



Higher Education Support (Other Grants) Amendment (Higher Education Continuity Guarantee) Guidelines 2023

I, Jason Clare, Minister for Education, make the following Guidelines.

Dated 24 November 2023

Jason Clare
Minister for Education

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1 Name

This instrument is the *Higher Education Support (Other Grants) Amendment (Higher Education Continuity Guarantee) Guidelines 2023*.

2 Commencement

This instrument commences the day after this instrument is registered.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Higher Education Support (Other Grants) Guidelines 2022

1 After section 6

Insert:

Part 1A—Application, saving and transitional provisions

6A Saved effect of conditions

Despite the repeal of the *Other Grants Guidelines (Education) 2012*, conditions specified under that instrument as in force immediately prior to the repeal (including in relation to the Higher Education Relief Package) are to be taken to remain in force in respect of a grant made to a higher education provider or other body corporate made prior to that repeal.

6B Application of amendments made by the *Higher Education Support (Other Grants) Amendment (Higher Education Continuity Guarantee) Guidelines 2023*

The amendments made by the *Higher Education Support (Other Grants) Amendment (Higher Education Continuity Guarantee) Guidelines 2023* apply in relation to grants made under the Higher Education Continuity Guarantee program for the 2023 grant year.

2 Subsection 63(1)

Omit “each the years 2022 and 2023”, substitute “2022”.

3 Subsection 63(2)

Omit “each the years 2022 and 2023”, substitute “2022”.

4 After subsection 63(3)

Insert:

- (4) A grant under this program for a Table A provider for 2023 is to be calculated by applying the following formula:

$$HECG = (Max - CGS Payments)$$

Where:

Max for 2023 is the sum of:

- (a) funding allocated to the provider and specified as the provider’s ‘Base MBGA’ for higher education courses in the provider’s funding agreement under section 30-25 of Part 2-2 of the Act; and
- (b) the provider’s Maximum Basic Grant Amount for designated higher education courses; and

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- (c) amounts for a provider under subparagraph 33-1(1)(b)(ii) of the Act (medical student loading).

CGS Payments for 2023 is the sum of:

- (a) the lesser of:
- (i) the amount a provider is entitled to be paid for higher education courses; and
 - (ii) the funding allocated to the provider and specified as the provider's 'Base MBGA' for higher education courses in the provider's funding agreement under section 30-25 of Part 2-2 of the Act; and
- (b) the amount a provider is entitled to be paid for designated higher education courses; and
- (c) the amount a provider is entitled to be paid under paragraph 33-1(1)(b)(ii) of the Act (medical student loading).

Example 1: A Table A provider has been allocated \$100 as their Base MBGA in their funding agreement, their Maximum Basic Grant Amount for designated higher education courses is \$100, and the amount for the Table A provider for medical student loading is \$100. Therefore, the 'Max' for the Table A provider for the purposes of subsection (4) is \$300 (\$100 + \$100 + \$100).

The Table A provider is then entitled to be paid \$50 for higher education courses, \$50 for designated higher education courses and \$50 for medical student loading. Therefore, the 'CGS Payments' for the Table A provider is \$150 (\$50 + \$50 + \$50). The HECG for the provider would be \$150 (\$300 - \$150).

Example 2: A Table A provider has been allocated \$100 as their Base MBGA in their funding agreement, their Maximum Basic Grant Amount for designated higher education courses is \$100, and the amount for the Table A provider for medical student loading is \$100. Therefore, the 'Max' for the Table A provider for the purposes of subsection (4) is \$300 (\$100 + \$100 + \$100).

The Table A provider is then entitled to be paid the full amount of the funding specified as their 'Base MBGA' for higher education courses in their funding agreement (i.e. \$100), \$100 for designated higher education courses and \$100 for medical student loading. Therefore, the 'CGS Payments' for the Table A provider is \$300 (\$100 + \$100 + \$100). The HECG for the provider would be \$0 (\$300 - \$300).

- (5) A grant under this program for a provider that is not a Table A provider for 2023 is to be calculated by applying the following formula:

$$HECG = (Max - CGS Payments)$$

Where:

Max for the relevant year is the sum of:

- (a) the provider's Maximum Basic Grant Amount minus any funding allocated to the provider for 'equity places', 'national priority places' and 'innovative places' as set out in the provider's funding agreement under section 30-25 of Part 2-2 of the Act; and
- (b) amounts for a provider under subparagraph 33-1(1)(b)(ii) of the Act (medical student loading).

CGS Payments for 2023 is the sum of:

- (a) the amount a provider is entitled to be paid under subsection 33-5(7) of the Act, minus any funding the provider is entitled to be paid for 'equity places', 'national priority places' and 'innovative places' as set out in the

provider's funding agreement under section 30-25 of Part 2-2 of the Act;
and

- (b) the amount a provider is entitled to be paid under paragraph 33-1(1)(b)(ii) of the Act (medical student loading).

Example: A non-Table A provider's Maximum Basic Grant Amount is \$100 and the provider has been allocated \$50 in their funding agreement for 'equity places'. The amount for the non-Table A provider for medical student loading is \$50. Therefore, the 'Max' for the Table A provider for the purposes of subsection (5) is \$100 ($\$100 - \$50 + \50).

The non-Table A provider is then entitled to be paid \$30 under subsection 33-5(7) of the Act, entitled to be paid \$15 for 'equity places', and entitled to be paid \$50 for medical student loading. Therefore, the 'CGS Payments' for the Table A provider is \$65 ($\$30 - \$15 + \50). The HECG for the provider would be \$35 ($\$100 - \65).

5 Schedule 2 – Transitional

Repeal the schedule.