

1981

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

BILL FOR AN ACT TO AMEND THE
AUSTRALIAN NATIONAL UNIVERSITY ACT 1946

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Education
the Hon. Wal. Fife)

Australian National University Amendment Bill (No.2) 1981

OUTLINE

This Bill amends the Australian National University Act 1946 to provide for the limited reintroduction of tuition fees at the University. There is parallel provision in the States Grants (Tertiary Education Assistance) Bill for the reintroduction of tuition fees in universities and colleges of advanced education in the States, and the provisions of this Bill follow the same general approach.

The Bill empowers the Minister to make determinations with respect to such matters as the categories of students liable to pay tuition fees, exemptions, the situation of overseas students, and the level of fees to be charged. Statistical information with respect to student enrolments and fees chargeable is to be provided by the University. The Bill empowers the University Council to make statutes with respect to tuition fees.

In addition to this primary purpose, the Bill includes two minor amendments to the Act requested by the University. These cover the election of undergraduate and postgraduate representatives to the University Council and the granting of status and exemptions to students and other persons in respect of courses and qualifications at the University.

Clause 3

This clause amends section 11 (k) and (l) of the University Act to clarify the distinction between undergraduate and postgraduate students in the election of student representatives to the Council of the University. A number of postgraduate courses at the University such as the Bachelor of Letters, Legal Workshop, Master's Qualifying and Graduate Diploma are not recognized by the present terms of the Act for the purpose of electing a representative of postgraduate students, and this amendment will clarify the situation.

Clause 4

This clause amends section 27 of the Act to give the University power to grant status, in connection with qualifications of the University, to students and other persons who may have undertaken courses at other institutions. The present power to grant status is restricted to students from other universities so that, for example, courses undertaken in colleges of advanced education are not recognized for this purpose. There is also at present no power in the Act to grant exemptions from courses in appropriate circumstances and this amendment would allow the University to grant such exemptions.

The clause also amends section 27 to empower the University Council to make statutes in respect of the imposition of tuition fees on the categories of students, and at the rates, specified in the Minister's determination. This power is necessary to enable Fees Rules to be made by the University covering the administration of tuition fees.

Clause 5

The purpose of this clause is to enable the Minister to make determinations in respect of the imposition of tuition fees that would specify such matters as the categories of students liable to pay tuition fees, exemptions, the situation of overseas students and the level of fees to be charged. A limit of \$1,000 per annum is set in respect of the level of fees that the Minister may determine. The Minister may require the Council of the University to supply statistical and other information at a specified time in relation to student enrolments and tuition fees paid or payable. The exclusions from such a determination made by the Minister include students who do not hold a degree or diploma awarded by an Australian institution, students who enrolled and took up a course before 1 January 1982, overseas students who already are required to pay charges imposed by the Overseas Students Charge Act 1979 and sponsored overseas students whose liability is discharged by section 7 of the Overseas Students Charge Collection Act 1979. Determinations made by the Minister are to be published in the Gazette and take effect on the date of publication or on a date specified in the determination. While such a determination is in force, the University Council is required to charge tuition fees of the categories of students specified in the determination as having an obligation to pay tuition fees.

Clause 6

This clause amends section 29 of the Act which states that fees are not payable to the University except as provided by Statutes made under section 27 (1) (o) of the Act. Statutes at present made by the University Council cover other types of fees such as those for student amenities and services, residential accommodation, and non-award courses. This amendment will remove the present exclusion of tuition fees and specify that tuition fees can only be charged as provided by the Minister's determination made under section 28A.

