

## B. Legislative context

### Frameworks

Education entities prepare their financial statements in accordance with the following legislative frameworks and reporting deadlines.

**Figure B1**  
**Legislative frameworks for the education sector**

Entity type	Entity	Legislative framework	Legislated deadline
Departments	Department of Education Department of Employment, Small Business and Training <sup>1</sup>	<ul style="list-style-type: none"> <li>• <i>Financial Accountability Act 2009</i></li> <li>• Financial and Performance Management Standard 2019</li> </ul>	31 August 2022
Statutory bodies	7 universities 8 grammar schools Queensland College of Teachers	<ul style="list-style-type: none"> <li>• <i>Financial Accountability Act 2009</i></li> <li>• Financial and Performance Management Standard 2019</li> <li>• <i>Statutory Bodies Financial Arrangements Act 1982</i></li> <li>• <i>Australian Charities and Not-for-profits Commission Act 2012</i></li> <li>• Australian Charities and Not-for-profits Commission Regulation 2013</li> <li>• <i>Higher Education Support Act 2003</i></li> <li>• <i>Grammar Schools Act 2016</i></li> <li>• Each statutory body also has its own enabling legislation</li> </ul>	28 February 2023
Statutory bodies – other (These have a different year-end date to the statutory bodies listed above.)	TAFE Queensland Queensland Curriculum and Assessment Authority Non-State Schools Accreditation Board	<ul style="list-style-type: none"> <li>• <i>Financial Accountability Act 2009</i></li> <li>• Financial and Performance Management Standard 2019</li> <li>• <i>Statutory Bodies Financial Arrangements Act 1982</i></li> <li>• Each statutory body also has its own enabling legislation</li> </ul>	31 August 2022
Controlled and jointly controlled entities <sup>2</sup>	3 entities controlled by universities 3 jointly controlled entities 2 entities controlled by a department One entity controlled by a statutory body	<ul style="list-style-type: none"> <li>• <i>Corporations Act 2001</i></li> <li>• Corporations Regulations 2001</li> </ul>	31 October 2022 <sup>3</sup> 30 April 2023 <sup>3</sup>
Controlled entities – foreign-based <sup>2</sup>	7 entities controlled by universities	<ul style="list-style-type: none"> <li>• Each controlled entity has its own enabling legislation in its country of incorporation</li> </ul>	Per relevant legislation

Entity type	Entity	Legislative framework	Legislated deadline
Other	Building and Construction Industry Training Fund (Qld) Translational Research Institute Trust 2 trusts controlled by universities One trust controlled by a statutory body 2 joint ventures controlled by universities and other public sector entities	<ul style="list-style-type: none"> <li>Trust deed</li> <li>Joint venture agreement</li> <li><i>Australian Charities and Not-for-profits Commission Act 2012</i></li> <li>Australian Charities and Not-for-profits Commission Regulation 2013</li> </ul>	Per trust deed Per joint venture agreement

Notes:

<sup>1</sup> Renamed Department of Youth Justice, Employment, Small Business and Training following *Administrative Arrangements Order (No. 1) 2023* on 18 May 2023.

<sup>2</sup> Controlled entity – an entity owned by one or more public sector entities.

<sup>3</sup> The *Corporations Act 2001* does not require all small proprietary companies to prepare financial statements. Where financial statements are required, they must be completed within 4 months after the end of the financial year.

Source: Queensland Audit Office.

## Accountability requirements

The *Financial Accountability Act 2009* applicable to the education sector requires these entities to:

- achieve reasonable value for money by ensuring the operations of the entity are carried out efficiently, effectively, and economically
- establish and maintain appropriate systems of internal control and risk management
- establish and keep funds and accounts that comply with the relevant legislation, including Australian accounting standards.

## Queensland state government financial statements

Each year, Queensland state public sector entities must table their audited financial statements in parliament.

These financial statements are used by a broad range of parties, including parliamentarians, taxpayers, employees, and users of government services. For these statements to be useful, the information reported must be relevant and accurate.

The Auditor-General's audit opinion on these entities' financial statements assures users that the statements are accurate and in accordance with relevant legislative requirements.

We express an *unmodified opinion* when the financial statements are prepared in accordance with the relevant legislative requirements and Australian accounting standards. We *modify* our audit opinion when financial statements do not comply with the relevant legislative requirements and Australian accounting standards and are not accurate and reliable.

Sometimes we include an *emphasis of matter* in our audit reports to highlight an issue that will help users better understand the financial statements. It does not change the audit opinion.

## University and grammar school entities

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In Queensland, universities provide tertiary education, including undergraduate and postgraduate studies. Universities and their subsidiaries carry out research and other activities in line with university objectives.

Of the 8 grammar schools, 6 provide schooling from Prep to Year 12. The other 2 start at Year 5 and Year 7 respectively.

### University funding and regulation

Universities obtain funding mainly through government grants and student fees. Grants are based on student enrolments and the amount of research undertaken at each university. In Queensland, 91.2 per cent (2021: 82.2 per cent) of university funding comes from Australian and Queensland government grants and from student fees and charges. Australian Government funding is mainly recurrent, while state government grants are generally non-recurrent.

The Australian Government budget details how much funding is provided to universities for each field of education.

### Grammar school funding and regulation

Grammar schools obtain funding through Australian and Queensland government grants and through tuition and boarding fees. In Queensland, 87.8 per cent (2021: 88.3 per cent) of grammar school funding comes from these sources.

The grammar schools are statutory bodies formed under the *Grammar Schools Act 2016*. They operate as independent schools in Queensland.

## Departments

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### Department of Education

The Department of Education is a Queensland Government department established under the *Public Sector Act 2022*. It provides direction and oversight to the education sector in Queensland and delivers services for early childhood and education.

### Department of Youth Justice, Employment, Small Business and Training

The Department of Youth Justice, Employment, Small Business and Training is a Queensland Government department established under the *Public Sector Act 2022*. The department's vision is for all Queenslanders to have the skills and opportunities to manage and adapt, now and into the future.

### Departmental funding and regulation

The departments receive appropriation revenue (allocated by parliament during the budget process) that includes funding from both the Australian and Queensland governments. The departments disperse this funding across their respective service areas, which are early childhood education and care, and school education (Department of Education); and training and skills (Department of Youth Justice, Employment, Small Business and Training).

In Queensland, 93.2 per cent (2021: 93.3 per cent) of Department of Education funding, and 94.1 per cent (2021: 97.1 per cent) of Department of Youth Justice, Employment, Small Business and Training funding came from amounts appropriated by parliament.

## Other education entities

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### TAFE Queensland

TAFE Queensland is the state's largest provider of practical, industry-relevant, vocational training. It is established as a statutory body under the *TAFE Queensland Act 2013*. It is a not-for-profit entity governed by an independent board.

Most of its income comes from training revenue received from students. In recognition of TAFE Queensland's cost disadvantage in the market (having to provide non-profitable courses), the Queensland Government provides a state contribution grant, which funds part of the difference in costs between public and private training providers.

### Queensland Curriculum and Assessment Authority

The Queensland Curriculum and Assessment Authority is a statutory body established under the *Education (Queensland Curriculum and Assessment Authority) Act 2014*. It provides the syllabuses for all schooling from Kindergarten to Year 12. It also provides guidelines, assessment, reporting, testing, and certification services for Queensland schools. It revises syllabuses and guidelines and offers services and resources to help teachers implement them.

Most of its income comes from grant funding from the Queensland Government, approved through the state budget process.

### Queensland College of Teachers

The Queensland College of Teachers is responsible for registering teachers for Queensland schools, and for providing accreditation for pre-service teacher education programs. It is a statutory body established under the *Education (Queensland College of Teachers) Act 2005* to ensure teachers meet Australian education standards and act ethically.

The biggest contributors to the college's income are its teacher registration and application fees.

### Non-State Schools Accreditation Board

The Non-State Schools Accreditation Board works with non-state governing bodies in the areas of accreditation and funding eligibility. The board is a statutory body established under the *Education (Accreditation of Non-State Schools) Act 2001*.

While the board receives grant funding, most of its income is from corporate services the Department of Education provides, which it recognises at the value it would have paid for the services if it had to pay for them.

