



Higher Education Support Amendment (Student Contribution Amounts and Other Measures) Act 2012

No. 127, 2012

**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/>)

Contents

1	Short title.....	1
2	Commencement.....	2
3	Schedule(s).....	2
	Schedule 1—Student contribution amounts	3
	<i>Higher Education Support Act 2003</i>	3
	Schedule 2—Citizenship or residency requirements	4
	<i>Higher Education Support Act 2003</i>	4



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No. 127, 2012

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

[Assented to 13 September 2012]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Higher Education Support Amendment (Student Contribution Amounts and Other Measures) Act 2012*.

Higher Education Support Amendment (Student Contribution Amounts and Other Measures) Act
2012 No. 127, 2012 1

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	13 September 2012
2. Schedule 1	The day this Act receives the Royal Assent.	13 September 2012
3. Schedule 2	1 January 2013.	1 January 2013

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Student contribution amounts

Higher Education Support Act 2003

1 Subsection 93-10(1) (paragraph (a) of the cell at table item 3, column 2)

Before “Computing”, insert “Mathematics, Statistics,”.

2 Subsection 93-10(1) (paragraph (b) of the cell at table item 3, column 2)

Omit “; or”, substitute “.”.

3 Subsection 93-10(1) (paragraph (c) of the cell at table item 3, column 2)

Repeal the paragraph.

4 Subsection 93-10(1) (paragraph (a) of the cell at table item 7, column 2)

Omit “(a)”.

5 Subsection 93-10(1) (paragraph (a) of the cell at table item 7, column 2)

After “Engineering”, insert “, Science”.

6 Subsection 93-10(1) (paragraph (a) of the cell at table item 7, column 2)

Omit “; or”, substitute “.”.

7 Subsection 93-10(1) (paragraph (b) of the cell at table item 7, column 2)

Repeal the paragraph.

8 Application

The amendments made by this Schedule apply in relation to a unit of study with a census date on or after 1 January 2013.

Schedule 2—Citizenship or residency requirements

Higher Education Support Act 2003

1 Subsection 36-10(2B)

Omit “paragraph (2)(b) or (c)”, substitute “subsection (2)”.

2 Subsection 90-5(3)

Omit “*permanent humanitarian visa holder”, substitute “student”.

3 Subsection 90-5(3)

Omit “the visa holder”, substitute “the student”.

4 Subsection 104-5(3)

Omit “*permanent humanitarian visa holder or *permanent visa holder”, substitute “student”.

5 Subsection 104-5(3)

Omit “the visa holder”, substitute “the student”.

6 At the end of section 104-5

Add:

- (4) Despite subsections (1) and (2), a student does not meet the citizenship or residency requirements in relation to a unit of study to which access was provided by *Open Universities Australia if the student was not resident in Australia on the day the student gave the *request for Commonwealth assistance in relation to the unit as referred to in subparagraph 104-1(1)(i)(i).

7 Subsection 126-5(2)

Omit “*permanent humanitarian visa holder”, substitute “student”.

8 Subsection 126-5(2)

Omit “the visa holder” (wherever occurring), substitute “the student”.

9 Application

- (1) The amendments made by items 1 to 3 of this Schedule apply in relation to a unit of study that forms part of a course of study commenced by a person on or after 1 January 2013.
- (2) The amendments made by items 4 and 5 of this Schedule apply in relation to a unit of study that forms part of a course of study or bridging course for overseas-trained professionals commenced by a person on or after 1 January 2013.
- (3) The amendment made by item 6 of this Schedule applies in relation to a unit of study with a census date on or after 1 January 2013.
- (4) The amendments made by items 7 and 8 of this Schedule apply in relation to a student services and amenities fee if:
 - (a) the fee is payable on or after 1 January 2013 by a person who is enrolled in a course of study or bridging course for overseas-trained professionals; and
 - (b) the person commences the course on or after 1 January 2013.

*[Minister's second reading speech made in—
House of Representatives on 23 May 2012
Senate on 27 June 2012]*

(84/12)

Higher Education Support Amendment (Student Contribution Amounts and Other Measures) Act

2012 No. 127, 2012 5