

# **Overseas Students Charge Collection Regulations (Amendment) 1991 No. 464**

## **EXPLANATORY STATEMENT**

### **STATUTORY RULES 1991 No. 464**

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

Overseas Students Charge Collection Act 1979

Overseas Students Charge Collection Regulations (Amendment)

The Overseas Students Charge Collection Act 1979 (the Act) provides the legislative authority for arrangements for the collection of the Overseas Students Charge (OSC) payable by overseas students enrolled at Australian education institutions under the former subsidised students program. No new enrolments were accepted under this program after 31 December 1989. The program is now being phased out and it is expected that there will be no subsidised students remaining at Australian education institutions by the mid-1990s.

Section 9 of the Act provides that the Governor-General may make regulations for the purposes of the Act.

The proposed Regulations amend the Overseas Students Charge Collection Regulations (the Regulations) made under the Act by exempting from payment of the OSC overseas students who:

- (a) begin prescribed courses at prescribed educational institutions from 1 January 1992 (all new overseas students beginning from that date will either be on full fee arrangements or under some form of sponsorship or exchange);
- (b) are the dependants of temporary entry permit holders. This exemption will apply to all temporary entry permit holders' dependants. It will ensure that the Act becomes defunct from the mid-1990s when there will be no subsidised overseas students remaining to which it would be applicable. In the absence of this provision the Act could continue to impose a charge liability on some dependants who were never intended to be charged the OSC, and from whom OSC collections have generally not been made because their identification has proved difficult.

The proposed Regulations also clarify the existing provision exempting citizens of New Zealand, diplomatic or consular representatives of New Zealand, members of the staff of such representatives, or the spouses or dependant relatives of such representatives, from the payment of the OSC.

The proposed Regulations will commence on 1 January 1992.

Authority: Section 9 of the Overseas Students Charge Collection Act 1979