



**Australian Government**

**Department of Education, Employment and Workplace Relations**

Our Ref ES09/03541

Mr John Carter  
Committee Secretary  
Senate Education, Employment and Workplace Relations Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Mr Carter

**Inquiry into the Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009**

I am pleased to provide a submission from the Department of Education, Employment and Workplace Relations, containing supporting documents to assist in the Inquiry into the *Higher Education Legislation Amendment (Student Services and Amenities, and Other Measures) Bill 2009* (the Bill).

On 17 February 2008, the Minister for Youth, the Hon Kate Ellis MP released a discussion paper entitled 'The Impact of Voluntary Student Unionism on Services, Amenities and Representation for Australian University Students', which sought the views of higher education stakeholders on the impact of voluntary student unionism on student services, amenities and representation, and also sought to elicit details about sustainable models for service provision. A copy of the discussion paper is at [Attachment A](#).

The Department received 162 submissions from a broad range of interested parties including: higher education peak bodies, universities, student associations, regional organisations, sporting managers and centres, youth groups and individuals. A summary of submissions is at [Attachment B](#).

On 3 November 2008, the Minister for Youth announced the Government's initiatives to restore student services and amenities, representation and advocacy at Australian universities. A copy of the Minister's media release is at [Attachment C](#).

The Bill would amend the Higher Education Support Act 2003 (the Act) to enable higher education providers to charge a services and amenities fee from 1 July 2009 and to provide for an income contingent loan for the fee for eligible students to be known as SA-HELP. The Bill would prohibit the expenditure of the student services and amenities fee by higher education providers to support a political party, or election of a person as a member of the legislature of the Commonwealth, a State or Territory or to a local government body. Higher education providers would be able to spend the fees only for purposes specified in the Student Services and Amenities Fee Guidelines to be made under the proposed amended provisions of the Act.

The Bill would not alter the prohibition in the Act on a higher education provider requiring a person to be a member of a student organisation.



The Bill would allow for Student Services, Amenities, Representation and Advocacy Guidelines. These Guidelines would describe the requirements for providing students with information on and access to support services of a non academic nature and those relating to student representation and advocacy of students' interests.

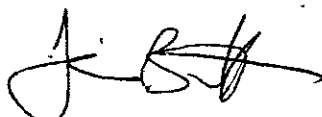
These requirements would be a condition of funding under the Commonwealth Grant Scheme for 2010 onwards. The Commonwealth Grant Scheme provides funding for student places. The proposed content of the Student Services and Amenities Fee Guidelines in relation to the purposes for which a higher education provider may use the student services and amenities fee and proposed content of the Student Services, Amenities and Representation and Advocacy Guidelines have been released by the Minister for Youth and circulated to higher education stakeholders for comment. Copies are at Attachment D.

The Bill also amends the Act to ensure that the role and contribution of Tertiary Admission Centres in the Australian Higher Education system are recognised in the legislation. In particular, the Bill amends the Act to give TACs the same status, and duty of care, as Officers of a Higher Education Provider or VET provider regarding the processing of students' personal information. This will ensure that student information may be shared between the Department, higher education providers, VET providers, and TACs as appropriate and be governed by the appropriate privacy safeguards.

The VET FEE-HELP Assistance Scheme (the Scheme) was introduced in the Act in 2007, and provides income contingent loans to assist eligible full fee-paying students undertaking certain VET courses of study (diploma, advanced diploma, graduate certificate and graduate diploma courses) with an approved provider under the Scheme, to pay for all or part of their tuition costs. The first students eligible under the Scheme have recently commenced. The Bill would amend the Act to introduce provisions allowing certain loan fees and credit transfer requirements applicable under the Scheme to be specified in the Guidelines that currently support the program.

Specifically, the Bill would provide for a reduced VET FEE-HELP debt less than the 120 per cent of the loan identified currently in the Act, and allow different arrangements to apply to different student cohorts in relation to the Scheme's credit transfer requirements. These amendments are aimed at broadening the range of diploma and advanced diploma courses eligible under the Scheme, and increasing the number of students that can access VET FEE-HELP assistance.

Yours sincerely



Fiona Buffinton  
Group Manager  
Higher Education Group

19 February 2009