



Australian Education Amendment (Notional Funding and Other Measures) Regulations 2024

I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 5 December 2024

Sam Mostyn AC
Governor-General

By Her Excellency's Command

Jason Clare
Minister for Education

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1 Name

This instrument is the *Australian Education Amendment (Notional Funding and Other Measures) Regulations 2024*.

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.	10 December 2024

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Notional funding amount for the school for the year

Australian Education Regulations 2023

1 Subsection 19G(4) (paragraph (a) of the definition of 2017 school funding proportion)

Omit “for 2017 that was allocated to the school for the year”, substitute “that was allocated by the approved authority to the school for 2017”.

2 Subsection 19G(4) (paragraph (b) of the definition of 2017 school funding proportion)

Repeal the paragraph, substitute:

- (b) dividing that amount by the sum of all amounts of financial assistance paid to the school’s approved authority in accordance with Part 3 of the Act that was allocated by the approved authority to the approved authority’s schools for 2017, not including any school for which:
 - (i) the Minister has not made a determination under section 25 of the Act that applies to the school in either or both 2018 and 2019; or
 - (ii) the approved authority was not the approved authority in 2019; or
 - (iii) the approved authority was not taken to be the approved authority for the school in 2019 under subsection (3).

Note: The amount of financial assistance allocated by an approved authority to a school for 2017 can be identified by reference to the approved authority’s report for 2017 given to the Secretary under subsection 36(1).

3 Before section 67

Insert:

Division 1—Application provisions on the making of this instrument

4 After section 68

Insert:

Division 2—Application provisions relating to the Australian Education Amendment (Notional Funding and Other Measures) Regulations 2024

69 Application of amendments to the definition of 2017 school funding proportion in subsection 19G(4)

- (1) Paragraphs (a) and (b) of the definition of *2017 school funding proportion* (the *amended paragraphs*) in subsection 19G(4), as amended by the *Australian Education Amendment (Notional Funding and Other Measures) Regulations 2024*, apply in relation to working out the Commonwealth share for a non-government school for a transition year that is 2020 or later.

- (2) Despite subsection (1), paragraphs (a) and (b) of the definition of **2017 school funding proportion** in subsection 19G(4), as in force immediately before the commencement of Schedule 1 of the *Australian Education Amendment (Notional Funding and Other Measures) Regulations 2024*, apply in relation to working out the Commonwealth share for a non-government school for a transition year that is 2020, 2021, 2022 or 2023 if the Commonwealth share worked out under this instrument for the year, assuming that the amended paragraphs apply, is less than the Commonwealth share worked out under this instrument for the year, assuming that the amended paragraphs do not apply.

Schedule 2—Information provided by approved authorities

Australian Education Regulations 2023

1 Subparagraph 50(1)(b)(ii)

Omit “sex”, substitute “gender”.