

Senate Standing Committee on Education, Employment and Workplace Relations

**QUESTIONS ON NOTICE
Budget Estimates 2010-11**

Outcome 2

DEEWR Question No. EW0392_11 (Draft number: SQ10-001373)

Senator Mason asked on 03/06/2010, Hansard page 96.

Question

Senator MASON—Your answer to my question on notice implies that the Commonwealth can seek to recover money and have it repaid by the block grant authorities for failure to meet requirements, but not the states and territories because there is no specific clause about recovering money. Can you confirm that your only power over the states and territories is to suspend or withhold money; that there is no equivalent clause to the block grant authorities that the Commonwealth can seek to have money repaid by states and by territories?

Answer

The Commonwealth has the authority to require repayment of Building the Education Revolution (BER) funds in both the *Bilateral Agreement on the Nation Building and Jobs Plan* (Clause 5.4.1 (b)) and the Funding Agreement with the Block Grant Authorities (BGA).