



Queensland

Education (Capital Assistance) Act 1993

Education (Capital Assistance) Regulation 2015

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Education (Capital Assistance) Regulation 2015

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Education (Capital Assistance) Regulation 2015

1 Short title

This regulation may be cited as the *Education (Capital Assistance) Regulation 2015*.

2 Commencement

This regulation commences on 1 September 2015.

3 Definition

In this regulation—

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

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

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

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;
- (h) the address, or proposed address, of the proposed capital project;
- (i) information about how the proposed capital project aligns with the school's plans for development.

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 for a year is 31 March of the year.

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

For sections 16(1)(a)(i) and 19(1)(a) of the Act, the criteria stated in schedule 1 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 2005, SL No. 4 is repealed.

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

section 7

Part 1 Capital assistance scheme

1 Application—capital assistance scheme

- (1) For an application about 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; 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, other than overseas students, attend the school in the year of application; and
 - (d) how many students, other than overseas 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 obtain financial resources for 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

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- (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).

Part 2 External infrastructure subsidy scheme

2 Application—external infrastructure subsidy scheme

- (1) For an application about assistance under a scheme mentioned 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 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; and
 - (b) the work or payment meets the requirements in the guideline.
- (2) In this section—
relevant entity means—
 - (a) a Minister; or
 - (b) a government entity under the *Public Service Act 2008*, section 24; or
 - (c) the local government for the area in which the school is located.