

EDUCATION, SCIENCE AND TRAINING

SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE 2007-2008 BUDGET ESTIMATES HEARING

Outcome 2 - HIGHER EDUCATION

DEST Question No. E133_08

Senator Stott Despoja provided in writing.

Question:

What penalties are anticipated if universities fail to meet these requirements? (to receive a three year CGS agreement)

Answer:

Commonwealth Grant Scheme

Higher education providers may be subject to penalties specified in the *Higher Education Support Act 2003* (HESA).

In relation to governance, providers that do not comply with the National Governance Protocols (and the Higher Education Workplace Relations Requirements) specified in the Commonwealth Grant Scheme Guidelines will have their basic grant amount for a year reduced under section 33-17 of HESA.

If a provider breaches any condition of grants under Part 2-2, 2-3 or 2-4 of HESA, the Minister may determine that the provider's grant is to be reduced or repaid in accordance with division 54 of HESA.

The Minister must follow the process specified in division 60 of HESA. The Minister may also revoke a body's approval as a higher education provider under section 22-15 of HESA if the Minister is satisfied that the body has either breached a condition of grant under Part 2-2, 2-3 or 2-4 of HESA, or breached a quality and accountability requirement. The Minister must follow the process specified in subdivision 22-C of HESA.