program that is also specified in these guidelines.

Subsection 41-15(1) of HESA states that Other Grants Guidelines may specify one or more programs under which grants for particular purposes, specified in the table in subsection 41-10(1), are to be paid.

Subsection 41-15(2) of HESA states that, if the Other Grants Guidelines specify a program for a grant for a particular purpose, the Other Grants Guidelines may also specify all or any of the following matters for the program:

- (a) the program's objectives;
- (b) the extra conditions of eligibility to receive a grant under the program;
- (c) the amount, being a part of the amount referred to in section 41-45 for a year, that will be spent on the program in that particular year;

- (d) the indexation of that amount for subsequent years, using the method of indexation set out in Part 5-6 of HESA;
- (e) the method by which the amount of grants under the program will be determined;
- (f) whether grants under a program are in respect of a year or a project;
- (g) the conditions that apply to grants under the program.

Subsection 41-25(1) of HESA states that, if a grant is made under a program and the Other Grants Guidelines specify conditions that apply to a grant under that program, the grant is made on the conditions provided for in the Other Grants Guidelines (however the Minister may also determine other conditions).

Section 41-30 of HESA states that the Other Grant Guidelines may also specify a method by which the amount of grants under a program are to be determined.

The Other Grants Guidelines specify matters for these purposes.

The Other Grants Guidelines are largely a remake of the *Other Grants Guidelines (Education) 2012* ('the former Guidelines'), which they repeal. The former Guidelines will sunset on 1 April 2022 and the Other Grants Guidelines are made to ensure that the grant programs that operate under Part 2-3 can continue in operation. The Other Grants Guidelines work in tandem with another set of Guidelines under Part 2-3 which relate specifically to research grants, the *Other Grants Guidelines (Research) 2017*.

REGULATORY IMPACT

The Office of Best Practice Regulation (OBPR) has been consulted and advised that the Guidelines are unlikely to have a more than minor regulatory impact and therefore the preparation of a Regulation Impact Statement is not required (OBPR ID: 22-01786).

COMMENCEMENT

The Instrument commences on the day after it is registered on the Federal Register of Legislation.

CONSULTATION

In February 2022, the Department of Education, Skills and Employment (the Department) engaged in consultation through seeking feedback on an Exposure Draft of the Other Grant Guidelines from a combined group of twenty-six relevant experts, stakeholder representatives, peak body representatives, and university administrators with experience administering programs under the Guidelines. Minor clarifications were made to the Other Grant Guidelines as a result of feedback received.

STATEMENT OF COMPATIBILITY WITH HUMAN RIGHTS

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Higher Education Support (Other Grants) Guidelines 2022

The *Higher Education Support (Other Grants) Guidelines 2022* ('Other Grants Guidelines') are compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Legislative Instrument

The Other Grants Guidelines are made for the purposes of the "other grants" that are payable to certain higher education providers and bodies corporate under Part 2-3 of the *Higher Education Support Act 2003* (HESA). The primary purpose of the Other Grants Guidelines is to set out the eligibility criteria, amounts and conditions that apply to grants payable in respect of grant programs that operate under Part 2-3.

Human rights implications

The Instrument engages the following rights:

- the right to education – Article 13 of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), and Article 28 of the *Convention on the Rights of the Child* (UNCRC);
- the right to work and right to just and favourable condition of work – Articles 6(1) and 7 of the ICESCR.

Right to education

Article 13(1) of the ICESCR recognises each person's right to education, and that education is important to "*the full development of the human personality*", and enables "*all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups*".

Similarly, Article 28(1) of the UNCRC recognises the "*right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity*".

The Other Grants Guidelines ensure grants can be made for an array of purposes to support higher education and higher education providers and enhance the right to education, improving access and opportunity. Several of the grant programs specified in the Other Grants Guidelines are for the purpose set out in item 1 of the table in subsection 41-10(1) of HESA – 'Grants to promote equality of opportunity in higher education'. These grants are intended to assist individuals with low socio-economic status or from regional and remote areas as well as Indigenous persons and people with a disability to engage in higher education.

Right to work and right to just and favourable conditions of work

The Other Grants Guidelines also engage the right to work and rights at work contained in Articles 6(1) and 7 of the ICESCR. Article 6(1) recognises the right to work, which includes the right of everyone to the opportunity to gain their living by work which they freely choose or accept, and recognises that states will take appropriate steps to safeguard this right. Article 7 recognises the right of everyone to the enjoyment of just and favourable conditions of work, including fair wages, safe and healthy working conditions and equal opportunity for advancement.

The Other Grants Guidelines promote the right to work and rights at work by ensuring that grants are provided for purposes that ensure the higher education sector is supported to ensure engagement with industry and education practices which support the transition from study into employment.

Conclusion

The Other Grants Guidelines are compatible with human rights because they promote the human rights that they engage.

Minister for Employment, Workforce, Skills, Small and Family Business

Higher Education Support (Other Grants) Guidelines 2022

EXPLANATION OF PROVISIONS

PART 1—PRELIMINARY

Section 1: Name

1. This section specifies the name of the Guidelines as the *Higher Education Support (Other Grants) Guidelines 2022*, which is how they are to be cited.

Section 2: Commencement

2. This section specifies that the Other Grants Guidelines commence on the day after registration on the Federal Register of Legislation.

Section 3: Authority

3. This section specifies that the Other Grants Guidelines are made by the Minister under section 238-10 of the *Higher Education Support Act 2003* ('HESA') for the purposes of Part 2-3 of that Act.

Section 4: Definitions

4. This section defines a range of terms that are used in the Other Grants Guidelines and notes that some terms used in the guidelines are defined in Schedule 1 of HESA (and have the same meaning as in HESA).

Section 5: Schedule

5. This is a technical section that simply ensures that the Schedules have effect on their terms (to repeal the former Guidelines and to give effect to transitional arrangements).

Section 6: General outline

6. This section explains what HESA provides that the Other Grants Guidelines are able to specify. In short, HESA allows the Other Grants Guidelines to set out a range of matters relevant to grant programs that operate under Part 2-3, including eligibility criteria for grants, amounts payable and conditions that apply to grants under that Part.

Part 2—Programs that promote equality of opportunity in higher education—Indigenous, Regional and Low Socio-Economic Status Attainment Fund (IRLSAF)

Section 7: Outline of this Part

7. Section 7 provides an outline of Part 2 of the Guidelines which deals with the Indigenous, Regional and Low Socio-Economic Status Attainment Fund (IRLSAF). The outline clarifies that the Divisions of this Part are separate grant programs under Part 2-3 of HESA which are for the purpose specified in item 1 of the table in section 41-10 – 'Grants to promote equality of opportunity in higher education'.

Division 1—Higher Education Participation and Partnerships Program (HEPPP)

Section 8: Program objectives

8. Section 8 specifies the Higher Education Participation and Partnerships Program (HEPPP) as a program for the purpose of promoting equality of opportunity in higher education and lists the objectives for HEPPP.

Section 9: Specified bodies corporate and extra conditions of eligibility

9. Section 9 and its note clarify that there are no additional specified bodies corporate or extra conditions of eligibility besides those that apply under section 41-10 of HESA.

Sections 10 and 11 Grants to be made in respect of a year and Indexation

10. Section 10 clarifies that grants under the HEPPP are made in respect of a year and states the amount that is dedicated for the program in 2022.
11. Section 11 clarifies that the amount listed in subsection 10(2) is subject to consumer price index indexation as clarified by section 11.

Section 12: Method by which the amount of grants under the program are determined for a provider

12. This section sets out how grants are calculated under the program for a provider. The formula is to apply on its terms and sets out that a provider's grant amount is based on factors relating to:
 - the proportion of domestic undergraduate students from low socioeconomic backgrounds enrolled at the relevant higher education provider;
 - the proportion of domestic undergraduate students with a permanent residential address in a regional area or a remote area enrolled with the provider;
 - the proportion of Indigenous students enrolled with the provider.
13. The formula is listed separately for each calendar year to enable a transition from a formula based on 100 per cent of low socioeconomic student enrolments (prior to 2021) to a formula based on weightings of 45 per cent low socioeconomic, 45 per cent regional and remote, and 10 per cent Indigenous student enrolments (from 2024 onwards).

Section 13: Conditions that apply to grants

14. This section specifies the conditions that apply to grants under the HEPPP by clarifying what grants can and cannot be spent on.
15. The note at the end of section 13 identifies that the power to impose conditions in section 41-25 of HESA includes a power to impose conditions in relation of reporting and lists a number of matters these reports may deal with.

Division 2—National Priorities Pool Program

Section 14: Program objectives

16. This section specifies the National Priorities Pool Program as a program for the purpose of promoting equality of opportunity in higher education and sets out the program objectives.

Sections 15 and 16: Specified bodies corporate and extra conditions of eligibility and Grants to be made in respect of projects

17. Section 15 clarifies that there are no additional specified bodies corporate or extra conditions of eligibility besides those that apply under section 41-10 of HESA.
18. Section 16 specifies the amount dedicated to the program for each of the years 2022, 2023, 2024 and 2025.

Section 17: Conditions that apply to grants

19. This section specifies the conditions that apply to grants under the National Priorities Pool Program by clarifying what grants can be spent on.

Division 3—Regional Partnerships Project Pool Program

Section 18: Program objectives

20. This section specifies the Regional Partnerships Project Pool Program as a program for the purpose of promoting equality of opportunity in higher education and sets out the objectives of the program.

Section 19: Specified bodies corporate

21. This section specifies that (besides Table A providers are referred to in the table in section 41-10 of HESA), bodies corporate in receipt of a grant under the Regional University Centres Program referred to in Part 9 of the Other Grant Guidelines are also eligible to receive a grant under the Regional Partnerships Project Pool Program.

Sections 20 and 21 Grants to be made in respect of projects and Indexation

22. Section 20 specifies that grants are made in respect of projects and the amount dedicated to the program in 2022 and 2024.
23. Subsection 20(2) specifies the amount dedicated to the program in 2022.
24. Subsection 20(3) specifies the amount dedicated to the program in 2024. This amount is calculated by multiplying \$1,784,000 by the indexation factor for 2024.
25. Section 21 clarifies that the amount dedicated to the program in 2022, under subsection 20(2), is subject to consumer price index indexation for the 2023 year.

Section 22: Conditions that apply to grants

26. This section clarifies that, while there are no conditions set out in the Other Grants Guidelines, the Minister has the power to impose specific conditions, on a grant by grant basis, under section 41-25 of HESA.

Division 4—Regional Loading Program

Section 23: Program objectives

27. This section specifies the Regional Loading Program as a program for the purpose of promoting equality of opportunity in higher education and sets out the objectives of the program.

Section 24: Specified bodies corporate and extra conditions of eligibility

28. This section specifies that a higher education provider will be eligible for grant under the Regional Loading Program in relation to a particular campus of the provider if the average student load for the campus is a minimum of 50 internal and multi-modal Commonwealth supported students, expressed as Equivalent Full-Time Student Load (EFTSL). This section also contains a specific provision for how grants to Charles Darwin University are to be calculated (the Commonwealth supported student load at Batchelor Institute of Indigenous Tertiary Education is to count towards Charles Darwin University's average student load when applying the method in section 27).

Sections 25 and 26: Grants to be made in respect of a year and Indexation

29. Section 25 specifies that grants under this program are to be made in respect of a year and the amount committed for this program in 2022.
30. Section 26 clarifies that the amount dedicated to the program in 2022 is subject to consumer price index indexation.

Section 27: Method by which the amount of grants under the program are determined for a provider

31. This section sets out the method for calculating grants under this program.
32. The grant amounts are calculated by reference to the:
- remoteness category of the eligible campus;
 - remoteness category of the provider's main campus;
 - average student load of internal and multi-modal Commonwealth supported students enrolled at the relevant eligible campus; and
 - average student load of a provider's external Commonwealth supported students.
33. There is a detailed explanation of the formula in subsection (7) (set out in subsections (8) to (11) which attempts to elucidate the operation of the formula. Note that the symbol "Σ" means the aggregate of the factors which follow it.

Section 28: Conditions that apply to grants

34. This section clarifies that, while there are no conditions set out in the Other Grants Guidelines, the Minister has the power to impose specific conditions, on a grant by grant basis, under section 41-25 of HESA.

Division 5—Enabling Loading Program

Section 29: Program objectives

35. This section specifies the Enabling Loading Program as a program for the purpose of promoting equality of opportunity in higher education and outlines the objectives of the program.

Section 30: Specified bodies corporate and extra conditions of eligibility

36. Section 30 clarifies that there are no additional specified bodies corporate or extra conditions of eligibility besides those that apply under section 41-10 of HESA.

Sections 31 and 32: Grants to be made in respect of a year and Indexation

37. Section 31 clarifies that grants under the Enabling Loading Program are made in respect of a year and the amount that is dedicated for the program in 2022.
38. Section 32 clarifies that the amount dedicated to the program in 2022 is subject to consumer price index indexation.

Section 33: Method by which the amount of grants under the program are determined for a provider

39. This section sets out the method for calculating grants under this program.

40. The grant amounts are calculated by reference to the enabling loading amount (specified in subsection 31(2)) and the lesser of the:
- number of Commonwealth supported places in enabling courses the provider provides in the relevant year; and
 - the number of places allocated in writing by the Department for the provider for the grant year for enabling courses.

Section 34: Conditions that apply to grants

41. This section clarifies that, while there are no conditions set out in the Other Grants Guidelines, the Minister has the power to impose specific conditions, on a grant by grant basis, under section 41-25 of HESA.

Part 3— Programs that promote equality of opportunity in higher education—Disability Support Programs

Section 35: Outline of this Part

42. Section 35 provides an outline of Part 3 of the Other Grants Guidelines which deals with Disability Support Programs. The outline clarifies that the Divisions of this Part are separate grant programs under Part 2-3 of HESA and the each of the programs specified in this Part are for the purpose of promoting equality of opportunity in higher education by providing support to students with disability to access, participate and succeed in higher education.

Division 1—Disability Support Fund

Section 36: Program objectives

43. This section specifies the Disability Support Fund (DSF) as a program for the purpose of promoting equality of opportunity in higher education and outlines the objectives of the program.

Sections 37 and 38: Specified bodies corporate and extra conditions of eligibility and Grants to be made in respect of a year

44. Section 37 clarifies that there are no additional specified bodies corporate or extra conditions of eligibility besides those that apply under section 41-10 of HESA.
45. Section 38 provides that grants are made under this program in respect of a year.

Section 39: Method by which the amount of grants under the program are determined for a provider

46. This section sets out the method for calculating grants under this program.
47. In summary, a grant amount is calculated by adding the enrolments-based grant amount for a provider (calculated under subsection (4)) and the amount for students with disability with high costs needs calculated under subsection (6)).

48. The enrolments-based grant is amount, is based on enrolled students with disability (for a provider as a function of all students with disability enrolled with all Table A providers) and the amount for students with disability with high costs is based on claims associated with expenses for educational support and equipment provided to a student with disability and high cost needs.
49. Subsections 39(7) and (8) specify modifications to the calculation in particular circumstances.
50. Subsection 39(7) provides that where the amount for students with disability with high costs needs (calculated under subsection (6)) is greater than the expenses associated with relevant claims, the amount payable to the provider is to be no more than the expenses associated with those claims.
51. Subsection 39(8) provides that where the total cost of all eligible provider claims for students with disability with high-cost needs is less than the 45 percent of the DSF yearly total (which could occur in a year where the amount of claims are lower than expected), the remaining amount will be added to the enrolments-based grant pool and calculated as per the formula listed under subsection (4).

Section 40: Indexation

52. This section specifies that certain dollar amounts mentioned in section 39 are subject to indexation against the consumer price index under Part 5-6 of HESA.

Section 41: Conditions that apply to grants

53. This section sets out conditions that apply to grants under this program by specifying what grants may be spent on.

Division 2—Australian Disability Clearinghouse on Education and Training

Section 42: Program objectives

54. This section specifies the Australian Disability Clearinghouse on Education and Training as a program for the purpose of promoting equality of opportunity in higher education and outlines the objectives of the program.

Sections 43 and 44: Specified bodies corporate and extra conditions of eligibility and Grants to be made in respect of a year

55. Section 43 clarifies that there are no additional specified bodies corporate or extra conditions of eligibility besides those that apply under section 41-10 of HESA.
56. Section 44 specifies that grants are made under this program in respect of a year.

Section 45: Method by which the amount of grants under the program are determined and applicable conditions of grant

57. This section states that the Minister will choose a specific provider to host the website mentioned in section 42 and specific conditions of grant will be outlined under section 41-25 of HESA in relation to the grant made to the chosen provider.

This section also provides that the amount of the grant will be determined by the Minister under paragraph 41-30(b) of HESA.

Part 4— Programs that promote equality of opportunity in higher education—Women in STEM Cadetships and Advanced Apprenticeships Program

Section 46: Program objectives

58. This section specifies the Women in STEM Cadetships and Advanced Apprenticeships Program as a program for the purpose of promoting equality of opportunity in higher education and outlines the objectives of the program and sets out the objectives of the program.

Section 47: Specified bodies corporate and extra conditions of eligibility

59. This section sets out additional conditions of eligibility (besides those that apply under HESA) for a grant under this program and states that higher education providers (other than Table A providers) and employers (that are bodies corporate) that employ women undertaking a STEM qualification can receive a grant under this program. Table A providers are eligible by virtue of item 1 of the table in section 41-10 of HESA.

60. The requirements in this provision relating to entry into a deed with the Commonwealth in respect of participation in the provider and to enter into a “restricted access agreement” (which is a term defined in HESA in relation to students who are in “allocated employer reserved places”).

Section 48: Grant distribution

61. This section specifies that grants are to be distributed twice per calendar year.

Section 49: Employer reserved places

62. This section provides that there are up to 500 employer reserved places to allocate to eligible providers across the 2021, 2022, 2023 and 2024 years, based on an application process conducted by the Department.

63. Each employer reserved place is the equivalent of 0.5 EFTSL resulting in 1000 EFTSL being available over the four year period (the 2021, 2022, 2023 and 2024 years).

Section 50: Method by which the amount of grants under the program are determined

64. This section states that grant amounts are to be specified by the Minister (for eligible Women in STEM employers, the maximum grant amount is \$5,000 for each student, for a year, over the duration of the course of study). Providers may receive an additional equality of opportunity payment where this is specified in a provider’s deed.

Sections 51 and 52: Conditions that apply to grants for providers and Conditions that apply to grants for Women in STEM employers

65. These sections set out conditions of grant that apply under this program to providers and Women in Stem employers respectively. The conditions include:

- Course requirements in relation to the program;
- Employer responsibilities to ensure students under the program are given the opportunity to study (by being “released” as appropriate from work duties)
- Reporting requirements.

Part 5— Specification of National Institutes

Section 53: National institutes

66. This section specifies certain national institutes for the purposes of item 4 of the table in subsection 41-10(1) of HESA (which enables Table A providers to receive grants to support these institutes).

Part 6— Grants to assist with the cost of higher education providers’ superannuation liabilities—Higher Education Superannuation Program

Section 54: Program objectives

67. This section specifies the Higher Education Superannuation Program as a program for the purpose of assisting with the cost of higher education providers’ superannuation liabilities and outlines the objectives for this program (being to provide Commonwealth financial assistance to eligible Higher Education Providers by contributing to expenses incurred by those providers in respect of former employees who are members of an eligible superannuation scheme or fund).

Section 55: Extra conditions of eligibility

68. This section specifies that only specified Table A providers are eligible for grants under this program (subsection 55(2)) and that, to be eligible, the provider must have former employees who are members of certain listed superannuation schemes or funds, which are specified in subsection 55(3).

Sections 56 and 57: Grants to be made in respect of a year and Grant amounts

69. Sections 56 specifies that grants are to be made in respect of a year and section 57 provides that the grant amount will be determined by the Minister under section 41-30 of HESA (which is a broad power to approve grants).

Section 58: Conditions that apply to grants

70. This section specifies the conditions that apply to grants under this program. Grants may only be spent on paying out superannuation liabilities that arise under law in respect of former employees and related administrative costs.

71. Subsection 58(4) states that providers must provide (or provide authority for the Commonwealth to obtain) evidence that grants have been applied for the purpose for which they were provided.

Part 7— Grants to foster collaboration and reform in higher education—University and Industry Collaboration Program

Section 59: Program objectives

72. This section specifies the University and Industry Collaboration Program as a program for the purpose of fostering collaboration and reform in higher education and outlines the objectives for this program (being to enhance collaboration between Australian universities and industry).
73. Notes 3 and 4 at the end of the provision clarify that conditions and grant amounts may be determined in respect of this program under relevant provisions in Part 2-3 of HESA.

Part 8— Grants to assure and enhance the quality of Australia’s higher education sector—Higher Education Continuity Guarantee

Section 60: Program objectives

74. This section specifies the Higher Education and Continuity Guarantee as a program for the purpose of assuring and enhancing the quality of Australia’s higher education sector and outlines the objectives for this program (being to assist higher education providers to operate during and recover from the COVID-19 pandemic).

Section 61: Specified bodies corporate and extra conditions of eligibility

75. This section specifies that a body corporate with a funding agreement under the Commonwealth Grants Scheme in Part 2-2 of HESA is eligible for grants under this program.
76. Subsection 61(2) provides that, Table A providers must have funding agreement under the Commonwealth Grants Scheme in Part 2-2 of HESA to be eligible for grants under this program.

Sections 62 and 63: Grants to be made in respect of a year and Method by which the amount of grants under the program are determined for a provider

77. Section 62 states that grants under the program are to be made in respect of a year.
78. Section 63 sets out the method for working out grants amounts for 2022 and 2023.
79. In summary, the grant amount is calculated by subtracting the CGS payment (defined for Table A and non-Table A providers in subsections 63(1) and (2) respectively) from the ‘Max’ amount (also defined for Table A and non-Table A providers in subsections 63(1) and (2) respectively).

Part 9— Grants to support open access to higher education across Australia—Regional University Centres Program

Section 64: Program objectives

80. This section specifies the Regional University Centres Program as a program for the purpose of supporting open access to higher education across Australia and outlines the objectives for this program (being to provide financial assistance to community-based bodies corporate in regional and remote areas of Australia, to enable them to establish and maintain Regional University Centres in regional areas that support local students).

Section 65: Specified bodies corporate and extra conditions of eligibility

81. This section specifies the following bodies corporate as eligibility to receive a grant under this program:

- a body corporate that the Minister is satisfied has (or will have), a physical operational presence in a Remoteness Area categorised under the ABS Remoteness Structure as Inner Regional Australia, Outer Regional Australia, Remote Australia or Very Remote Australia;
- a body corporate that is registered entity (within the meaning of the *Australian Charities and Not for profits Commission Act 2012*);
- a Table B provider;
- a higher education provider to which the Minister has allocated Commonwealth supported places under section 30-10 of HESA.

82. Subsection 65(2) specifies additional eligibility criteria in relation to the first two categories of body corporates listed above.

Section 66: Conditions that apply to grants

83. This section sets out that it is a condition of grant that recipients establish a Regional University Centre in a regional or remote area. It sets out requirements in respect of the infrastructure and facilities as well as in respect of required academic and student support services. The section also outlines that grants may be used to support forming partnerships to further support student learning and outcomes.

Part 10 – Other specified bodies corporate

Section 67: Bodies corporate specified for the purposes of eligibility to receive grants

84. This item specifies certain bodies corporate who are generally eligible to receive grants for the purpose set out in item 11 of the table in section 41-10 of HESA.

Part 11— Grants to encourage higher education providers to engage with industry— National Priorities and Industry Linkage Fund

Section 68: Program objectives

85. This section specifies the National Priorities and Industry Linkage Fund as a program for the purpose of encouraging higher education providers to engage with industry

and outlines the objectives for this program (being to encourage higher education providers to engage with industry, and focused on work-integrated learning, STEM-skilled graduates and industry partnerships).

Sections 69: Grants to be made in respect of a year, 70: Method by which the amount of grants under the program are determined for a provider and 71: Indexation

86. Section 69 provides that grants under the program are made in respect of 2022, 2023 and 2024.
87. Section 70 sets out the method for grant calculation by reference to the number of Commonwealth supports places the provider has in respect of those years.
88. Section 71 clarifies that amounts in the table in section 70 are subject to indexation against the consumer price index in accordance with the method set out in Part 5-6 of HESA.

Section 72: Conditions of grant

89. This section specifies that grants under the program may only be used for the purposes described in section 68.

SCHEDULE 1—REPEAL

Other Grants Guidelines (Education) 2012

Item 1: The whole of the instrument

90. Item 1 repeals the former Guidelines, the *Other Grants Guidelines (Education) 2012*, which will sunset on 1 April 2022. Given the commencement provision in section 2 of these Guidelines, the repeal will coincide with the commencement of the rest of these Guidelines.

SCHEDULE 2—TRANSITIONAL

Item 1: Saved effect of conditions

91. Item 1 clarifies that, despite the repeal of the former Guidelines by Schedule 1, conditions imposed under those guidelines are taken, by virtue of this item, to continue in force as if the repeal had not occurred.
92. As set out in the note at the end of this section, this means, among other things, that deeds entered into under the Women in STEM Cadetships and Advanced Apprenticeships Program remain in force and references in those deeds to provisions of the former Guidelines continue to be effective.