

EDUCATION, SCIENCE AND TRAINING

SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE 2005-2006 BUDGET ESTIMATES HEARING

Outcome: 2

Output Group: 2.4 - Funding for Higher Education

DEST Question No. E385_06

Senator Carr provided in writing.

Question:

- a) What financial and staff resources were used in drafting, and preparing for drafting, the legislation to add Melbourne University Private (MUPL) to Table B of HESA? Please provide details with respect to both the attempt in 2004 and in 2005.
- b) What resources and how much DEST staff time went into preparing for and participating in the Senate Committee inquiry into the 2004 bill that sought to add MUPL to Table B of HESA? What was the cost of all DEST staff travel and related costs associated with that inquiry? Please provide details of all costs incurred by DEST in association with the inquiry.
- c) Please provide information on all costs incurred by DEST in consulting with MUPL and/or the University of Melbourne about MUPL's access to direct and indirect Commonwealth funding and subsidies, including, separately identified, any travel and related costs incurred in bringing MUPL and/or University of Melbourne representatives to Canberra.
- d) Please provide a report on the status of all current consultancy contracts between DEST and MUPL, including payments made to date and payments outstanding, and a progress report on the completion of each contract. What arrangements will now be made, after the announcement that MUPL is to be closed down, for the completion of these contracts? Will the contracts be transferred to the University of Melbourne? Please quote, and provide precise reference to, the relevant clauses in the current contracts with MUPL that allow such a transfer to take place. If the contracts are not to be transferred to the University of Melbourne, please inform the Committee to which entity or company they will each be transferred and under what formal process that will occur.
- e) Please provide copies of all correspondence between MUPL and/or the University of Melbourne and DEST, and MUPL and/or the University of Melbourne with the Minister, regarding the closure of MUPL by the University of Melbourne.

Answer:

Melbourne University Private

- a) The legislation for the listing of Melbourne University Private to Table B was drafted by the Office of Parliamentary Counsel. Limited Department time was required.
- b) One Department officer was involved for three days in preparing the Department's Submission to the Senate Committee inquiry. Two Departmental officers traveled to Melbourne for the inquiry – the cost incurred in this was \$1,443.62.

- c) The Department consulted with MUP several times to discuss the Table B listing. There were no travel or related costs incurred by the Department.
- d) The Department has one current consultancy contract with MUP. This is the *Boys Education Lighthouse Schools* Project. Detailed information on this project forms part of the response to Question No. E295_06. There is no clause in the consultancy contract which states specifically that the contract may be transferred from MUP to another provider. However, a specific clause is unnecessary. At general law, a contract may be transferred to another party so long as the original parties and the new party (in this case, MUP, the Department and the University of Melbourne) all agree to this. This is what is legally termed a “novation”.
- e) The Vice-Chancellor of the University of Melbourne, Professor Glyn Davis, wrote to Dr Nelson on 7 June 2005 and indicated that the University’s Council had approved a recommendation that the activities of MUP be merged into the University of Melbourne. The letter is attached.