



AUSTRALIAN SENATE

**STANDING COMMITTEE ON EMPLOYMENT, WORKPLACE  
RELATIONS AND EDUCATION**

**Budget Estimates 2007/08  
May 2007**

**Tabled Documents**

**Education, Science and Training**

**30 May 2007**

- Senator Carr — Advice from the Clerk of the Senate
- IRSG — Table of university facility maintenance backlogs

**31 May 2007**

- Schools Group — table of written submission received
- International Education — Enforcement monitoring activities and the ESOS Act.

**From:** Evans, Harry (SEN)  
**Sent:** Wednesday, 30 May 2007 9:46 AM  
**To:** Carr, Kim (Senator)  
**Subject:** Estimates Hearings - Scope of Questioning

hl.let.15459  
30 May 2007

Senator K. Carr  
The Senate  
Parliament House  
CANBERRA ACT 2600



Dear Senator Carr

**ESTIMATES HEARINGS  
SCOPE OF QUESTIONING**

You asked for a note on the suggestion that questions in estimates hearings cannot be asked about past activities of departments and agencies.

The resolution of the Senate of November 1999, which is referred to in chairs' opening statements, declares that all questions going to the operations and financial positions of departments and agencies are relevant questions in estimates hearings. The resolution does not confine questions to *current* operations. If the Senate had then intended to confine questions to current operations it would have done so by explicit terms in the resolution. Obviously past activities of departments and agencies can illuminate current activities.

I add that there is nothing in the rules of the Senate to prevent questions being asked about the nature of current legal proceedings and the matters in issue in those proceedings.

A claim by a witness that information should not be provided because it is normally confidential elsewhere should be considered by the committee as a claim of public interest immunity, that is, whether any harm to a public interest is a likely consequence of the provision of the information. It is not a matter for a ruling by the chair.

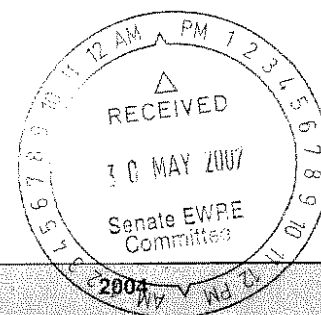
Please let me know if I can be of any further assistance in this matter.

Yours sincerely

**Harry Evans**  
**Clerk of the Senate**

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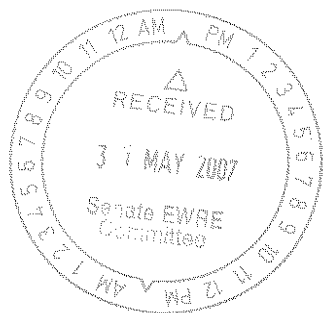
**FACILITIES MAINTENANCE BACKLOG  
2005**  
(Estimated Deferred Maintenance as  
a percentage of capital replacement value)



University	2005			2004		
	Deferred Maint (\$m)	CRV (\$m)	Backlog (%)	Deferred Maint (\$m)	CRV (\$m)	Backlog (%)
USYD	0.0	2,268.8	0.0%	0.0	2,312.9	0.0%
UWS	0.0	676.6	0.0%	3.9	634.3	0.6%
Southern Cross	0.3	202.8	0.1%	0.3	0.0	NA
USA	2.5	738.2	0.3%	2.5	527.3	0.5%
AMC	0.5	100.0	0.5%	0.6	89.8	0.7%
ECU	3.0	500.8	0.6%	3.0	453.7	0.7%
Deakin	3.7	598.9	0.6%	3.7	598.9	0.6%
Sunshine Coast	0.7	100.9	0.7%	0.4	91.7	0.4%
Newcastle	9.0	1,254.4	0.7%	9.1	786.9	1.2%
JCU	5.0	642.1	0.8%	5.0	594.0	0.8%
Flinders	3.0	307.0	1.0%	3.0	322.0	0.9%
ACU	3.0	282.0	1.1%	7.0	282.0	2.5%
Griffith	10.1	907.8	1.1%	7.1	811.9	0.9%
Curtin	11.6	1,027.8	1.1%	11.4	598.0	1.9%
Wollongong	8.5	717.7	1.2%	4.6	632.9	0.7%
La Trobe	7.5	600.0	1.3%	7.3	587.0	1.2%
USQ	3.0	225.1	1.3%	3.3	347.4	0.9%
UTS	21.0	1,258.5	1.7%	21.0	1,256.2	1.7%
NTU	3.9	221.4	1.8%	4.0	265.2	1.5%
Monash	32.6	1,643.3	2.0%	31.0	1,550.4	2.0%
Charles Sturt	15.0	741.5	2.0%	14.0	492.2	2.8%
UTAS	12.7	604.5	2.1%	11.4	594.4	1.9%
Swinburne	7.3	322.4	2.3%	8.3	273.8	3.0%
VUT	16.7	614.0	2.7%	18.1	405.9	4.5%
Macquarie	22.2	760.0	2.9%	22.0	759.8	2.9%
UQ	58.0	1,700.0	3.4%	85.0	1,200.0	7.1%
Ballarat	13.2	378.3	3.5%	14.3	324.9	4.4%
UWA	53.6	1,333.1	4.0%	50.6	621.9	8.1%
QUT	33.5	767.6	4.4%	13.3	552.9	2.4%
Murdoch	18.0	299.5	6.0%	19.4	180.6	10.8%
Melbourne	150.0	1,830.0	8.2%	250.0	1,303.2	19.2%
UC	29.6	308.4	9.6%	0.3	303.4	0.1%
UNE	35.6	359.8	9.9%	33.9	349.3	9.7%
RMIT	128.0	976.5	13.1%	126.2	948.3	13.3%
UNSW	191.0	1,356.4	14.1%	213.0	1,192.6	17.9%
Adelaide	115.0	770.0	14.9%	72.0	650.0	11.1%
ANU	435.0	2,907.4	15.0%	0.0	1,484.0	0.0%
CQU	53.6	229.4	23.4%	42.2	273.4	15.4%
Batchelor	0.0	0.0	NA	0.2	45.0	0.4%
Notre Dame	0.0	0.0	NA	0.0	0.0	NA
<b>All Institutions</b>	<b>1,516.7</b>	<b>29,791.4</b>	<b>5.1%</b>	<b>1,122.4</b>	<b>22,721.8</b>	<b>4.9%</b>

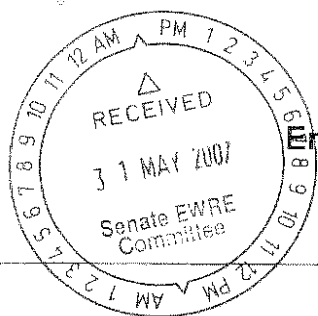
Full CAMP's have not been supplied for:  
Notre Dame, Batchelor 2005 and Southern Cross 2004

Less than 3% is considered acceptable



The Department received written submissions:

<b>Organisation</b>
Christian Schools Australia
William Carey Christian School
Australian Association of Christian Schools
The King's School
Wauchope Branch of Country Labor
Adventist Schools Australia
Lutheran Education Australia
Association of Independent Schools Northern Territory
Eltham College of Education
Independent Schools Queensland
Bold Park Community School
Australian Coordinating Committee of Jewish Day Schools
Association of Independent Schools of Victoria
Australian Network of Anglican Schools
Independent Schools Council of Australia
Association of Independent Schools of Western Australia
Association of Independent Schools of South Australia
Independent Education Union of Australia
Council of Catholic School Parents
Australian Parents Council



**Enforcement and Monitoring Activities under the ESOS Act**  
2006-2007 (to 16 May 2007)

Monitoring or Enforcement Power				Total
<b>Monitoring Action</b>				
<u>Visits</u>				
Monitoring visit (with consent)				52
Monitoring visit (under warrant)				0
<u>Requests for Information</u>				
Compulsory information request <sup>1</sup>				7
Action on Provider Registration	Breach of Act	Breach of Code <sup>2</sup>	Breach of Both <sup>3</sup>	Total
<u>Notice of Intention to act on registration</u> <sup>4</sup>				
o Suspension	3	1	1	5
o Cancellation	2	1	0	3
o Condition	1	0	1	2
o two or more of the above	1	0	2	3
<u>Action imposed on registration</u> <sup>5</sup>				
o suspension	1	0	1	2
o cancellation	2	1	0	3
o condition	1	0	0	1
o automatic suspension <sup>6</sup>	0	NA	NA	0
o automatic suspension - ARC <sup>7</sup>	21	NA	NA	21
<b>TOTAL OF MONITORING AND ENFORCEMENT ACTIONS</b>				<b>99</b>

<sup>1</sup> Issuance of a Production Notice under s 113 of the ESOS Act

<sup>2</sup> National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (the National Code)

<sup>3</sup> Breaches of the Act and the National Code

<sup>4</sup> Issuance of a Notice of Intention under s 93 of the ESOS Act

<sup>5</sup> Sanctions are issued under s 83 of the Act; removal of sanctions is under s 94 of the ESOS Act

<sup>6</sup> Failure to pay annual ESOS Assurance Fund contribution.

<sup>7</sup> Failure to pay Annual Registration Charge (ARC) – s 90(1)(b) in effect from 1 January 2007, following amendments to the Act. Suspension on 6 providers were removed after they paid the ARC.

**Suspensions, Cancellations and Conditions  
Imposed under section 83  
for breaches of the ESOS Act and/or the National Code**

2006-2007 (to 16 May 2007)

Offence	Suspension	Cancellation	Conditions
Breach of ESOS Act	1	2	1
Breach of National Code	0	0	0
Breach of ESOS Act and National Code	1	1	0
<b>Total</b>	<b>2</b>	<b>3</b>	<b>1</b>

**SUSPENSION of Registration**

Provider	State	Date
Southern Cross International College Pty Ltd	NSW	28/8/06
C&K Enterprises Pty Ltd	NSW	22/02/07

**CANCELLATION of Registration**

Provider	State	Date
Ehle Australia Pty Ltd	QLD	18/12/06
Alpha Beta College Pty Ltd	NSW	13/3/07
Air Training Centre	QLD	12/4/07

**CONDITIONS of Registration**

Provider	State	Date
Atozed International Pty Ltd	NSW	6/3/07

**Total Suspensions, Cancellations and Conditions  
2006-2007 (to 16 May 2007)**

This table sets out the number of providers who have:

- had conditions imposed on their registration;
- been suspended from CRICOS; or
- been cancelled from CRICOS

both under the ESOS Act and on the advice of States and Territory authorities in 2006-2007 (to 16 May 2007).

State	Conditions under ESOS	Suspended by State	Suspended under ESOS	Cancelled by State	Cancelled under ESOS	Total
ACT	0	0	0	2	0	2
NSW	1	2	2	16	2	23
QLD	0	0	0	14	1	15
SA	0	0	0	1	0	1
TAS	0	0	0	4	0	4
VIC	0	9	0	14	0	23
WA	0	0	0	5	0	5
NT	0	0	0	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>11</b>	<b>2</b>	<b>56</b>	<b>3</b>	<b>73</b>

Providers may be suspended or cancelled by State and Territory authorities for a variety of reasons. The majority have sought cancellation as a result of their decision to leave the industry.