



# **Tertiary Education Quality and Standards Agency Amendment (Cost Recovery) Act 2021**

**No. 80, 2021**

**An Act to amend the *Tertiary Education Quality and  
Standards Agency Act 2011*, and for related  
purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation  
(<https://www.legislation.gov.au/>)



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**No. 80, 2021**

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**An Act to amend the *Tertiary Education Quality and  
Standards Agency Act 2011*, and for related  
purposes**

*[Assented to 13 August 2021]*

The Parliament of Australia enacts:

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*No. 80, 2021      Tertiary Education Quality and Standards Agency Amendment (Cost  
Recovery) Act 2021      1*

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## 1 Short title

This Act is the *Tertiary Education Quality and Standards Agency Amendment (Cost Recovery) Act 2021*.

## 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
Provisions	Commencement	Date/Details
1. The whole of this Act	The later of: (a) the start of the day after this Act receives the Royal Assent; and (b) the commencement of the <i>Tertiary Education Quality and Standards Agency (Charges) Act 2021</i> .  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	1 January 2022 (paragraph (b) applies)

Note: This table relates only to the provisions of this Act as originally enacted.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 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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—Registered higher education provider charge**

### ***Tertiary Education Quality and Standards Agency Act 2011***

#### **1 Section 5**

Insert:

***registered higher education provider charge*** means charge imposed by the *Tertiary Education Quality and Standards Agency (Charges) Act 2021*.

#### **2 After section 26B**

Insert:

#### **26C Condition—registered higher education provider charge must be paid**

- (1) A registered higher education provider must pay the following when they are due and payable by the provider:
- (a) registered higher education provider charge;
  - (b) any penalty for late payment of registered higher education provider charge.

Note: Registered higher education provider charge is imposed by the *Tertiary Education Quality and Standards Agency (Charges) Act 2021*.

- (2) The Registered Higher Education Provider Charge Guidelines may make provision for, or in relation to, all or any of the following matters:
- (a) the issue of notices setting out the amount of registered higher education provider charge payable by a provider;
  - (b) when registered higher education provider charge is due and payable;
  - (c) the issue of notices extending the time for payment of registered higher education provider charge;
  - (d) penalties for late payment of registered higher education provider charge;

- (e) to whom registered higher education provider charge and any penalties for late payment are payable;
  - (f) the refund, remission or waiver of registered higher education provider charge or penalties for late payment;
  - (g) the review of decisions made under the Registered Higher Education Provider Charge Guidelines in relation to the collection or recovery of registered higher education provider charge;
  - (h) any other matters relating to the collection or recovery of registered higher education provider charge.
- (3) If regulations under the *Tertiary Education Quality and Standards Agency (Charges) Act 2021* provide for the amount of registered higher education provider charge for a year for a registered higher education provider to be equal to the sum of one or more components, then a reference in this section to registered higher education provider charge includes a reference to the amount of such a component.

### 3 Section 204 (before table item 1)

Insert:

1A	Registered Higher Education Provider Charge Guidelines	section 26C
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[Minister's second reading speech made in—  
*House of Representatives on 13 May 2021*  
*Senate on 15 June 2021*]

(168/19)

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