



Queensland

Education (Capital Assistance) Regulation 2025

Subordinate Legislation 2025 No. 113

made under the

Education (Capital Assistance) Act 1993

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1 Short title

This regulation may be cited as the *Education (Capital Assistance) Regulation 2025*.

2 Commencement

This regulation commences on 1 September 2025.

3 Day prescribed for notifying schools of relevant days—Act, s 12A

For section 12A(2)(a) of the Act, the day prescribed is 1 October in the year before which the applications may be made.

4 Information required for applications—Act, s 15

For section 15(5) of the Act, the following information is required—

- (a) the school's name and address;
- (b) a description of the proposed capital project identifying the major facilities or accommodation to be provided;
- (c) the purpose for which the facilities or accommodation will be used;
- (d) the estimated total cost of the proposed capital project;
- (e) other proposed sources of funding for the proposed capital project, including any Commonwealth grants that have been approved or applied for;
- (f) the year the facilities or accommodation are needed;
- (g) the address, or proposed address, of the proposed capital project;
- (h) information about how the proposed capital project aligns with the school's plans for development.

5 Relevant day if CAA fails to notify under Act, s 12A—Act, s 15

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

6 Assessment criteria for applications for capital assistance or review—Act, ss 16 and 19

For sections 16(1)(a)(i) and 19(1)(a) of the Act, the criteria stated in schedule 1 is prescribed.

7 Day prescribed for giving Minister recommendation—Act, s 16

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

8 Day prescribed for giving Minister return—Act, s 24

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

9 Repeal

The Education (Capital Assistance) Regulation 2015, SL No. 98 is repealed.

10 Transitional provision—existing applications

(1) This section applies if—

- (a) a relevant application was made before the commencement; and
- (b) immediately before the commencement, the CAA had not assessed, or completed the assessment of, the application.

(2) If the relevant application is an application under section 15 of the Act, section 5 of the repealed regulation continues to

apply in relation to the application as if this regulation had not been made.

- (3) Section 7 and schedule 1 of the repealed regulation continue to apply in relation to the assessment of the relevant application as if this regulation had not been made.

- (4) In this section—

relevant application means—

- (a) an application under section 15 of the Act; or
- (b) an application under section 18 of the Act.

repealed regulation means the repealed *Education (Capital Assistance) Regulation 2015*.

Schedule 1 **Criteria for assessment of applications for capital assistance and review**

section 6

1 **Definition for schedule**

In this schedule—

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

2 **Application—capital assistance scheme**

- (1) For an application for capital assistance under a scheme mentioned 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 or accommodation; and
 - (b) the facilities or accommodation that are, or are likely to be, needed to provide the school's curriculum, or proposed curriculum; and
 - (c) how many students, other than overseas students, attend the school in the year the application is made; and
 - (d) how many students, other than overseas students, are expected to attend the school in the 2 years after the year the application is made; and
 - (e) the characteristics of the students who attend, or are expected to attend, the school, including, for example, the year levels of the students, the accessibility needs of the students, whether there are students with disabilities, or whether there are students requiring learning support; and
 - (f) the school's financial position; and

- (g) the school community's capacity to obtain financial resources for proposed capital projects, including, for example, by donations, fundraising, loans and payment of fees; and
 - (h) whether the school is in a remote area of the State; and
 - (i) whether the proposed capital project aligns with the school's plans for development.
- (2) In this section—
overseas student has the meaning given by the *Australian Education Act 2013* (Cwlth).

3 Application—external infrastructure subsidy scheme

- (1) For an application for capital assistance under a scheme mentioned in a Ministerial guideline and known as the external infrastructure subsidy scheme, the criterion is that the assistance is for work or a payment that is required by a relevant entity as part of the entity's or another relevant entity's approval, conditions or requirements relating to the capital project at the school.
- (2) In this section—
relevant entity means—
 - (a) a Minister; or
 - (b) a government entity under the *Public Sector Act 2022*, section 276; or
 - (c) the local government for the area in which the school is located.
work see section 4(4) of the Act.

ENDNOTES

- 1 Made by the Governor in Council on 28 August 2025.
- 2 Notified on the Queensland legislation website on 29 August 2025.
- 3 The administering agency is the Department of Education.

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