Student Assistance Amendment Bill 1987

Date Introduced: 5 November 1987
House: House of Representatives

Digest of Bill

Purpose

To allow the Minister to determine that the AUSTUDY allowance is not payable to students undertaking courses at places other than the institution where the course would normally be studied.

Background

The amendments contained in this Bill are the direct result of a Federal Court decision. The decision concerned section 10 of the Student Assistance Act 1973 (the Principal Act). The decision concerned a student at the University College of the Northern Territory who was attending a course which, under an agreement between the University College and the University of Queensland, was a course of the University. Under the ruling, the agreement was sufficient to qualify the person for an AUSTUDY allowance as the course was an approved course for AUSTUDY purposes. The implication of the decision is that such an agreement would be sufficient to qualify a person for the allowance no matter what institution they were attending.

Main Provisions

Clause 3 will substitute a new section 10 into the Principal Act. Under the proposed section, a person will be required to be enrolled as a student of the institution offering the course. Proposed sub-section 10(2) will allow a person, who is undertaking a course at a place other than the institution where the course is normally undertaken, to be deemed to be undertaking the course at the institution. This may only occur if the institution so agrees and the Minister has not determined that the place is not appropriate for AUSTUDY purposes.

Clause 4 is a saving provision which will allow current regulations and determinations to continue in effect.

For further information, if required, contact the Education and Welfare Group.

9 December 1987

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