2004-2005

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

HIGHER EDUCATION SUPPORT AMENDMENT (ABOLITION OF COMPULSORY UP-FRONT STUDENT UNION FEES) BILL 2005

SUPPLEMENTARY EXPLANATORY MEMORANDUM

Amendment to be moved on behalf of the Government

(Circulated by authority of the Minister for Education, Science and Training, the Honourable Dr Brendan Nelson MP)
AMENDMENT TO HIGHER EDUCATION SUPPORT AMENDMENT (ABOLITION OF COMPULSORY UP-FRONT STUDENT UNION FEES) BILL 2005

OUTLINE

The Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005 will make it a condition of grant to institutions receiving funding under the Higher Education Support Act 2003 that they adhere to the Commonwealth’s voluntary student unionism policy and will expressly set the consequences of a breach of the new conditions.

This Government amendment will have the effect of ensuring that the Commonwealth’s voluntary student unionism policy will apply to higher education providers from 1 January 2006, only in respect of students enrolling with (or seeking to enrol with) the provider for a period of study starting on or after 1 July 2006, and who were not enrolled with the higher education provider for an earlier period in 2006. The voluntary student unionism policy will apply in full to higher education providers who are enrolling students for the first time in 2006 for periods of study that commence from 1 July 2006.

FINANCIAL IMPACT

Nil
Amendment 1 - Schedule 1, page 4 (after line 3), after item 1

Item 1 of Schedule 1 to the Higher Education Support Amendment (Abolition of Compulsory Up-front Student Union Fees) Bill 2005 (the Bill) inserts a new section 19-37 after section 19-35 in Division 19 of Part 2-1 of Chapter 2.

Proposed subsection 19-37(2) provides that a higher education provider must not require a person enrolled with (or seeking to enrol with) the provider to pay to the provider or any other entity an amount for the provision to students of an amenity, facility or service that is not of an academic nature, unless the person has chosen to use the amenity, facility or service.

Amendment (1) inserts a new item 1A in Schedule 1 to the Bill to have the effect of providing that section 19-37 of the Act does not apply to anything done by a higher education provider before 1 July 2006, unless:

- it is done on or after 1 January 2006 and relates to a person who is enrolled with (or seeking to enrol with) the provider; and
- the enrolment is (or will be) for a period of study starting on or after 1 July 2006; and
- the person is not enrolled with (or seeking to enrol with) the provider for a period of study in 2006 starting before 1 July 2006.