

APPENDIX F

Queensland**Subordinate Legislation 1998***James Cook University Act 1997***JAMES COOK UNIVERSITY STATUTE NO. 3
(ADMISSION AND ENROLMENT) 1998****TABLE OF PROVISIONS**

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*James Cook University
(Admission and Enrolment)*

Short Title

1. This statute may be cited as the *James Cook University Statute No.3 (Admission and Enrolment) 1998*.

Commencement

2. This statute commences on 1 January 1999.

Admission

3. (1) The council may admit as a student proceeding to a degree, diploma or other award of the university any person who satisfies it, through the production of evidence concerning educational background and qualifications, that he or she has reached a sufficient level of education to pursue the proposed course of study.
(2) The council may prescribe in rules and requirements made under this statute the particular qualifications referred to in clause 3(1).
(3) The council may also admit as a student proceeding to a degree, diploma or other award of the university any other person who satisfies it that, notwithstanding any lack of formal educational qualifications and background, from whatever cause, he or she is capable of pursuing studies to the appropriate level over a reasonable period.
(4) The council may take into account an applicant's record as a student at this university or elsewhere in determining whether he or she should be admitted or re-admitted as a student.

Limits to admission

4. (1) The council, having regard for accommodation and teaching facilities available, from time to time may control and limit the admission and enrolment of students in the university in any given year and may also fix:
 - (a) different maximum numbers of students who may be permitted to enrol for particular courses of study or groups of courses of study;
 - (b) different maximum numbers of particular classes of students who may be permitted to enrol according to such classifications of students as the council may determine.

James Cook University
(Admission and Enrolment)

Membership of union

5. (1) Subject to the provisions of clause 5(2), no student will be enrolled by the university unless he or she is a member of the union and maintains that membership, or undertakes to become and continue to be a member.
- (2) A student may be enrolled by the university without being a member of the union if the student has applied for, and been granted, exemption from membership of the union on the basis of *bona fide* conscientious or religious objection as provided for in the constitution of the union.

ENDNOTES

1. Made by the Council of James Cook University on 3 December 1998.
2. Notified in the gazette on
3. Laid before the Legislative Assembly on
4. The administering agency is the Department of Education.

SUBMISSION

Notification of Third Line Forcing

THIS IS A CONFIDENTIAL LEGAL DOCUMENT. This Submission is made pursuant to Section 93(1) of the *Trade Practices Act 1975* (Cth). All information contained herein is confidential and is intended solely for the use of the Australian Competition and Consumer Commission.

JAMES COOK UNIVERSITY'S SUBMISSION IN SUPPORT OF NOTIFICATION

1 BACKGROUND

1.1 James Cook University

- (a) James Cook University ("the University") and the James Cook University Student Union ("the Association") are established/continued in existence under the *James Cook University Act 1997*¹. The *James Cook University Act* also empowers the University to fix charges and other terms for the services and facilities it supplies².
- (b) The University operates campuses in Townsville and Cairns; competing on state-wide, national and international level to attract student enrolment. The University actively promotes its courses overseas and currently enjoys enrolment from an international student body of approximately 1,060 students.
- (c) At present, the University faces significant competition from other Regional Queensland Universities such as the University of Southern Queensland, the University of Central Queensland and the University of Queensland's outreach centre in Cairns. James Cook University is also expecting to face increased competition from the proposed Cairns International University.
- (d) In addition to the provision of academic courses by the University, students have come to expect access to a range of social, cultural, sporting and academic support services on campus. The same is true for most Australian Universities where such services are considered to be an integral part of University life and contribute greatly to student's overall learning experience, growth and character development.
- (e) Throughout most Universities across Australia, these services are provided by representative student organisations that receive the

¹ *James Cook University Act 1997* (Qld), section 34(1)

² *James Cook University Act 1997* (Qld), section 6(1)(e)

necessary funding through payment of fees by students either directly to the organisation or through some arrangement in which the University collects that fee on enrolment. In Western Australia and Victoria, legislation has been enacted prohibiting compulsory Student Union membership; this move has been met with strong opposition from Universities and Student bodies alike.

- (f) The Australian Vice Chancellor's Committee ("AVCC") has indicated strong support for fees being charged for the provision of services for students as an obligation of enrolment³.

1.2 James Cook University Student Association

- (a) The James Cook University Student Association functions independent of the University to supply students with on-site services, representation, support and pastoral care. The objects of the Association include⁴:
 - (i) promoting student interest in the life, activities, aims and progress of the University community;
 - (ii) sponsoring and promoting educational, social, cultural, sporting and recreational activities among members;
 - (iii) working on behalf of all students for an education that is accessible, equitable and free of from discrimination; and
 - (iv) representing its members in matters affecting their interests.
- (b) The Association provides an extensive range of services including academic support, welfare services, child care, sport and recreation facilities, meeting rooms and food outlets. A list of those services appears as Appendix B to the Form G.
- (c) Academic support and welfare services constitute the most important and widely used student services⁵; the Townsville Students Association office receiving approximately 6000 inquiries per year⁶. That office provides mainly free legal and academic advisory services, student representation and monitoring of the University's educational programs.
- (d) The Association's Child Care program and fitness centre are accessible to all members of the public with students receiving discounted prices. Both facilities are of a comparable standard to other privately run centres except in terms of size.

³ AVCC "Student Organisations: A Policy Paper", 4 December 2000, http://www.avcc.edu/news/public_statements/publications/stuorg.htm

⁴ James Cook University Student Association – Constitution 2001, Approved by the University Council, effective 2 April 2001, Part 3 – Objects, page 4.

⁵ Interview with Norm Linthwaite, James Cook University Student Association General Manager, Townsville, 14 September 2001, with Peter Morrison of Roberts Nehmer McKee Lawyers.

⁶ Letters from Tanya Acheson, Welfare Co-ordinator James Cook University Student Association to Peter Lindsay dated May, June, July, September, October 1999, Re: Union Support Services Statistics for 1999 [N:\CLIENTS - COMMERCIAL\JCU\010856 - THIRD LINE\RAFT SUBMISSION\IV.DOC]

- (e) The Association subsidises student participation in University sporting competitions and makes financial contributions to support ongoing operation of University clubs and societies which represent a diverse spectrum of student interests. Grants are only made to clubs and societies whose constitution is approved by the Association.
- (f) The Association provides a number of services tailored especially for remote students. These include a free call contact number, facsimile based ordering service for past exam papers and information on how to access library resources.
- (g) The University has entered into a long term lease of certain parts of the University premises with the Association to enable the Association to carry out its objects. That lease provides that:
 - (i) no rental is payable to the University; but
 - (ii) any repairs or improvements effected by the Association become the property of the University at the end of the lease.
- (h) The Association commissions independent business operators to conduct some activities, in particular the University coffee shop, hairdresser, Travel Agent and Post Office. This occurs in areas where the services can be profitably provided by a commercial operator. The Association uses the income from the lease of premises to these operators to subsidise other projects and activities for students.
- (i) The Association charges differential membership fees which must be approved by the University. These range from \$70 to \$275, according to level of enrolment and external student location. Fees are approved by the University, then collected and transferred to the Association free of charge.
- (j) The Association Services Fee ("ASF") is generally comparable to that charged by other student associations. The AVCC Survey on Student Organisations across Australia conducted in March 1999 indicated that most annual student association fees fall between the range of \$200 and \$350⁷.
- (k) The Student Association is a not for profit organisation which uses membership fee income, in combination with money raised from profit producing activities to subsidise its other services. This allows the Association to provide essential services and facilities to students either free of charge or at a substantial discount. Income allocation and expenditure decisions of the Student Association are controlled by the Association Council, via a delegation to the Association's general manager.

⁷ AVCC Survey on Student Organisations (attached)

- (l) The Association obtains discounted prices for general merchandise as a result of its membership with buying co-operatives and other arrangements with suppliers.
- (m) The Association expects to face increased competition in coming years as the Queensland Health Townsville Hospital has been established in close proximity to the present James Cook University campus. Part of the hospital development includes various commercial facilities such as a clinical practice and other retail outlets.
- (n) The University Registrar has no record of ever having received a formal complaint from any potential competitor of the Student Association regarding provision of services to students.

2 PUBLIC BENEFIT / PUBLIC DETRIMENT

2.1 The Association's Principle Source of Income.

- (a) The Association's total annual revenue for the year 2000 constituted \$1.8 million in membership fees and approximately \$100,000 from other sources⁸. This is indicative of the level of reliance placed on membership funding by the Association as a source of income.

2.2 Non-compulsory Membership - Consequences for Membership and Funding

- (a) In the absence of compulsory membership, the Association faces a substantial reduction in membership numbers and consequentially membership funding. This inevitable outcome has been demonstrated in Western Australia where, following the introduction of Voluntary Student Unionism Legislation ("VSU"), Student Associations have experienced dramatic membership decline. Edith Cowan University's Student Guild fell to 6% of the student populace immediately following VSU⁹ and collective State membership totalled 25% in 1999¹⁰.
- (b) The situation can be likened to that of government taxation in the sense that students' focus on their individual educational achievements often results in a failure to appreciate the benefits that can accrue from contributing to the collective welfare of the entire student body¹¹. Students will generally elect not to pay up-front fees because it does not deliver a direct and immediate personal benefit.
- (c) In the event of this inevitable fall in membership, not only would the Association experience a dramatic loss of income, but it would no longer constitute an organisation broadly representative of the entire University body of students.

2.3 Implications of Non-compulsory Membership on the Association's ability to provide services

- (a) The present arrangement, allows for the University and its Student Association to provide a diverse range of highly beneficial services, specifically tailored to the University student population. The Association relies heavily on membership funding and a system of cross-subsidisation to provide this extensive range of services, especially those lacking in independent commercial viability.
- (b) The Association heavily subsidises important services such as student welfare, academic support, employment services, sports and parenting facilities with funds derived from membership and profitable activities

⁸ Linthwaite, Norm, "General Managers Report", *James Cook University Student Association Annual Report* 2000, pages 12 and 13 (attached)

⁹ Malatesta, Grace, "Voluntary Unionism has Hurt Edith Cowan" *The Australian* (attached)

¹⁰ AVCC Survey on Student Organisations (attached)

¹¹ Interview with John Byron, President of the Council of Australian Post Graduates Associations Incorporated, 13th November 2001, with Roberts Nehmer McKee Lawyers, Townsville

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such as taverns. Ironically, these important welfare based services are also the most likely to be discontinued once membership funding ceases because of their lack of commercial viability.

- (c) Without compulsory membership based fund raising, the Association will be unable to raise sufficient income through market forces to cross subsidise and support the same range of services.
- (d) Empirical evidence of this can be drawn from Western Australia where upon the introduction of VSU, campuses have experienced a major reduction in student services. Although able to continue operating profitable enterprises such as taverns and food outlets, Edith Cowan University's Student Guild, was forced to abandon 60% to 70% of services including sporting activities, funded clubs, and child-care facilities¹².
- (e) A similar outcome occurred at Murdoch University where the Guild service centre was closed, funding for sports facilities and intervarsity sport ceased and personal advocacy for appealing University decisions was substantially reduced due to difficulty raising necessary funding¹³. Ramifications have extended beyond simple lack of opportunity for students, to diminishing the vibrancy of the campus atmosphere¹⁴.

2.4 Possibility of Market Driven Suppliers

- (a) Should the University be forced to rely on private market driven organisations, students are likely to be deprived of open access to a diverse range of services especially those that are currently subsidised by the Association.
- (b) Such effect is evident from the following:
 - (i) The profit focus of commercial suppliers will lead to a substantially reduced range of services by virtue of pressure to invest only in profitable enterprises and little incentive to subsidise less profitable services for the sake of student interests;
 - (ii) The capacity of private service providers to operate successfully in the University market, is significantly inhibited by characteristics of the student market; they demand highly flexible, low cost services, and attendance on campus fluctuates highly through exam and holiday periods. The fact that most students only spend approximately ¾ of the year on campus creates a significant challenge to establishing and maintaining a profitable enterprise¹⁵;

¹² Telephone Interview with Jade Riley, President, Edith Cowan University, Perth, 19 March 1999, by Peter Towers, James Cook University Union.

¹³ Telephone interview with Simon Vanderaa, VSU Project Officer, Council of Australian Post Graduate Associations, Western Australia, 15 November 2001, with Roberts Nehmer McKee Lawyers, Townsville

¹⁴ Note 13

¹⁵ Note 13

- (iii) Private service providers are not as capable of responding to year to year changes in student demand and other fluctuations as student associations. The Association has indirect mechanisms that provide feedback into student demand and allow funding in proportion to student numbers. In order to achieve this same effect, private providers would be forced to invest significantly in planning/marketing;
- (iv) In small and/or newly developed campuses such as Murdoch University's Rockingham campus, there may be no financial incentive for private suppliers to operate at all due to inadequate market support¹⁶; and
- (v) Even where private operators are able to function commercially, they are likely to sacrifice overall student welfare and flexibility in favour of a more profitable and commercial approach. For example, cafeteria and child-care hours of service must be limited to those suitable for the majority of students without regard to the special needs of minority groups such as single mothers attending after hours lectures¹⁷.

2.5 Implications of the Loss of Services

(a) Barriers to University Access.

- (i) The loss of currently subsidised services may make it difficult for some student's to attend University or take up a course of study because of a lack of necessary facilities and conveniences on campus.
- (ii) Although demand for services such as child-care and student advocacy may theoretically be met by general non-University based providers, there is a limit to which these services are realistically accessible to all students. In the case of regional or outer-metropolitan University campuses, off-campus child-care facilities may not constitute a geographically viable option. In addition, reliance on general legal advisers to advocate student interests not only creates financial barriers to access for lower socio-economic portions of the student body but tends to be less successful than specialist Student run Associations who understand the University process and act doubly as a feedback mechanism¹⁸.

(b) Export Markets and International Competition

- (i) The current practice allows the University to compete more readily for international students by promoting support services

¹⁶ Note 13

¹⁷ Note 13

¹⁸ Note 13

and representative capabilities of the Association. Without these services, the University is in a less powerful position to compete internationally and target overseas markets.

- (ii) In support of this point, Professor Poole of Edith Cowan University stated that "the [VSU] legislation placed us at a competitive disadvantage nationally and internationally. It has had implications, especially for international students who expect high quality sport, recreational, social and cultural facilities"¹⁹.
- (iii) It is noted that international students often feel a degree of vulnerability within the University system and express the need for independent student representation²⁰. The ability of Universities to guarantee representation and other social services, fosters growth in export markets for the provision of University courses to overseas students.

(c) Educational Experience of Students

- (i) Loss of cultural, sporting and other socially based programs may have a detrimental impact on individual student development and potentially immeasurable repercussions for our youth and the community in general.
- (ii) Compulsory Association membership is justified in the interests of ensuring that young people are given the opportunity to take part in the broadest possible learning experiences in order to prepare them for later life. The University has a social obligation to make a variety of social, recreational and academic support tools physically and financially accessible to students. However it is unable to provide this without student or government funding.
- (iii) The University's present arrangement generally creates added value for students in terms of improving the quality of their learning experiences and therefore the quality of courses supplied by the University.

2.6 Loss of Broadly Representative Student Body

- (a) Broadly representative and independently funded student organisations have been recognised by Australian University Management as an invaluable and irreplaceable source of feedback for Universities²¹. They are an effective tool for extracting criticism and information from which to initiate or formulate improvements to University products and processes. However, only when these organisations are independently funded with broadly based membership are they capable of producing

¹⁹ Note 9

²⁰ Note 11

²¹ Note 11

this effect and withstanding interference or domination by special interest groups²².

- (b) Without being broadly representative of the University's body of students, the University would not only lose a valuable source of comment on University products and operations, the Association would be at risk of sectarian domination and focus directed away from collectively important student issues.

2.7 Competitive Pressure Faced by the Association

- (a) Although the Association experiences advantages attributed to being located on-campus, there are a number of factors that contribute towards the Association's efficient and competitive operation.
- (b) Even though the University requires students to attain Association membership, students are still able to make a commercial buying decision on whether or not to purchase the benefits/services which membership provides, by virtue of their enrolment decision. That decision is based partly on the quality of services provided at the University and the price (i.e. association membership and enrolment fee) payable for such services.
- (c) This creates competition between Universities to ensure that their student associations provide the best and most extensive services and facilities for the lowest membership fee. In contrast, independent providers, once established, may have less incentive to act competitively due to their ability to monopolise the market without regulation by the student body;
- (d) James Cook University faces competition, especially from other Queensland Universities and the proposed Cairns based International University. Geographical market limitations are diminished by the external student enrolment facilities offered by these Universities. As a result, there are a number of alternative sources from which students can acquire courses if they are not satisfied with those offered by James Cook University and its Student Association.
- (e) The Association is also expected to face increased competition in coming years as the Queensland Health Townsville Hospital is established in close proximity to the present Townsville campus and begins to foster various commercial developments such as a clinical practice and other retail outlets.
- (f) Although the Association does not face usual competitive pressure with respect to the fee it charges members, such pricing decisions are still controlled by virtue of the fact that any increase in fees must be approved by the Association Council and the University Council²³.

²² Note 11

²³ James Cook University Student Association Constitution 2001, 5.10.1

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2.8 Collective as Opposed to Individual Buying Decisions

- (a) The Association Council is comprised solely of enrolled students who are elected to control and manage the effective distribution of Association resources in accordance with objectives defined in the Association Constitution. To this end they determine:
 - (i) the amount of money payable to the Student Association;
 - (ii) the types of services made available by the Student Association for members; and
 - (iii) the terms on which services are provided.
- (b) Notwithstanding that students may lose the ability to individually make the above decisions, they are made by elected representatives of the collective student body.

2.9 Overall Submission

In all the circumstances, the University's submission is that based on the available information, the Commission can not be satisfied that the benefit to the public from the University's conduct would not outweigh any detriment to the public constituted by any lessening of competition.

3 SUBMISSION SUMMARY

- 3.1 The Association's principal source of income is student membership fees;
- 3.2 Student membership of the Association is likely to fall if the University does not require membership as a condition of enrolment;
- 3.3 As a result:
- (a) the Association's income would drop significantly;
 - (b) the Association would no longer be broadly representative of the University's body of students;
 - (c) Income from some of the Association's activities is used by the Association to subsidise some of the Association's other activities;
 - (d) The activities likely to be discontinued are likely to be those which are subsidised – they include important areas such as student welfare and advocacy services, child care and sporting activities.
 - (e) If the Association's income drops significantly, the Association will be unable to fund all of its present activities;
 - (f) Those services are unlikely to be provided to the same extent or at all by a market driven private supplier;
- 3.4 The loss of those and any other services:
- (a) would make it more difficult for some students to graduate from their chosen course of study and, in extreme cases may make it impossible for a student to take up a course of study;
 - (b) would make it more difficult for the University compete internationally for students;
 - (c) detracts from the overall educational experience for students by limiting their access to cultural, sporting and other socially based programs.
- 3.5 The Association no longer being broadly representative of the University's body of students:
- (a) would result in the University losing access to a broadly based source of comment/feedback on University products, decisions, policies and plans;
 - (b) would result in the Association being at risk of domination by special interest groups with the attendant risk of focus on other than student welfare issues.

- 3.6 Despite the compulsory nature of Association membership, the Association is subject to competitive pressure, regulation and the need to achieve efficiencies for the following reasons:
- (a) student association fees are not the same for all universities – the level of the fee, and the services offered are some of the factors taken into account in a students enrolment decision;
 - (b) some services provided by the Association are also offered by private providers – this competition will increase with the development of the new Queensland Health Townsville Hospital and associated facilities (including private support facilities) immediately adjacent to the University;
- 3.7 Despite students not having direct control over investment of their membership fees, the Association is managed by elected enrolled students so that the collective student body itself determines:
- (a) the amount of money payable to the Student Association;
 - (b) the types of services made available by the Student Association for members; and
 - (c) the terms on which services are provided.

LIST OF ATTACHMENTS

1. AVCC "Student Organisations: A Policy Paper", 4 December 2000,
2. AVCC Survey of Australian Universities and Report, 1999
3. Comparative Table of Fees for Australian University Student Associations
4. Malatesta, Grace, "Voluntary Unionism has Hurt Edith Cowan" *The Australian*
5. Linthwaite, Norm, "General Managers Report", *James Cook University Student Association Annual Report* 2000, pages 12 and 13



Australian Vice-Chancellors' Committee
the council of Australia's university presidents



Student Organisations: A Policy Paper

1. The issue of nomenclature in relation to student organisations in Australian universities is important. The organised student body of a university is not similar to an industrial trade union and, therefore, the term "student union" can be misleading. The student body is more correctly described as a "student association" or a "student guild".
2. In every university there are essential services and facilities that are provided for students which are both an important element in the social and cultural life of universities and a part of the education process. Such services are often provided by student organisations, some of which have existed for many years, and are considered to be an integral part of university life.
3. Universities strongly support the view that fees charged for the provision of services for students are an obligation of enrolment, whether they are provided by student organisations or in other ways by the University. It is the prerogative of universities to determine conditions of enrolment.
4. Where student organisations provide an extensive range of services which the universities recognise as essential, their financial viability is fundamental. Services include the provision of food outlets, buildings, meeting rooms, toilets, stationery and second-hand book services, child care, legal services, health and employment services, assistance with accommodation and welfare services. As the student body changes, services directed to part-time and external students have become more important. Student organisations also encourage a broad range of activities by funding diverse groups reflecting student interests. Participation in these activities is educational in the broadest of senses, encouraging students to develop their social skills. Provision of these services is traditionally undertaken and funded by the student body, which is the direct beneficiary.
5. Student organisations accept banks, travel agencies, pharmacists, hairdressers, newsagents, clothes stores and others as tenants. These are areas in which the organisations cannot provide the same standard of service to the student community as the tenant can, and the income received subsidises other services.
6. It is essential that the student organisations continue to contribute to the ethos of the universities in this way. To do so, however, they must have adequate funds at their disposal.
7. The AVCC believes that representative student organisations work best when membership is universal, and therefore supports universal membership. All universities benefit from the existence of representative student bodies whose members can serve on academic bodies and university committees of various kinds. Universities recognise, nonetheless, that some students may not wish to be members of a student organisation.
8. The AVCC believes that it is in the interests of both universities and their students that the process related to exemption from membership of student organisations are clearly defined, including the grounds on which exemption will be considered and provided to students in written form, preferably in the university handbook. To be granted exemption, students should be expected to make a case in writing which is acceptable to the university.
9. Universities strongly support the view that fees charged for the provision of student services are an obligation of enrolment and must be paid, regardless of whether these fees are paid directly to the university or through a student organisation.
10. The responsibility for student services in the majority of universities, and therefore the entitlement to the associated fees, is vested in the student organisation. In cases where a student has obtained exemption from membership of a student organisation, the student should still be required to pay to a nominated source a sum of money equivalent to the membership fee levied by the student organisation so that there shall not be any financial incentive for the student to opt out of membership of the student organisation and so that a comparable range of services may be provided.

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AVCC Survey on Student Organisations

Thirty two universities responded to the AVCC's invitation to complete a survey on their student organisations. No responses were received from the University of South Australia, Southern Cross, VUT and the University of Western Australia. The major findings from the survey are summarised below

Student choice to belong to student association

Twenty seven universities indicated that students had some degree of choice about whether or not to belong to student organisations. Most universities require students to exercise this choice by written requests to a Registrar (or equivalent) indicating conscientious objection and/or bona fide religious belief. Universities using this method invariably report very small numbers of students (typically less than 10) using this option. Six universities (four in Victoria) allow students to make their choice on the enrolment form itself. This method is more in keeping with the AVCC's policy on student organisations of allowing students a real choice than the method whereby the student must initiate and demonstrate a conscientious or religious objection.

Three universities do not allow students any choice over membership of their student organisations. These are:

The University of New England;
The University of Sydney;
The University of Western Sydney, (Hawkesbury and Macarthur campuses).

Where some degree of choice exists over student membership universities are evenly divided between those where it makes no impact on the disbursement of the compulsory fee and those who clearly earmark the funds for other student related purposes.

Level of Fee

There is considerable variation in the level of compulsory student fees charged ranging from \$450 for first year students at the University of New South Wales to \$55 for pharmacy students at Monash University's Parkville campus. Most annual student fees fall within the \$200 to \$350 range. Fees for part-time students are typically around half of full-time rates with external students receiving a further reduction.

In 1998 the total revenue collected for services in all states and territories (excluding Western Australia) was \$115.5m. In Western Australia membership of student organisations has fallen to around 25% of all students. If the Federal Government's VSU legislation became law and this trend were replicated nationally \$87m would be eliminated from the budgets for student services.

Distribution of fee income

Around half of all universities distribute compulsory student fees by means of a committee containing university and student representatives while others allow funding decisions to be made by the student organisations themselves.

Membership of NUS

Approximately 80% of student organisations are members of the National Union of Students, including nearly all student organisations in both Victoria and Western Australia where Voluntary Student Unionism legislation is in operation.

Financial obligations to student bodies

Nine universities are guarantors for loans to student bodies to a total value of \$21.8m.

Victorian Universities

Victorian universities were invited to comment on the impact of VSU legislation on the functioning of student services and student representation. From the responses received arrangements have been made to continue the same (and in some cases improved) level of student services and student representation as existed prior to the introduction of the legislation. To meet the requirements of the legislation, expenditure of student fees is now closely scrutinised by the student bodies and the universities to ensure that none are expended on student union/organisation membership and other disallowed activities. Those activities not permitted under the Victorian legislation (mainly those of a political nature and including NUS affiliation fees) are financed from funding sources available to the student organisations, other than compulsory student fees, such as financial reserves and profits from commercial activities.

2000 UNIVERSITY FEE COMPARISON													2000 UNIVERSITY FEE COMPARISON												
Name of University	GSF	S/ASSN	UNION	SPORT	TOTAL	JOIN/OTHER	GSF	S/ASSN	UNION	SPORT	TOTAL	JOIN/OTHER	Name of University	GSF	S/ASSN	UNION	SPORT	TOTAL	JOIN/OTHER						
ACT																									
Australian Catholic Uni to call back	\$ 290.00				\$ 290.00		\$ 220.00																		
Aust. National Uni		\$ 17.50	rest	\$ 50.00	\$ 180.00																				
Canberra Institute of Tec.		\$ 60.00			\$ 60.00			\$ 60.00																	
Uni. of Canberra	see below	\$ 60.00			\$ 232.00																				
NEW SOUTH WALES																									
Aust Catholic Uni.	\$ 112.60	\$ 36.00			\$ 148.60		\$ 84.80	\$ 28.00																	
Avondale College																									
Charles Sturt Uni		\$ 216.00			\$ 216.00			\$ 49.00			\$ 49.00														
Macquarie Uni to call back	\$ 38.00				\$ 158.00		\$ 34.00				\$ 86.00														
National Institute of Dramatic Art																									
Southern Cross Uni		\$ 98.00	####		\$ 348.00			\$ 62.00	####																
Uni of New England		\$ 88.00	####		\$ 312.00																				
Uni of NSW		\$ 70.00	####	\$ 62.00	\$ 391.00		\$ 70.00	\$ 38.00	####	\$ 42.00		\$ 41.00													
Uni of Newcastle		\$ 48.00	####	\$ 96.00	\$ 297.00			\$ 48.00	####	\$ 96.00															
Uni of Sydney		\$ 55.00	####		\$ 404.00	\$ 91.00		\$ 48.00	####																
Uni of Technology, Sydney		\$ 48.00	####		\$ 248.00			\$ 48.00	####																
Uni. of West. Sydney Hawkesbury		\$ 55.00	####		\$ 284.00		\$ 27.50	\$ 27.50	\$ 87.00																
Uni. of West. Sydney, Macarthur			####		\$ 268.00				\$ 91.00	\$ 43.00															
Uni. of West. Sydney, Nepean			####		\$ 230.00	\$ 15.00																			
Uni. of Wollongong		\$ 41.00	####	\$ 91.00	\$ 307.00	\$ 35.00																			
VICTORIA																									
Aust. Catholic Uni	\$ 290.00				\$ 290.00		\$ 145.00																		
Deakin Uni Geelong	\$ 214.00				\$ 214.00		\$ 131.00		####																
La Trobe Uni see below for details of breakdown					\$ 325.00																				
Marcus Oldham College																									
Monash University	\$ 166.00	\$ 126.00		\$ 93.00	\$ 385.00																				
Royal Melbourne Institute of Tec.	10%	30%	60%		\$ 310.00		10%	30%	60%																
Swinburne Uni of Technology to call back	\$ 240.00			\$ 54.00	\$ 27.00		\$ 120.00		\$ 79.00	\$ 27.00		\$ 14.00													
Uni of Ballarat	\$ 25.00	\$ 200.00	####		\$ 225.00		\$ 10.00	\$ 81.00			\$ 91.00														
Uni of Melbourne					\$ 346.50	\$ 47.37																			
Victoria Uni of Technology	\$ 360.00				\$ 360.00		\$ 180.00																		
Victoria College of Ag & Hort	no response																								
QUEENSLAND																									
Australian Catholic Uni	\$ 260.00				\$ 260.00		\$ 200.00																		
Bond Uni	\$ 50.00	\$ 50.00		\$ 50.00	\$ 150.00		\$ 50.00	\$ 50.00	\$ 50.00	\$ 50.00															
Griffith Uni	\$ 62.00	####		\$ 214.00	\$ 45.00		\$ 400.00	1/22	\$ 31.00	\$ 80.00															
James Cook Uni of Nth. Qld	264	\$ 300.00		\$ 264.00	\$ 264.00		\$ 400.00																		
Qld Uni of Technology		\$ 200.00		\$ 200.00	\$ 200.00		\$ 90.00			\$ 90.00															
University of Queensland	\$ 298.00			\$ 298.00			\$ 149.00																		
UQ Gatton Campus	\$ 156.00			\$ 156.00																					
University of Southern Queensland	\$ 210.00		####	\$ 205.00	\$ 50.00			\$ 105.00																	
University of the Sunshine Coast				\$ 170.00					\$ 85.00	\$ 85.00															
SOUTH AUSTRALIA																									
Flinders University	\$ 291.90	\$ 40.00		\$ 291.90	\$ 40.00		see below	\$ 174.30				\$ 40.00													
University of Adelaide	\$ 300.00			\$ 300.00	\$ 40.00																				
Uni. of South Aust.	\$ 200.00			\$ 200.00				\$ 110.00																	
WESTERN AUSTRALIA																									
Curtin Uni of Technology	\$ 80.00			\$ 80.00	\$ 10.00																				
Edith Cowan Uni no number	\$ 65.00			\$ 70.00	\$ 5.00			\$ 30.00		\$ 30.00		\$ 30.00													
Murdoch Uni		\$ 63.00		\$ 43.00	\$ 9.50				\$ 31.50		\$ 31.50		\$ 5.25												
Nothe Dame Uni	no fees																								
Uni. of Western Aust	\$ 60.00			\$ 76.00	\$ 15.00			\$ 40.00			\$ 40.00														
TASMANIA																									
Aust. Maritime College	\$ 130.00			\$ 130.00				\$ 93.00			\$ 93.00														
Uni. of Tasmania to call back			####	\$ 212.00	\$ 49.00				####		####	\$ 49.00													
NORTHERN TERRITORY																									
Bachelor College				\$ 60.00																					
Northern Territory Uni	\$ 200.00			\$ 200.00				\$ 100.00				\$ 30.00													
Special Notes																									
University of Melbourne	\$12.86	Wellfare fee	\$34.51	Post Graduate fee																					
LaTrobe University	Victoria Off Campus	External Students	Oversed	child cal																					
Monash University	Victoria	Part time	Breakdown Level 1	more than a 1/4 load / Level 2 1/4 load or less	23%																				
University of Adelaide	Part-time fees	0-25.5%	\$68.00	25.6-50.5%	\$135.00	50.6-75.5%	\$203.00																		
University of Canberra	\$250,000.00	Health and Councelling Fee	\$6.95	Admin. Fee/Undergraduates & Postgraduates	\$46-\$56	Union to get remainder																			

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of the University of Sydney



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University of Sydney
in 1998, 1999, 2000 and
to the University of Sydney
if contact Professor Perrott
of the University of Sydney

ter David Kemp, have com-
plained "too many" oppor-
tunities for such income
generation are being lost.
The ARC, which allots
grants and advises the gov-
ernment on research fund-
ing, plans to report later this
year on its investigation into
progress in commercialisa-
tion in 1998-2000 including
sale of technology to other
organisations.

Voluntary unionism has hurt Edith Cowan

Grace Malatesta

THE introduction of voluntary
student unionism in Western
Australia has put Edith Cowan
University at a competitive
and commercial disadvantage,
according to vice-chancellor
Millicent Poole.

Professor Poole said volun-
tary student guild fees had
been a serious blow, forcing
the university to divert
scarce funds to fill the gaps in
student services and rep-
resentation.

Since the introduction in
1994 of West Australian legis-
lation outlawing compulsory
student unionism, guild
membership had fallen rap-
idly and the guilds were fight-
ing to survive, she said.

As membership fell, so did
the provision of student ser-
vices and the quality of cam-
pus life.

Coming into force soon
after its student guild was
established, VSU had dashed
efforts to build up cash
reserves or significant assets,
Professor Poole said.

Membership of ECUS
guild dropped to only 6 per
cent in 1999, triggering a
Supreme Court appointment
of a provisional liquidator.

...of the University of Sydney

The quality of Uni-
versity Technology Man-
agers in the US for help in
surveying Australia's public
universities. The AUTM is
the US counterpart of the
Australasian Tertiary Insti-
tutions Commercial Compa-
nies Association, which
groups local universities
operations.
The APC says the AUTM

Research Council.
It will draw on an ATICCA
survey of some members last
year covering income,
patents and company starts
for part of the late 1990s.
The APC has hired con-
sultants Ernst & Young and
Howard Partners to advise it
on how research funded by
the ARC could attract pri-
vate investment.

considered later this month by
the bodies including the
departments of Industry, Sci-
ence and Resources, and
Education, Training and
Youth Affairs.
AVCC research policy
director Ros Engledow said
impetus for the guidelines
came partly from the
NHMRC, which would add
its own attachments for intel-



At a disadvantage: The quality of campus life has suffered, says Professor Poole

Picture: Paul Harrison

only state to outlaw compul-
sory guild fees and the differ-
ence was starkly apparent
when visiting other state uni-
versities, where campuses
had a more vibrant atmos-
phere and enhanced invest-
ment in student facilities.

Professor Poole said.

"The legislation placed us
at a competitive disadvan-

tage nationally and inter-
nationally. It has had impli-
cations, especially for
international students who
expect high quality sport, rec-
reational, social and cultural
facilities," she said.

Before the legislation, stu-
dent guilds provided services
and amenities such as stu-
dent representation, welfare

services, social and cultural
activities, student employ-
ment services, catering ser-
vices, childcare, sports and
recreation, and retail outlets.

Professor Poole said new
Education Minister Alan
Carpenter's commitment to
making guild fees compu-
sory would provide a much-
needed invigoration of stu-

Governments have
an obligation to
ensure student
representation is
upheld

Millicent Poole
ECU vice-chancellor

dent life on local university
campuses. "Students are the
life-blood of any university
and governments have an
obligation to ensure student
representation is upheld and
that full inclusiveness of uni-
versity life is available
through a range of services,"
she said.

The HES understands the
Gallop Government intends
to reintroduce compulsory
guild fees on the proviso the
money is spent solely for the
benefit of students.

Mr Carpenter has said he
wants to meet guild represen-
tatives and vice-chancellors
to discuss an affordable fee
structure.

Figures he had seen
ranged from \$70 to \$100.

"What we don't want to do is
discourage people from being
part of academic life because
they can't afford it," he said.

Trading areas continued strong performances with increased turnover with good returns.

Highlights of major elements of the cash flow in a simple summarised format.

	2000	1999
Student Fees		
Townsville	\$ 1,501,485	\$ 1,426,525
Cairns	\$ 363,421	\$ 323,434
	<u>\$ 1,864,906</u>	<u>\$ 1,749,959</u>
Interest	\$ 110,895	\$ 86,739
Other Income	\$ 106,464	\$ 97,499
Nett Trading Income (including depreciation)	\$ (4,024)	\$ 127,066
Child Care (2)	\$ 10,423	\$ 10,774
	<u>\$ 2,088,664</u>	<u>\$ 2,072,037</u>
Expenses including abnormals and depreciation	\$(2,065,178)	\$(1,743,857)
Profit (Loss) Including abnormal items and depreciation	\$ (6,514)	\$ 328,180
add depreciation	\$ 149,141	\$ 124,795
less – write back of Building Provision due to Accounting Standard Change	\$ (142,197)	
	<u>\$ 430</u>	<u>\$ 452,975</u>
Less Capital Purchase	\$ 312,220	\$ 196,058
	<u>\$ (311,790)</u>	<u>\$ 256,917</u>

Funds held in Building Reserve

	2000	1999
Townsville	\$ 47,821	\$ 56,043
Cairns	\$ 95,636	\$ 52,474
	<u>\$ 142,917</u>	<u>\$ 108,517</u>

(NOTE that these funds no longer appear as a provision in the liabilities of the Association. They now appear as Reserves in Members Equity due to an Accounting Standards change in 2000).

During 2000 progress payments from Townsville Building Provision towards Student Services Mall extensions and servicing of loan plus contribution towards air conditioning of Refectory.

Loan Principle & Interest	\$ 80,283
Air conditioning	\$ 50,000
	<u>\$ 130,283</u>

The outstanding loan as at 31/12.2000 for the Administration Building is \$176,054.

STAFF APPRECIATION (or ACKNOWLEDGMENTS)

As advised in this report, during 2000 there has been a heavy business and building development programme, and the operational successes of the Association, together with Constitutional changes. Added to the workload of staff during this year has been the introduction and preparation for the Goods and Services Tax. These have been very considerable tasks for your Association. The success of the staff in meeting these challenges again confirms the skill, willingness and dedication they bring to their activities.

Finally, my sincere thanks to all the staff who contributed to this year's achievements – and with whom I am proud to be associated. A major effort – thank you.

NORM LINTHWAITE
General Manager

