



Queensland

Education (Capital Assistance) Regulation 2005

Subordinate Legislation 2005 No. 4

made under the

Education (Capital Assistance) Act 1993

Contents

		Page
1	Short title	3
2	Commencement	3
3	Definitions	3
4	Prescribed day to notify schools of relevant dates—Act, s 12A . .	3
5	Application for capital assistance—Act, s 15	3
6	Relevant day if CAA does not notify day under the Act, s 12A— Act, s 15	4
7	Assessment of application by CAA—Act, ss 16 and 19	4
8	Prescribed day for submission of recommendation for capital assistance—Act, s 16	4
9	Prescribed day for provision of return by CAA—Act, s 24	4
10	Repeal	4
Schedule	Criteria for assessment of applications for capital assistance and review	5
Part 1	Capital assistance scheme	
1	Application—capital assistance scheme	5
Part 2	External infrastructure subsidy scheme	
2	Application—external infrastructure subsidy scheme	6
Part 3	Cooler schools subsidy program	
3	Application—cooler schools subsidy program	6

Part 4	Information and communication technologies infrastructure capital assistance scheme	
4	Application—information and communication technologies infrastructure capital assistance scheme	7
5	Certain criteria may have limited bearing	8

1 Short title

This regulation may be cited as the *Education (Capital Assistance) Regulation 2005*.

2 Commencement

This regulation commences on 11 February 2005.

3 Definitions

In this regulation—

applicant school means the school or schools for which an application mentioned in section 4 of the schedule is made.

ICT infrastructure means information and communication technologies infrastructure.

Ministerial guideline means a guideline in force under section 24B of the Act.

4 Prescribed day to notify schools of relevant dates—Act, s 12A

- (1) For section 12A(2)(a) of the Act, the prescribed day for a year is 1 October in the previous year.
- (2) However, for 2005, the prescribed day is 31 March 2005.

5 Application for capital assistance—Act, s 15

For section 15(5) of the Act, an application by an approved authority of an eligible non-State school for capital assistance must contain, or be accompanied by, the following information—

- (a) the school's name and address;
- (b) a description of the proposed project identifying the major facilities to be provided;
- (c) the purpose for which the facilities will be used;
- (d) the estimated total project cost;
- (e) the amount of capital assistance sought;

- (f) other proposed sources of funding for the project, including any Commonwealth grants that have been approved or applied for;
- (g) the year the facilities are needed.

6 Relevant day if CAA does not notify day under the Act, s 12A—Act, s 15

For section 15(6) of the Act, definition *relevant day*, paragraph (b), the prescribed day is 31 March in the relevant year.

7 Assessment of application by CAA—Act, ss 16 and 19

For sections 16(1)(a) and 19(1)(a) of the Act, the criteria stated in the schedule are the criteria to which a CAA must have regard in assessing an application from an approved authority of an eligible non-State school for—

- (a) capital assistance; or
- (b) a review of a decision to grant capital assistance.

8 Prescribed day for submission of recommendation for capital assistance—Act, s 16

For section 16(2) of the Act, the prescribed day is 30 September in the relevant year.

9 Prescribed day for provision of return by CAA—Act, s 24

For section 24(1) of the Act, the prescribed day for each year is 30 June.

10 Repeal

The Education (Capital Assistance) Regulation 1994 SL No. 48 is repealed.

Schedule

Criteria for assessment of applications for capital assistance and review

section 7

Part 1

Capital assistance scheme

1 Application—capital assistance scheme

For an application about assistance under a scheme referred to in a Ministerial guideline and known as the capital assistance scheme, the criteria are—

- (a) the condition and extent of the school's existing facilities; and
- (b) the facilities that are, or are likely to be, needed to provide the school's curriculum, or proposed curriculum; and
- (c) how many students attend the school in the year of application; and
- (d) how many students are expected to attend the school in the 2 years after the year of application; and
- (e) the characteristics of the students who attend, or are expected to attend, the school, including, for example, the ages of the students, and whether they have particular needs because of disabilities or a requirement for special learning support; and
- (f) the school's financial position; and
- (g) the school community's capacity to generate financial resources for capital projects, including, for example, through donations, fundraising and payment of fees; and
- (h) whether the school is in a remote area of the State; and
- (i) the extent to which the school provides boarding places for students from remote areas of the State.

Schedule (continued)

Part 2 External infrastructure subsidy scheme**2 Application—external infrastructure subsidy scheme**

For an application about assistance under a scheme referred to in a Ministerial guideline and known as the external infrastructure subsidy scheme, the criteria are whether—

- (a) the assistance is for work or a payment required by the local government for a school as part of the local government's approval of a capital project at the school; and
- (b) the work or payment meets the requirements in the guideline.

Part 3 Cooler schools subsidy program**3 Application—cooler schools subsidy program**

- (1) For a cooler schools application, the criteria are—
 - (a) the condition and extent of the school's existing cooling systems; and
 - (b) the cooling systems that are, or are likely to be, needed to assist effective provision of the school's curriculum, or proposed curriculum; and
 - (c) how many students attend the school in the year of application; and
 - (d) how many students are expected to attend the school in the 2 years after the year of application; and
 - (e) the characteristics of the students who attend, or are expected to attend, the school, including, for example, the ages of the students, and whether they have

Schedule (continued)

particular needs because of disabilities or a requirement for special learning support.

(2) In this section—

cooler schools application means an application about assistance—

(a) under a scheme—

(i) referred to in a Ministerial guideline; and

(ii) known as the cooler schools subsidy program; and

(b) for a school—

(i) located at a place—

(A) in an area formerly known, for the department, as the Capricornia, Northern or Peninsula region; or

(B) north of latitude 20° south; and

(ii) operating on 29 June 1998; and

(c) relating to only any part of the school that was operating as a part of the school on 29 June 1998.

Part 4

Information and communication technologies infrastructure capital assistance scheme

4 Application—information and communication technologies infrastructure capital assistance scheme

For an application about assistance under a scheme referred to in a Ministerial guideline and known as the information and communication technologies infrastructure capital assistance scheme, the criteria are—

Schedule (continued)

- (a) the condition and extent of the applicant school's existing ICT infrastructure; and
- (b) the ICT infrastructure that is, or is likely to be, needed to provide the applicant school's curriculum, or proposed curriculum; and
- (c) how many students attend the applicant school in the year of application; and
- (d) how many students are expected to attend the school in the 2 years after the year of application; and
- (e) the characteristics of the students who attend, or are expected to attend, the applicant school, including, for example, the ages of the students, and whether they have particular needs because of disabilities or a requirement for special learning support; and
- (f) the applicant school's financial position; and
- (g) the applicant school community's capacity to generate financial resources for capital projects, including, for example, through donations, fundraising and payment of fees; and
- (h) whether the applicant school is in a remote area of the State.

5 Certain criteria may have limited bearing

A CAA may, in considering the criteria in section 4(f) to (h) of this schedule, and the cost and nature of the ICT infrastructure for which the applicant school is applying for assistance, decide that those criteria should have only a limited bearing on the assessment of the applicant school's application.

Example—

An application for ICT infrastructure is for a low level of assistance. The criteria in section 4(f) to (h) may have limited bearing on the overall assessment of the application.

ENDNOTES

- 1 Made by the Governor in Council on 10 February 2005.
- 2 Notified in the gazette on 11 February 2005.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Education and the Arts.