



Education Services for Overseas Students (Registration Charges) Act 1997

No. 18, 1997



Education Services for Overseas Students (Registration Charges) Act 1997

No. 18, 1997

**An Act to impose registration charges in relation to
the Commonwealth Register of Institutions and
Courses for Overseas Students**

Contents

1	Short title.....	1
2	Commencement.....	2
3	Crown to be bound	2
4	Interpretation	2
5	Annual registration charge	2
6	Initial registration charge.....	3
7	Indexation of amounts	4
8	Imposition of charges	5
9	Transitional arrangements for 1997.....	5



Education Services for Overseas Students (Registration Charges) Act 1997

No. 18, 1997

An Act to impose registration charges in relation to the Commonwealth Register of Institutions and Courses for Overseas Students

[Assented to 27 March 1997]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Education Services for Overseas
Students (Registration Charges) Act 1997*.

Section 2

2 Commencement

This Act commences on the day on which the *Education Services for Overseas Students (Registration of Providers and Financial Regulation) Amendment Act (No. 1) 1997* commences.

3 Crown to be bound

This Act binds the Crown in each of its capacities.

4 Interpretation

An expression used in this Act that is also used in the *Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act 1991* has the same meaning as in that Act, unless the contrary intention appears.

5 Annual registration charge

- (1) A provider who is a registered provider on 1 January of a year is liable to pay an annual registration charge for the year.

Note: This section extends to a registered provider whose registration has been suspended.

- (2) The amount of the charge for the year is worked out using the following table, based on the total enrolments for the provider in the previous year:

Table to work out amount of charge		
Item	Total enrolments in previous year	Amount of charge
1	0-10	\$300
2	11-50	\$750
3	51-200	\$1,500
4	201-400	\$2,500
5	401 or more	\$5,000

Note: The amount of the charge is indexed under section 7 for 1998 and later years.

- (3) The *total enrolments* for a provider in a year is worked out by adding together the number of enrolments of overseas students for each course provided by the provider in the year.
- (4) When working out the enrolments for a course for a year:
 - (a) for a course of at least 26 weeks duration—each student who is enrolled in the course at any time during the year counts as one enrolment; and
 - (b) for a course of less than 26 weeks duration—each student who is enrolled in the course at any time during the year counts as 0.5 of an enrolment.
- (5) For the purposes of this section, a course that spans 2 or more years is taken to be a separate course in each of those years.

6 Initial registration charge

- (1) Upon becoming registered, a provider is liable to pay an initial registration charge.

Note: A provider is liable to pay the initial registration charge each time the provider becomes registered.

- (2) The amount of the charge for a registration is worked out using the formula:

$$\$300 \times \frac{\text{Remaining months}}{12}$$

where:

remaining months means the number of complete months that remain in the year after the provider becomes registered.

Note: The amount of the charge is indexed under section 7 for 1998 and later years.

7 Indexation of amounts

- (1) This section applies for the purpose of working out the amount of initial registration charge or annual registration charge for any year (the *current year*) after 1997.
- (2) Each amount of charge in the table in subsection 5(2), and the amount specified in the formula in subsection 6(2), are to be adjusted for the current year by multiplying the amounts that applied to the year before the current year by the indexation factor worked out using the formula:

$$\frac{\text{Index number for the recent September quarter}}{\text{Index number for the previous September quarter}}$$

where:

index number, for a quarter, means the All Groups Consumer Price Index number that is the weighted average of the 8 capital cities and is published by the Australian Statistician for that quarter.

recent September quarter means the September quarter in the year before the current year.

previous September quarter means the September quarter before the recent September quarter.

- (3) The indexation factor worked out under subsection (2) must be rounded up or down to 3 places (rounding up in the case of exactly halfway between).
- (4) Amounts worked out under subsection (2) must be rounded to the nearest whole dollar (rounding up in the case of 50 cents).
- (5) If at any time (whether before or after the commencement of this section) the Australian Statistician has changed or changes the reference base for the Consumer Price Index, then, for the purposes of applying this section after the change, only index

numbers published in terms of the new reference base are to be used.

8 Imposition of charges

The annual registration charge and the initial registration charge are imposed by this section.

9 Transitional arrangements for 1997

If this Act does not commence before 1 January 1997, then subsection 5(1) applies for 1997 as if the reference in that subsection to “1 January of a year” were a reference to “the day this Act commenced”.

*[Minister’s second reading speech made in—
House of Representatives on 9 October 1996
Senate on 9 December 1996]*

(127/96)

Section 9

I HEREBY CERTIFY that the above is a fair print of the Education Services for Overseas Students (Registration Charges) Bill 1997 which originated in the House of Representatives as the Education Services for Overseas Students (Registration Charges) Bill 1996 and has been finally passed by the Senate and the House of Representatives.

Clerk of the House of Representatives

IN THE NAME OF HER MAJESTY, I assent to this Act.

Governor-General
March 1997

(127/96)

