



# **Higher Education Support Amendment (VET FEE-HELP Assistance) Act 2008**

**No. 11, 2008**

**An Act to amend the *Higher Education Support Act 2003*, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)



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# Higher Education Support Amendment (VET FEE-HELP Assistance) Act 2008

No. 11, 2008

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## An Act to amend the *Higher Education Support Act 2003*, and for related purposes

[Assented to 20 March 2008]

The Parliament of Australia enacts:

### 1 Short title

This Act may be cited as the *Higher Education Support Amendment (VET FEE-HELP Assistance) Act 2008*.

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## **2 Commencement**

This Act commences on the day on which it receives the Royal Assent.

## **3 Schedule(s)**

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## Schedule 1—Amendments

### *Higher Education Support Act 2003*

#### **1 At the end of clause 6 of Schedule 1A**

Add:

- ; and (g) the body complies with any requirements set out in the \*VET Provider Guidelines relating to \*VET credit transfer arrangements.

#### **2 After clause 27 of Schedule 1A**

Insert:

##### **27A Requirements in the VET Provider Guidelines**

A \*VET provider must comply with any requirements set out in the \*VET Provider Guidelines relating to:

- (a) fees for \*VET units of study; or
- (b) fees for \*VET courses of study; or
- (c) matters or things for which fees may be charged.

#### **3 Subclause 28(1) of Schedule 1A**

After “provide”, insert “, other than under \*VET restricted access arrangements,”.

Note: The following heading to subclause 28(1) is inserted “*General rule*”.

#### **4 After subclause 28(2) of Schedule 1A**

Insert:

##### *Restricted access arrangements*

- (2A) A \*VET provider must give the Minister a schedule of the \*VET tuition fees determined under clause 27 for each \*VET unit of study it provides or proposes to provide under a \*VET restricted access arrangement during a period ascertained in accordance with the \*VET Provider Guidelines. It must give the schedule:
- (a) in a form approved by the Minister; and

- (b) in accordance with the requirements that the Minister determines in writing.

(2B) The provider must:

- (a) ensure that the schedule provides sufficient information to enable a person to work out the person's \*VET tuition fee for the \*VET unit of study the provider provides or is to provide under the \*VET restricted access arrangement; and
- (b) ensure that the schedule is available, on request and without charge, to all students enrolled, or eligible to be enrolled, under the VET restricted access arrangement.

## **5 Subparagraph 28(3)(a)(i) of Schedule 1A**

After "(1)", insert "or (2A)".

## **6 Subclause 28(4) of Schedule 1A**

Omit "and (2)", substitute "to (2B)".

## **7 At the end of clause 43 of Schedule 1A**

Add:

- ; and (i) the student meets any other requirements set out in the \*VET FEE-HELP Guidelines.

## **8 Subclause 45(1) of Schedule 1A**

Repeal the subclause, substitute:

- (1) The course requirements for \*VET FEE-HELP assistance for a \*VET unit of study are that the unit:
  - (a) is being undertaken as part of a \*VET course of study that meets any requirements set out in the \*VET FEE-HELP Guidelines relating to \*VET credit transfer arrangements; and
  - (b) is not being undertaken as part of a VET course of study that:
    - (i) is subject to a determination under subclause (2); or
    - (ii) is with a \*VET provider that is subject to a determination under subclause (2).

## **9 Clause 1 of Schedule 1**

Insert:



***VET credit transfer arrangement*** means an arrangement for crediting a \*VET unit of study or \*VET course of study toward a \*higher education award.

## **10 Clause 1 of Schedule 1**

Insert:

***VET restricted access arrangement***, for a \*VET course of study, means an arrangement:

- (a) that was entered into between the \*VET provider providing the course and an employer or industry body; and
  - (b) that limits or restricts enrolments in some or all of the places in the course.
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*[Minister's second reading speech made in—  
House of Representatives on 14 February 2008  
Senate on 11 March 2008]*

(7/08)

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