

The University of Queensland Union Submission

**Scrutiny of New Taxes
Proposed Student Fees**

**Higher Education Legislation Amendment (Student Services and Amenities,
and Other Measures) Bill 2010**

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20 October 2010

Re. Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2010

PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Members of the Senate Education, Employment and Workplace Relations Committee,

The University of Queensland Union would firstly like to thank members of the committee for the opportunity to further discuss the impact that Voluntary Student Union (VSU) has had upon our organisation, the wider student body of the University of Queensland (UQ) and the future impact the proposed changes to the VSU legislation will have upon future UQ students.

Since its enactment in 2006, the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005 has had a profoundly positive effect not only on the operations and service capabilities of the University of Queensland Union but most importantly, the entire UQ student body. VSU has been a very practical way of easing the financial burden on UQ students who had previously struggled to meet the up-front costs of union fees in addition to other daily living expenses, such as rental accommodation, food, utilities and textbooks.

VSU has empowered students with the ability to weigh up whether the services the Union provides are actually worth the \$136 per semester that students were previously being unfairly slugged. As a student organisation, we have reshaped ourselves to become more relevant to the concerns of our members and place particular emphasis on providing services and social events that will actually appeal to the wider student body and get them involved in the great services, support and representation that we offer.

Functionally, VSU has not resulted in a lessening of campus culture or available services and activities as opponents to the bill have argued. The UQ Union has been able to maintain all essential representational and advocacy services that were provided before VSU and is constantly investing in new areas that will encourage further involvement and awareness of the Union's services.

The UQ Union strongly opposes any changes to the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005. The UQ Union does not support the proposed changes to the VSU legislation that will seek to compulsorily charge students for student services that are currently offered for **FREE** by the UQ Union and the University of Queensland.

The UQ Union demands that the Australian Government honour the pre-election pledge made by then Opposition Education Spokesman Stephen Smith “to ensure that students, if they so choose, can voluntarily organise themselves into representative organisation”, and to allow students “if they so choose, to make voluntary contribution to those services”.

On behalf of the students of the University of Queensland, I urge that the Senate Education, Employment and Workplace Relations Committee to make no change to the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005 and to not support the implementation of the Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2010.

The UQ Union is available to send witnesses on the Union’s behalf for any public hearing into the legislation that may take place.

Yours Sincerely,

Michael Zivcic
PRESIDENT

Executive Summary

The University of Queensland Union (UQ Union) is a student organisation established to provide service, support and representation to the students of the University of Queensland (UQ). The UQ Union is established as the only UQ student organisation and represents all of the approximately 40,000 students across the 5 campuses which UQ operate.

With an annual turnover in excess of \$15 million and a workforce of over 300 permanent and casual staff, the UQ Union operates 13 different businesses and runs a number of internal advocacy and administrative departments. The entire ethos within the UQ Union has dramatically changed since the introduction of Voluntary Student Unionism, with each employee now appreciating that money will no longer just be presented to the Union on a silver platter and that the Union needs to work harder to keep engaging with the needs and demands of the student populous.

In its submission to the 2005 Senate Employment, Workplace Relations and Education Legislation Committee Inquiry into the provisions of the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005, the UQ Union Labor aligned Executive at the time wildly predicted that the introduction of Voluntary Student Unionism would have a devastating impact upon student services and representation at UQ.

The undisputable fact remains that the UQ Union has been able to maintain all essential student services, maintain high levels of advocacy support and continue its commitment to funding student areas such as Queer, Women's, International and College students without the need for a Compulsory Student Amenities Fee.

Any revenue shortfall arising from VSU has been made up in increased efficiencies within Union departments, an added emphasis on the commercial operations of the Union to increase achievable profits and a management agreement between The University of Queensland and the UQ Union.

The specific aims of the Union as defined by the UQ Union Constitution are:

- a) to specifically promote the educational and academic activities and progress of the University community, and generally to further the aims, objects and interests of the University community;
- b) to further the right of all people to a quality education on an equal basis;
- c) to advance the interests of students in the fields of social security, health, welfare, equity, equal opportunity and cultural activities;
- d) to represent students within the University and the community;
- e) to financially assist bodies affiliated to the Union;
- f) to provide quality facilities and services to students;
- g) to foster the principle of student unionism; and
- h) to do all such other things as are incidental or conducive to the attainment of these objects and the exercise of the powers of the Union.

The Union currently offers a wide range of services in several areas to carry out these aims. These are broken up into three core objectives of the Union -Representation, Services and Support.

- 1 Representation includes participating in UQ Boards and Committees, running student-centred campaigns at a university and community level, the promotion of clubs and societies and organisation of student activities.
- 2 Services encompass the Business Trading aspects of the Union; the Schonell Theatre and Cement Box performance spaces, refectories, cafes, catering and conferencing services, a student bar, second-hand and medical bookshop and others.

3. Support refers to the Student Help on Campus (SHOC) area, providing free academic and welfare advocacy, support services for women or queer students, tenancy advice, employment support, advice on government assistance programs, free legal advice and emergency loans. In a development of student services, the UQ Union recently constructed the SHOC centre to ensure that support services are as accessible as possible to UQ students.

Critics of Voluntary Student Unionism claimed that many of these services would cease to exist after the introduction of the Higher Education Support Amendment (Abolition of Compulsory Up-front Union Fees) Bill 2005. In UQ Union's experience, this could not be further from the truth. In actual fact, services have prospered under a renewed focus on the wants and needs of students.

The UQ Union firmly believes that the reason so many student organisations are struggling financially post-VSU, has been their failure to successfully deliver services students actually want. We believe it is the responsibility of Student organisations to develop programs in which students find value or want to participate in. The onus should be firmly placed upon student organisations to change their attitude in order to solve membership and financial woes.

The UQ Union does not support the notion that students should have to compulsorily subsidise student services that are already provided through our tuition fees or identical services that can be found outside of Universities and are already heavily subsidised by taxpayers. Similarly, the UQ Union does not support the notion that students should have to be bound to fund a body to represent them. Whilst the legislation makes it illegal to compulsorily bind students to join a student organisation, it does bind them to compulsorily fund that student organisation to provide representation on their behalf.

The UQ Union considers this sort of mechanism not only a threat to the improvements in efficiency, accountability and responsiveness we have made for UQ students, but also to the ability of students to freely choose the organisation that they wish to associate with and support. This legislation is nothing more than a return to Compulsory Student Unionism by stealth and deception.

This submission, on behalf of the University of Queensland Union, will address the matters of concern to the UQ Union in relation to the proposed implementation of the Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2010 and provide an assessment of the positive effect VSU legislation has had upon the UQ Union and the student body of UQ.

Assessment of the Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2010

Financial – Representation and Service Capacity

Before the introduction of VSU legislation, the UQ Union received \$4,213,648 (2005) and \$2,206,154 (Semester 1, 2006) from its share of the Student Services Levy that was compulsorily charged to students. As a result of the passing of Federal Government legislation in 2005, this compulsory charge was abolished by UQ in 2006. At that time, the UQ Union Student Executive decided that due to the complexity of services offered and the difficulty in determining a fair price, the UQ Union would not financially burden students with a charge to become a member of the Union.

Any revenue shortfall arising from VSU has been made up in increased efficiencies within Union departments, an extra emphasis on the commercial operations of the Union to increase achievable profits, and a management agreement between The University of Queensland and the UQ Union.

The UQ Union is a professionally run, not-for-profit organisation made up of paid staff, office bearers and volunteers. The Union employs over 300 permanent and casual staff with an annual turnover in excess of \$15 million – notably made up of sales income from business trading operations of \$12.7 million, University grants (Management Agreement) of \$1million, rental revenue of \$830,000 and other income producing investments making up the remainder.

The UQ Union's business trading operations include:

- Bakery/Juice Bar
- Second-Hand Bookshop
- Darwin's & Café Evaluation
- Conferences and Functions
- Herston Medical Bookshop
- Herston Club Med Café
- Ipswich Campus Café and Catering
- Main Refectory
- Noodle/Sushi Bar
- Physiology Refectory
- Pizza Café
- Red Room (Student Bar)
- Schonell Theatre

The UQ Union has a solid cash reserve of approximately \$5.6 million and net asset position of \$7.8 million. The UQ Union budgets each year to break even or generate a small surplus.

A Management Agreement between The University of Queensland and the UQ Union was agreed upon on the 10 May 2007, which regulated the occupation of University-owned land and buildings by the UQ Union, defined the basis on which the University will allocate an annual grant to the UQ Union, and the services which will be provided to students by the Union. As such all UQ students are recognised as being entitled to use Union services without charge and are eligible to vote at the annual Union elections.

The University allocated a grant of \$975,000 in 2007 and, subject to compliance with the conditions set out in the Agreement will continue to allocate similar grants, adjusted by the Consumer Price Index, for 2008 and 2009. Grant allocations for 2010 and beyond were agreed upon in 2009. The University has given no indication at this stage of the likelihood of a continuation of this grant in the long term.

In return for this grant, the UQ Union will provide the following services to students:

- Confidential advice, advocacy and support to students on a range of issues including: grievances, student misconduct, student appeals, examination arrangements and conditions, issues of harassment and discrimination.
- Legal services: advice on IP concerns, simple wills and powers of attorney and minor criminal and civil disputes, discipline appeals and residential tenancy agreements.

- St Lucia Campus Safety: joint responsibility with the University for the day to day operating costs of the bus service which has been an integral part of the UniSafe programme.
- An agreed Schedule of Services to UQ Ipswich and UQ Gatton students.
- Welfare services: including crisis and personal support, assistance with accessing and maintaining Centrelink benefits, Austudy, Youth Allowance etc.; advice and assistance in dealing with issues arising from HECS, PELS and Scholarships.
- Student representation on University Boards and Committees
- A basic capacity to support student recreational and cultural activities through clubs and societies.

The UQ Union's strong financial performance has ensured that all services provided by the UQ Union have been maintained at the same levels as were available before the introduction of VSU legislation.

The UQ Union, whilst appreciative of the support it has received from the University of Queensland, recognises that it is not sustainable to continue to receive financial assistance from the University in order to remain a strong and autonomous student run organisation. The UQ Union is in the process of adopting a business model that will ensure that it no longer relies upon fund received from the University.

The UQ Union Executive (the student representatives of President, Secretary and Treasurer) recognises the importance Business Trading has for the continued financial sustainability of the Union post-VSU. As such, the UQ Union has undergone a cultural change of ensuring that particular emphasis is placed upon the business trading aspects of the Union and that efforts are made to increase the viability and profitability of these areas, to fund the student advocacy and representational services.

In order to achieve this aim of financial independence, the UQ Union has undertaken a number of actions:

- 1 In early 2008, the Executive engaged the top-tier financial firm, Ernst & Young to examine the Union's management structure and business operations to identify potential in our business operations and instances of where further synergies and streamlining could be made. Ernst & Young identified a number of strategic decisions that could be made and provided a number of recommendations that could improve the operation of Union businesses.
- 2 In mid 2008, the Executive undertook a major restructure of the Union's management structure. An unnecessary layer of management was removed and an extra department (UQ Union Marketing Department) was established. This allowed the newly installed General Manager to provide leadership to 'on the ground' staff and supervisors within the Union's outlets and established the marketing tools to better advertise the Union's business and representational services.
- 3 The UQ Union has taken steps to improve our operational systems and contain the two major expense components of costs of goods sold and wages. New reports are now being utilised that detail clearly these costs against sales as a percentage. Processes are being implemented to improve cost control (through menu building) and efficiencies across all departments.
- 4 The UQ Union is in the process of applying for a payroll tax exemption. This will save the Union approximately \$350,000 each financial year.
- 5 The UQ Union has increased the amount of available rental space. The UQ Union has recently finalised a rental agreement with Subway that will contribute an additional \$100,000 per annum to the Union's bottom line. There are a number of other spaces that are currently being negotiated on with other interest parties.
- 6 Have introduced Future Funds – whereby a percentage of all business gross profit must go towards keeping the Union active and financially sustainable for many years to come.

7. In January 2009, the UQ Union undertook the process of implementing a \$1.5 million capital and infrastructure program to bring Union outlets up to standard, improve the delivery of commercial services for students, renovate the student bar and refectory, provide more social learning spaces for students and attract further use of our services by students and staff.

The improvement in the efficiency and operational output of the Union's business trading outlets is a direct result of the introduction of Voluntary Student Unionism. Previously, the Union's businesses had no business plan(s), had little idea of exact food costings, employed too many overpaid staff, had a top heavy management structure and most importantly, made net losses.

Quite simply, the UQ Union does not need a Compulsory Student Amenities Fee to continue to service the student body of UQ.

Political

Under VSU the UQ Union is working harder for students, and placing particular emphasis on providing services and events that will appeal to the broader spectrum of students and get them involved in the services, support and representation that we offer. Towards the conclusion of last year, the UQ Union Marketing Department undertook an extensive marketing survey on student's opinions and impressions of the UQ Union. The overwhelming response from the majority of the several hundred respondents was that the UQ Union was "too political" and "wasted too much money carrying on about their own causes".

Therefore rather than funding expensive and divisive political campaigns, such as the \$10,000 that was spent by the Education Rights Officer in 2005 on "Anti-Howard" T-shirts for a campaign that attracted less than 11 people, or spending thousands of dollars sending student representatives to protest the Woomera Detention Centre, the UQ Union is using those same resources to invest in new ways to achieve its aim of broader service delivery.

With the money we have saved from not splurging it on overtly biased political campaigns, we have been able to:

- Reintroduce a Clubs and Societies grant that was abolished by previous anti-VSU UQ Union Executives to highlight the supposed impact VSU had upon the UQ Union in an attempt to further their own political agenda. We have been able to completely revitalise Clubs and Societies on campus through the reintroduction of this grant and through an understanding that Clubs and Societies form the backbone of campus culture at UQ. By ending the wasteful political spending of the past, we have been able to give Clubs and Societies the support that they need. By funding Clubs and Societies it allows students have more control over how Union money is spent, empowering students to ensure they get what they actually want. In the past years we have been able to consistently increase the funds available for grants, ensuring that Clubs and Societies can continue to grow and that new Clubs and Societies can be established. This has also lead to greater relevance and engagement with the student population, and we have since seen dramatic (several hundred percent) increases in voter turnout for Union elections.
- We have also been able to increase funding and support for:
 - College students,
 - International students
 - Activities Department, and
 - UQ's outer campuses – Ipswich, Gatton, Turbot Street and the Herston Medical School

The UQ Union takes the view in terms of political campaigning, that it is more important to seek to resolve the issues that impact daily upon the lives of students at a local level at University, than it is to go out and seek to save the world. Of a student body of approximately 40,000 students, political campaigns only at best attracted less than 100 people or 0.3% of the student population. The UQ Union regards this as an ineffective use of scarce resources and no longer funds political campaigns of any nature.

The UQ Union therefore supports the proposal that no money raised from the introduction of a Compulsory Student Amenities Fee be used for political campaigning. We however recognise that this is an almost impossible objective to achieve. It is abundantly clear that it is very hard to define what a political campaign is and what control mechanisms can be put in place to ensure student organisations do not participate in political campaigns using student funds collected from the Compulsory Student Amenities Fee.

Example:

The University of Queensland Union is of the opinion that the current level of Income Support given to students through government assistance programs such as Youth Allowance, Austudy etc. are inadequate in addressing student poverty. The Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009 makes it very clear, that the UQ Union is unable to use the money collected from the Compulsory Student Amenities Fee for the purposes of political campaigning.

One could interpret this a number of ways:

The process of lobbying the Federal Government (be it through petitions, rallies, protests, speak outs, meetings etc.) to make changes to the current level of Income Support amounts to political campaigning and therefore the UQ Union is unable to use the fee to fund this campaign. Similarly, this would make it illegal for the UQ Union to use money collected from the Compulsory Student Amenities Fee to pay National Union of Students affiliation fees, as they too undertake political campaigns with that money.

The process of lobbying the Federal Government is within the UQ Union's parameters as the representational organisation for the students of UQ and it is not a political campaign as it is representing the concerns of its students. Additionally, one could argue Income Support is a welfare issue not a political one and therefore any measure to lobby government can be subsidised using the fee.

The UQ Union therefore proposes that the only logical step to ensure that political campaigning is not financed using student funds, is to legislate that any campaign that ultimately involves a government decision should not be subsidised using the Compulsory Student Amenities Fee. The UQ Union does not believe that in a free society that students should be forced to subsidise the cost of political campaigns of a chosen few.

In addition to this, the UQ Union proposes that it be legislated that student organisations are not allowed to use the Compulsory Student Amenities Fee towards any National Union of Students campaign or affiliation as this would contravene the Federal Government's legislation against funding political campaigns.

Sports

The UQ Union believes that the provision for sporting facilities on campus is not a welfare issue that affects the educational development of students and as such, should not be included within the provision of services that would come under a Compulsory Student Amenities Fee. Having sporting facilities available and accessible on campus is not regarded as a necessity. Sporting organisations such as the UQ Sport (which is a separate organisation to the UQ Union and operates all of the University's sporting facilities) should have to operate like every other community sporting club in the wider community and be dependent upon on voluntary fees and perhaps some government funding. In the same vein, the UQ Union has recently developed the highly successful UQ Interfaculty Competition. This user pay system means that UQ students who wish to enter into interfaculty sporting competitions may do so at little cost to themselves, and at no cost to students who do not wish to participate.

The UQ Union also finds no substance in the comments made by some Federal Senators that the provision for free sporting facilities, especially on regional campuses impacts upon the development of these students as productive

members of society. The UQ Union does not support the idea that the student body should have to subsidise the gym membership or sporting activities of a chosen few.

If it is the case with services (such as sporting facilities) that sufficient private funding cannot be found, then given that the University directly utilises the provision of these services for its marketing campaign to lure international and domestic students – then the University itself should be strongly encouraged to directly contribute to these services.

Equity

The UQ Union has coverage across the 5 campuses which UQ operate from. These include:

- 1 **St Lucia** – main campus for over 30,000 students. All UQ and UQ Union services are available at this campus
- 2 **Ipswich** – satellite campus approximately 60 kilometres west of St Lucia and has a student population of approximately 1,400. Has significantly reduced UQ and UQ Union services available.
- 3 **Gatton** – satellite campus approximately 110 kilometres west of St Lucia and has a student population of approximately 2,000 (75% external). Has significantly reduced UQ and UQ Union services available.
- 4 **Turbot Street** – School of Dentistry located in Brisbane CBD and has a student population of a couple of hundred. Has no available UQ Union services on campus (except providing funding for the student representative that represents the campus) and reduced UQ services.
- 5 **Herston School of Medicine** – School of Medicine located next to the Royal Brisbane Hospital and again has a student population of a couple of hundred. A UQ Union café and Medical Bookshop operate from this campus but no student support services.

It is clear that the level of student services is dependent upon the campus and the number of students on that campus. In terms of equity for all students, the UQ Union firmly believes that external and part-time students, as well as those students who undertake studies at satellite campuses, should not be unfairly forced to subsidise the services of full-time students at St Lucia, where services are more varied and far more accessible.

Given the significant proportion of external students and students who undertake students on campuses away from core University and UQ Union student services, it is reasonable to suggest that these students would infrequently use, or have the opportunity to use, the services covered under the Compulsory Student Amenities Fee. **As such, the UQ Union opposes external, part-time and satellite campus students having to pay the full \$250 amount when their ability to utilise these services is significantly diminished.**

Non-UQ Union Provided Services

There are a number of operators of student services at the University of Queensland. The University itself provides a Student Support centre and a Healthcare service on the 3 major campuses of St Lucia, Ipswich and Gatton. There is also 4 childcare centres that operator exclusively on the St Lucia campus, 3 of which are privately run and the remainder is run by a not-for-profit Parents and Friends Committee. The UQ Union opposes the provision of these services being subsidised under a Compulsory Amenities Fee for a number of reasons.

The Student Support Centre is operated and financed by the University of Queensland. The Student Support Centre provides counselling, financial and disability advice etc. The Centre never received any funding under the pre-VSU system of a Compulsory Student Services Levy and was completed financed by the University of Queensland as they believed it provided a necessary service for students and improved the amenity of the campus. The Centre does not charge students to use its services and has not had to take over any services from the UQ Union because of VSU.

The same is the case of the University run Healthcare Service. The Healthcare service is operated and financed by the University of Queensland. The Service provides all the normal medical advice that you would expect from any other community medical centre. The Healthcare Service never received any funding under the pre-VSU system of

a Compulsory Student Services Levy and was completely financed by the University of Queensland as they believed it provided a necessary service for students and improved the amenity of the campus. The service is open to all students and staff and students are able to bulk bill the costs of their appointment. The provision for this service has not been impacted upon by the introduction of VSU.

The provision for these services are already financed through students' tuition fees and the University would only unfairly profiteer if UQ students were compelled to further subsidise these services through a Compulsory Student Amenities Fee. In addition to this as outlined earlier, there are a number of satellite campuses in which these services are not available to them. It is unfair to expect that these students should have to pay the same fee amount as those students who have a higher propensity to use or access student services.

The UQ Union strongly opposes any Childcare service being subsidised by a Compulsory Student Amenities Fee. At the University of Queensland, 3 childcare providers are privately run and the final provider is operated by a not-for-profit Parents and Friends Committee. The University allows childcare providers to operate on campus rent free to reduce their operational overheads and thus, reduce their childcare rates. This is so because the University uses cheaper and accessible childcare on campus as a major recruitment tool for new staff and is part of the University's commitment to employees under their Enterprise Bargaining Agreement with University staff.

UQ students receive no discounted childcare and must compete with University staff and community for spaces in childcare centres on campus. The current waiting list for childcare at the St Lucia campus is a number of years. It is completely unfair to expect the majority of childless students at the University of Queensland to subsidise the childcare of wealthier University staff and additionally be expected to receive no discount or priority admission into the childcare should the student have a child.

Furthermore, childcare industry is one of the most heavily subsidised industries by the Australian Government. Students through their taxpayer dollars, already heavily subsidise childcare within the wider community. It is completely absurd to then expect these students to again subsidise childcare on campus when they are the least likely to have children of their own.

Financial Burden

The UQ Union does not support the Federal Government's statement that the implementation of the SA-HELP scheme will ease the financial burden that students currently face, when it intends to increase the levels of student debt in a time of economic meltdown. The total increase on student's FEE-HELP debts will be \$750 on a minimum 3 year course plus the accumulative interest that is placed upon FEE-HELP debts.

Furthermore, the proposed Compulsory Student Amenities Fee is a regressive form of taxation that does not take into account the different income levels of students or a student's ability to use those services. Ultimately, students should have the choice whether they wish to fund student services and should have the choice whether they wish to have those services deferred upon their FEE-HELP debt through the SA-HELP scheme. The UQ Union does not support students being made financially worse off for services that they may not use nor support.

Conclusion

The UQ Union categorically opposes any change being made to the current Voluntary Student Unionism legislation. We firmly believe that it would be financially inefficient and unfair for all students to be slugged with a Compulsory Student Amenities Fee – regardless of whether this fee is deferred or charged up front.

The UQ Union does not support the notion that students should have to compulsorily subsidise student services that are already provided through our tuition fees or identical services that can be found outside of Universities and are already heavily subsidised by taxpayers. Similarly, the UQ Union does not support the notion that students should have to be bound to fund a body to represent them. Whilst the legislation makes it illegal to compulsorily bind students to join a student organisation, it does bind them to compulsory fund that student organisation to provide representation on their behalf.

The UQ Union considers this sort of mechanism not only a threat on the improvements in efficiency, accountability and responsiveness we have made for UQ students but also, on the ability of students to freely choose the organisation that they wish to associate with and support. This legislation is nothing more than a return to Compulsory Student Unionism by stealth and deception.

It is clear from the submission provided, that the University of Queensland and the UQ Union do not need the financial assistance provided by a Compulsory Student Amenities. Our two organisations have been able to maintain the same high level of student services as those provided before VSU without the need for a compulsory fee.

The UQ Union calls upon Federal Senators to maintain the current VSU legislation and vote down the Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2010.