Education Services for Overseas Students (Registration of Providers and Financial Regulation) Regulations (Amendment) 1992 No. 168

EXPLANATORY STATEMENT

STATUTORY RULES 1992 No. 168

Issued by the authority of the Minister for Employment, Education and Training

Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act 1991

Education Services for Overseas Students (Registration of Providers and Financial Regulation) Regulations (Amendment)

The Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act 1991 (the Act) provides the legislative authority for the registration of all courses offered by Australian education providers to overseas students a for requiring providers to assure the financial security of advance fees paid by overseas students.

Section 19 of the Act provides that the Governor-General may make regulations for the purposes of the Act.

The proposed regulations make three amendments to the existing Regulations.

1.   Regulation 3 (Information to be kept on the Register)

At present, paragraph 3(2)(h) requires the designated State authority to inform the Secretary to the Department of Employment, Education and Training of the number of student places at an approved institution by course. This has prove impractical. The amendment only requires notification of an approved institution's total number of student places.

2.   Schedule 1 (Form)

Schedule 1, with subregulation 7(1), establishes the Form for annual returns by education providers required in section 8 of the Act. The amendment corrects a drafting error cross-referencing items on the Form.

3.   Schedule 2 (Exempt Providers)

Schedule 2, with regulation 8, exempts some providers from the financial requirements of the Act. Current policy exempts those registered providers in receipt of Commonwealth recurrent grants. The amendment is required to keep the list current.

The proposed regulations commence on gazettal.