

UNIVERSITIES ACCORD (OPENING THE DOORS OF OPPORTUNITY) BILL 2026

JULY 2026





ABOUT THE REGIONAL UNIVERSITIES NETWORK

The Regional Universities Network (RUN) welcomes the opportunity to contribute to the inquiry into the Universities Accord (Opening the Doors of Opportunity) Bill 2026 (the Bill) consultation process.

RUN is a national collaborative group of six regional Australian universities:

- Charles Sturt University.
- CQUniversity Australia.
- Federation University Australia.
- Southern Cross University.
- University of New England.
- University of Southern Queensland.

This submission reflects the positions of RUN institutions, and in doing so, also aims to represent the views of the communities which RUN universities serve; the one-third of Australians who live outside of metropolitan centres in regional, rural, and remote locations. RUN believes that all Australians, regardless of background or geography, should have access to an equitable standard of university opportunities, tertiary facilities, and research services.

For further information please contact RUN on 0408 482 736 or info@run.edu.au.

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OVERVIEW

RUN supports the role of the Australian Tertiary Education Commission (ATEC) in introducing and overseeing a system of managed growth enrolments and needs-based funding. RUN believes that a properly designed system of managed growth enrolments, accompanied by the introduction of needs-based funding, and overseen by an independent ATEC, will lead to more positive outcomes for underrepresented students, the universities upon which they rely, and the workforces into which they graduate.

RUN has repeatedly called for a system of needs-based funding and managed growth enrolments that seeks a more equitable redistribution of both domestic and international student cohorts across the tertiary sector. RUN believes these measures, if overseen appropriately by the ATEC, will drive a more effective tertiary system where all Australians, regardless of background or geography, have access to an equitable standard of university opportunities, tertiary facilities, and research services.

RUN is supportive of the broad policy direction of the Bill as the legislative instrument to facilitate the ATEC's administering of needs-based funding and a system of managed growth enrolments. However, RUN believes the legislation could be further improved with certain amendments. RUN recommends amendments that will:

- Ensure ongoing legislated certainty of minimum core student load at both a system and individual provider level, such that the capacity of the system or its individual providers does not erode over time.
- Remove powers that allow the Minister to make determinations, or that allow the Minister to direct the ATEC in making determinations, directed at the level of an individual provider.
- Enhance the accountability and transparency of determinations made by the Minister and/or ATEC regarding Commonwealth Supported Place allocations that occur outside of established guidelines or instruments.
- Ensure the relevant modifier values for the equity and regional components of needs-based funding will always be greater than zero.
- Enable needs-based funding to feature expenditure rollover provisions that allow providers the autonomy to make informed decisions about the deployment of funding at the time and place of greatest impact.
- Facilitate an independent review of the international student allocation framework, and
- Provide a clarified, legislated mechanism for information disclosure to occur between the ATEC and the Department of Education.

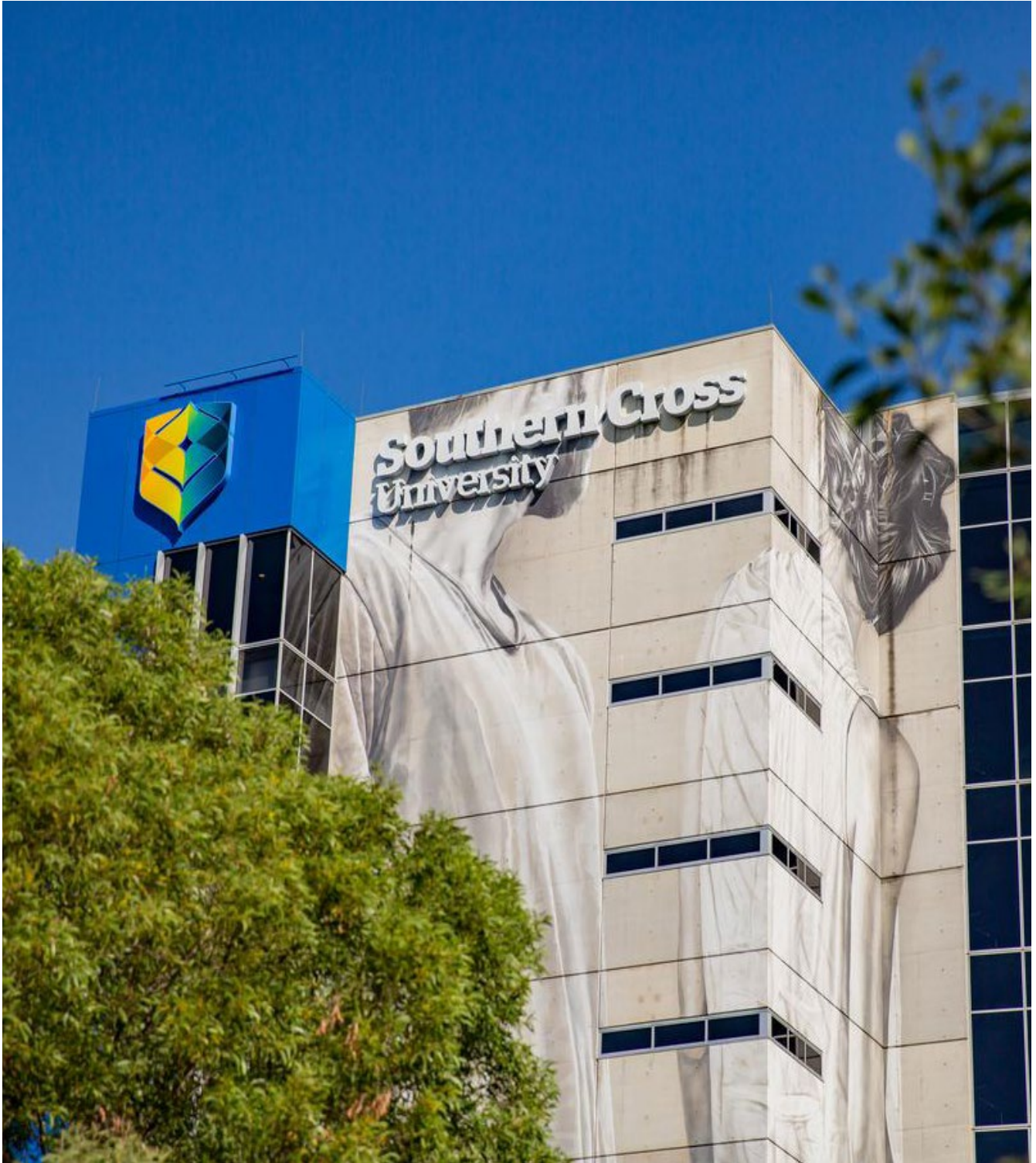
RUN takes the view, on balance, that this legislation should be supported and passed by the Senate upon their careful consideration of the specific amendments outlined below. In providing this support, however, RUN acknowledges that much of the qualifying detail of the effectiveness of the broader framework is subject to discretionary ministerial decisions, ATEC allocations, and the interpretation of accompanying guidelines and administrative processes, rather than legislated guarantees set out in the Bill. The success of the managed growth system and needs-based funding reforms will depend on strengthening the legislative architecture established by the Bill and on the quality, transparency, and accountability of the implementation arrangements that follow. Ultimately, the success of this Bill will depend upon the guidelines matching the policy objectives that have been articulated by the Government.

As such, RUN holds a level of discomfort in the magnitude of expanded powers granted to the Minister by the Bill. RUN supports a system of managed growth enrolments and accepts that a higher degree of Government intervention in Commonwealth Supported Place allocation would be an unavoidable necessity. Nonetheless, the Bill contains excessive and unnecessary Ministerial overreach, and RUN therefore seeks a better balance of intervention powers between the

OVERVIEW

Minister and the ATEC via the specific amendments outlined within this submission. The design of the Bill raises questions about the impact of unfettered Ministerial powers upon institutional autonomy, the transparency and accountability of decisions, and the appropriate balance between sectoral stewardship and executive decision-making.

RUN supports the submissions being put forward to this inquiry by its individual members, and by Universities Australia.



SCHEDULE 1—AMENDMENTS RELATING TO THE FUNDING OF HIGHER EDUCATION

Part 1 – Managed Growth Funding System

Clarifying policy intent within the Bill

RUN supports the objectives of the Australian Universities Accord (the Accord) in expanding the tertiary system to meet Australia's growing skills needs over a long-term horizon. RUN therefore supports the policy intent of the Bill, as articulated by the Explanatory Memorandum, to provide a stable foundation for existing student places while enabling future sectoral growth. A fundamental tenet of the Accord's blueprint for Australia's future tertiary system is that the capacity of the system, or of its individual providers, should not retreat.

RUN believes the supply of Commonwealth Supported Places should always be higher than demand. At a system level, this gives the ATEC the flexibility it needs to direct supply towards unmet demand, while recognising that unfilled growth places are not an inefficiency in the system. It is important to note that unfilled growth places do not result in increased expenditure, but they provide the ATEC the required flexibility to ensure the system can meet demand as needed. At a provider level, this affords universities planning security so that they may make reasonable decisions about the resourcing of student services, course offerings, staffing, research strategy, and tertiary infrastructure. Providing individual institutions with certainty of maintaining a minimum funded student load is an essential aspect of a system that enables providers to plan over long-term horizons.

Ensuring that ongoing certainty of minimum core student load at both a system and individual provider level is a welcome feature of the Bill's policy intent, as set out within clause 53 of the Bill's Explanatory Memorandum. The Bill as drafted outlines the maximum total number of Commonwealth Supported Places that may be allocated to the system in any year. However, it does not provide any requirement or instrument to allocate a minimum Total Allocation Pool quantum to be determined and applied.

A future Government may therefore have the legislative instrument to allocate a reduced Total Allocation Pool quantum of its choosing, including a zero allocation, at either a system or individual provider level. The legislation should do more than enable future governments to increase the quantum of Commonwealth Supported Places within the system at any time; it must also guarantee the preservation of existing system or institutional capacity.

I RUN RECOMMENDS:

For the Bill to be amended so that it aligns with the Government's stated policy intentions. To achieve this RUN recommends the following amendments be made:

Section 30-5(1) and Section 30-5(4)

RUN recommends these provisions be amended to ensure a legislated minimum Total Allocation Pool is established at a system level, and be set to at least the level required to equal the existing system capacity.

Section 30-25(1)

RUN recommends this provision be amended to ensure that the ATEC allocates to individual providers at least a core student load that is equal to the previous years' Domestic Student Profile, or the most recent Commonwealth Supported Place Equivalent Full-Time Student Load figures available.

SCHEDULE 1—AMENDMENTS RELATING TO THE FUNDING OF HIGHER EDUCATION

Section 30-20(2)

RUN recommends this provision be amended to ensure an individual provider's Domestic Student Profile is never set below its core student load, thereby formally establishing a funding floor.

Ministerial powers

Section 36-65 (Providers to comply with conditions determined by Minister)

This section grants expanded powers to the Minister to, at any time, impose provider-specific conditions in addition to conditions outlined within the framework of a Mission-Based Compact. RUN believes this expansion of Ministerial determinations down to the level of individual providers to be unjustified and contrary to reasonable expectations of system transparency. The creation of discretionary new obligations through non-disallowable instruments and administrative determinations is unnecessary Ministerial overreach. This overreach would compound the broader shift away from the localised, highly-responsive, and autonomous decision-making that underpins Australia's world-class tertiary sector, and instead towards a more centralised control of Australia's diverse universities. RUN believes that an effective and independent ATEC can execute its duties without the need for Ministerial intervention at the level of an individual provider in the administration of the managed growth system.

I RUN RECOMMENDS

That section 36-65 be amended to remove the powers extended to the Minister to determine specific conditions that a specified higher education provider must comply with.

Transparency and accountability of determinations

Sections 30-25(2), 30-25(4), 30-55(1), 30-65(1), 33-39A(4), 36-65(1)

RUN believes that it is vital to have a consistent approach to executive decision-making, and that the success of a managed system will be underpinned by transparency and accountability. The Bill as currently written lacks the appropriate safeguards to achieve this, especially with regard to delegation and determinations, including who made the decision, on what basis, and with what effect. These sections enable the Minister and/or ATEC to make determinations regarding Commonwealth Supported Place allocations outside of guidelines or instruments, in writing, with only some sections subject to publication requirements.

I RUN RECOMMENDS

The legislative provisions be amended to require Ministerial and/or ATEC decisions to be published, supported by justification and alignment to transparent criteria.



SCHEDULE 1—AMENDMENTS RELATING TO THE FUNDING OF HIGHER EDUCATION

Part 2 – Needs-Based Funding

RUN welcomes the recognition that needs-based funding is required to more accurately meet the true cost of supporting students from underrepresented backgrounds and/or those studying in regional locations.

RUN supports the Bill as an appropriate legislative framework that supports the implementation of Needs-Based Funding. However, the defined scope of eligible activities that Needs-Based Funding may be spent on largely sits outside of the legislation, within accompanying Guidelines. As such, RUN's support of this Bill in delivering impact towards regional and/or underrepresented students via needs-based funding relies on the design and implementation of Guidelines.

RUN supports the Needs-Based Funding Guidelines being used to define equity students, calculate contribution amounts, and outline eligible and ineligible funded activities, rather than these considerations being fixed in legislation. It is important that such considerations remain flexible to ongoing review and revision over time as guidelines, to allow the management of needs-based funding to evolve in line with shifting need.

While the operational impact of Needs-Based Funding sits outside of the Bill, within accompanying Guidelines, RUN nonetheless believes that the funding must continue to allow for the delivery of existing commitments, activities and initiatives that have been designed to support equity student needs. RUN does not support Needs-Based Funding being applied exclusively to the creation of new programs or initiatives. Existing commitments that must continue to be supported within the Guidelines would include, for instance:

- Aspiration-building, outreach, access and participation for eligible students.
- Retention, progression, success and completion initiatives.
- The additional costs associated with supporting students who face barriers to participation and success, and
- The higher costs of providing accessible, high-quality education in regional Australia.

Without sustained investment in these activities, the managed growth system may increase the supply of places without generating the student demand required to meet the Accord's long-term participation targets. Regional universities continue to host the highest concentrations of students from underrepresented backgrounds within the sector and are the foremost leaders in designing and delivering support to equity students. As such, it is important that the guidelines ensure sufficient flexibility for universities to respond to different student cohorts, locations, and delivery models, via differentiated practice and timing. Whether an activity is existing or new should not determine its eligibility under the needs-based funding guidelines.

RUN also supports the equity and regional components of needs-based funding remaining distinct and cumulative, with the regional component appropriately recognising both the higher costs of eligible regional-campus delivery and the support needs of regional and remote students. It is crucial, however, that the legislation ensures the relevant modifiers for the equity and regional components of needs-based funding will always be higher than zero. As drafted, the legislation leaves the regional and equity modifiers to be determined within the accompanying guidelines, meaning that there is no legislative guarantee for either modifier not being set to zero. To meet the intent of the policy, such that underrepresented students and their universities receive additional funding for the purposes set out by the design of needs-based funding, RUN believes the Bill should explicitly require the relevant modifiers to always be greater than zero.

SCHEDULE 1—AMENDMENTS RELATING TO THE FUNDING OF HIGHER EDUCATION

I RUN RECOMMENDS

That Sections 39-40 and 39-55(4) be amended to require the equity and regional modifiers to be greater than zero, with the exact determination to be reflected within the guidelines.

It is also important that universities have the flexibility to make sustained, strategic investments in activities that enhance student support and success. Many student support initiatives require prolonged investments, and universities should have the autonomy to deploy the funding at the time and place of greatest impact. The full impact of many such activities would be compromised by a requirement to spend funding within arbitrary timelines. As such, RUN proposes an amendment to prevent the Guidelines from requiring unreasonable expenditure deadlines that prohibit a provider from carrying funding forward to support multi-year investments in activity.

I RUN RECOMMENDS

That Section 39-70(6) be amended to enable needs-based funding to remain subject to the ordinary rollover provisions in section 41-40 of the Higher Education Support Act 2003.



SCHEDULE 2—AMENDMENTS RELATING TO ALLOCATIONS OF INTERNATIONAL STUDENT PLACES

RUN supports the role of the ATEC in overseeing a more equitable redistribution of international student cohorts within Australia's tertiary system. The current maldistribution of international cohorts studying across Australia's universities that has been allowed to become entrenched over time has caused profound inequities in Australia's tertiary system. RUN believes that all Australians, regardless of background or geography, should have access to an equitable standard of university opportunities, tertiary facilities, and research services. In achieving a more balanced, vibrant, and equitable tertiary system that delivers skilled graduates into local workforces, RUN acknowledges the role played by a more strategic management of international student enrolments aligned to national interest imperatives. RUN believes that this management must be undertaken by a truly independent ATEC, and not be subject to discretionary and/or potentially politicised future Ministerial intervention in directing the ATEC on provider-level allocation decisions. Instead, Ministerial involvement should be limited to setting the broad policy framework and determining the overall parameters of the system, thereby allowing the ATEC to independently make provider-level determinations, as is the case with domestic student allocations.

I RUN RECOMMENDS

That Section 71(2) of the ATEC Act be amended to remove the power given to the Minister to direct the ATEC in its determinations of international student allocations to individual providers.

Regional universities have experienced profoundly disproportionate operating consequences of international student policy volatility in recent years. As such, RUN believes the international student allocation framework should be open to independent statutory review as a sensible equity and accountability measure. RUN notes that the Bill rightfully provides for evaluations of needs-based funding and Managed Growth Funding. RUN seeks this basic accountability principle to be applied to the international student allocation framework as well.

I RUN RECOMMENDS

A new Division be included into the Bill requiring an independent statutory review of the international student allocation framework (established by Schedule 2).



SCHEDULE 4—AMENDMENTS RELATING TO INFORMATION MANAGEMENT

For the ATEC to make informed and timely judgements in its administration of the managed growth system and needs-based funding, RUN believes the body must have access to accurate and up-to-date information collected from the sector by the Department of Education.

RUN notes the Higher Education Support Act 2003 (HESA) Division 180 (disclosure or use of HESA information) would indicate that a disclosure of HESA information to the ATEC would be afforded, as/when required. Nonetheless, RUN would advocate for a more explicit legislative inclusion in HESA Division 180 that provides for information disclosure to the ATEC, similar to that afforded to the Tertiary Education Quality and Standards Agency (TEQSA) via HESA 180-15: Disclosure of information to TEQSA.

RUN RECOMMENDS

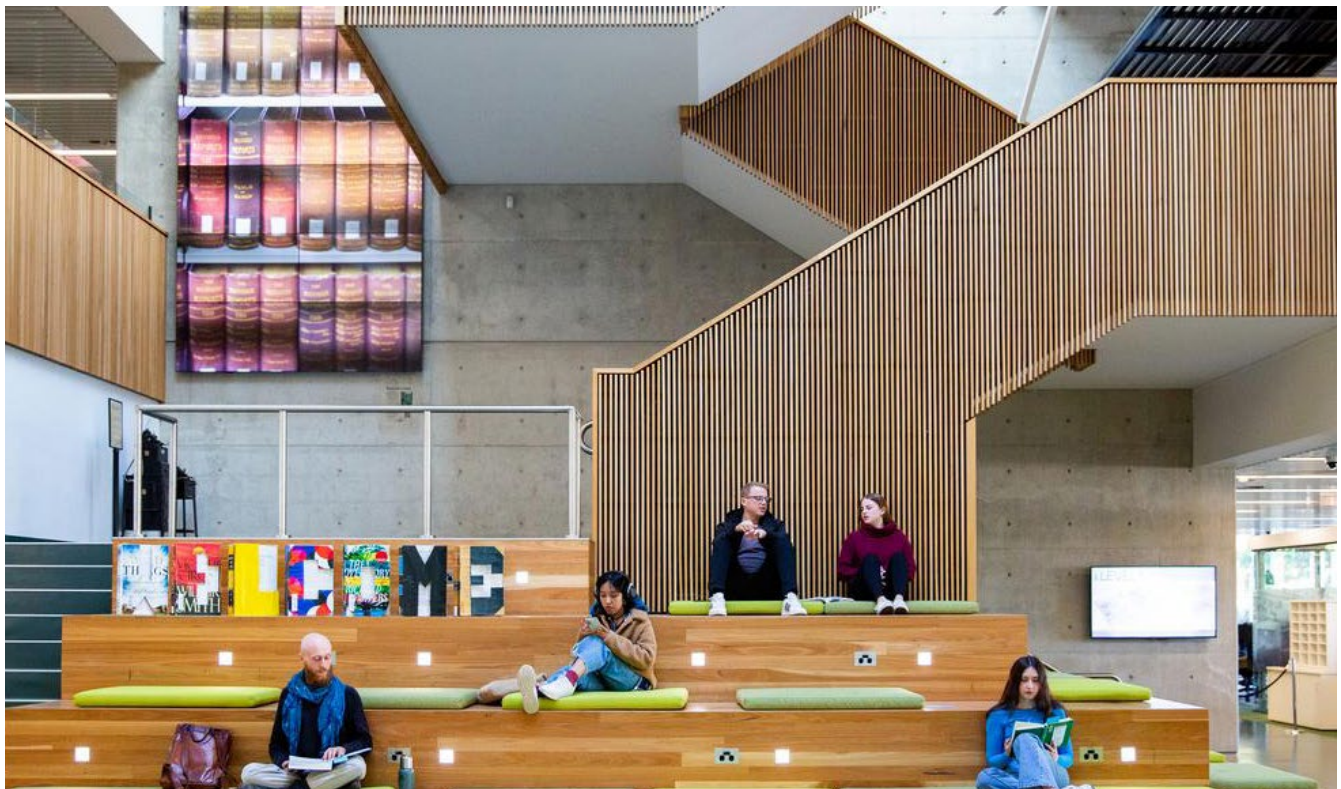
That the Bill be amended to reflect similar wording to that of HESA 180-15 for the purposes of the legislative inclusion of a new 180-16, as follows:

180-16 Disclosure of information to the ATEC

*The *Secretary may disclose *Higher Education Support Act information to:*

- (a) *The ATEC; or*
- (b) an ATEC Commissioner;*
- (c) or a member of staff of the ATEC (within the meaning of the *Universities Accord (Australian Tertiary Education Commission) Bill 2025);*

for the performance of duties or functions, or the exercise of powers, under, or for the purposes of, that Act.





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