



Statutory Rules 1988 No. <sup>1</sup>

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## Overseas Students Charge Collection Regulations<sup>2</sup> (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Overseas Students Charge Collection Act 1979*.

Dated ~~22 December~~ 1988.

**N. M. F. G. G. G.**

Governor-General

By His Excellency's Command,

*Gerry Hand*  
Minister of State for Aboriginal Affairs,  
for and on behalf of the  
Minister of State for Employment,  
Education and Training

### Commencement

1. These Regulations commence on 1 January 1989.

### Principal Regulations

2. In these Regulations, "Principal Regulations" means the Overseas Students Charge Collection Regulations.

### Exemptions

3. Regulation 4 of the Principal Regulations is amended by omitting from subparagraph (1) (a) (iii) "university or advanced" and substituting "higher".

4. Regulation 5 of the Principal Regulations is repealed and the following regulation substituted:

### Refunds

- "5. (1) Where a student in respect of whose enrolment in a course a charge has been paid withdraws from the course or is granted an entry permit other than a temporary entry permit:

- (a) if the student is enrolled before or at the commencement of the course—not more than 6 weeks after the day of the commencement;
- or

- (b) if the student is not so enrolled—not more than 6 weeks after the day on which the student enrolls in, or commences, the course, whichever is the later;

the amount of the charge shall, on application by the student in accordance with regulation 6, be refunded to the student.

“(2) Where a student in respect of whose enrolment in a course a charge has been paid:

- (a) withdraws from the course;
- (b) dies; or

(c) is granted an entry permit other than a temporary entry permit; before more than one-half of the period of the normal duration of the course has elapsed, an amount equal to one-half of the charge shall, on application by the student in accordance with regulation 6, be refunded to the student.

“(3) Where an amount is refunded because of the death of a student, the amount of the refund shall be paid to the legal personal representative of the student.

“(4) In this regulation, ‘course’ includes a prescribed course, any other course of study or course of instruction or training or a unit or subject.”.

#### Remission of charge

5. Regulation 8 of the Principal Regulations is amended:

- (a) by omitting subregulation (1) and substituting the following subregulations:

“(1) Where a student in respect of whose enrolment in a course a charge has been imposed withdraws from the course or is granted an entry permit other than a temporary entry permit:

- (a) if the student is enrolled before or at the commencement of the course—not more than 6 weeks after the day of the commencement; or
- (b) if the student is not so enrolled—not more than 6 weeks after the day on which the student enrolls in, or commences, the course, whichever is the later;

the Secretary shall, on application by the student in accordance with this regulation, remit the charge.

“(1A) Where a student in respect of whose enrolment in a course a charge is imposed:

- (a) withdraws from the course;
- (b) is not permitted by the relevant institution to continue the course;
- (c) dies; or
- (d) is granted an entry permit other than a temporary entry permit;

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before more than one-half of the period of the normal duration of the course has elapsed, the Secretary shall, on application by the student in accordance with this regulation, remit one-half of the charge.”;

(b) by adding at the end the following subregulation:

“(3) In this regulation, ‘course’ includes a prescribed course, any other course of study or course of instruction or training or a unit or subject.”.

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#### NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 1988.
2. Statutory Rules 1979 No. 290 as amended by 1982 No. 374; 1985 No. 353; 1986 No. 380.

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