Commonwealth of Australia

Higher Education Support Act 2003

ADMINISTRATION GUIDELINES

Amendment to Guidelines made pursuant to section 238-10 of the Higher Education Support Act 2003

I, JULIE BISHOP, Minister for Education, Science and Training, pursuant to section 238-10 of the Higher Education Support Act 2003 ("the Act"), make the attached amendment to the Administration Guidelines for the purposes of Chapter 5 of the Act.

Dated this 5th day of October 2007.

JULIE BISHOP
Minister for Education, Science & Training

(i) CITATION

These guidelines may be cited as Amendment No. 2 to the Administration Guidelines.

(ii) AUTHORITY

These guidelines are made under subsection 238-10 of the Act for the purposes of Chapter 5 of the Act.

(iii) DATE OF EFFECT

These guidelines shall take effect on the day after the day on which they are registered on the Federal Register of Legislative Instruments.

(IV) AMENDMENT

These guidelines amend the Administration Guidelines made on 5 September 2005 and registered on 13 September 2005 (see F2005L02593)
ITEM 1

Delete paragraph 4.15.1 and substitute:

4.15.1 In the circumstances covered by paragraph 4.20.1(c) of these guidelines, a higher education provider may only vary a published census date or EFTSL value for a unit of study up to two months before the earlier of:

(a) the date of commencement of the unit of study; and

(b) the last date that a student can enrol in the unit of study without incurring a late enrolment fee.

ITEM 2

Delete paragraphs 4.20.1, 4.20.5 and 4.20.10 and substitute:

4.20.1 A higher education provider may only vary a published census date or EFTSL value if:

(a) the variation is:

   (i) necessary because of circumstances that did not apply at the time the census date or EFTSL value was determined under subsection 169-25(1) of the Act; or

   (ii) to correct an administrative error; and

(b) the higher education provider has advised the Department of Education, Science and Training, in writing, to aip@dest.gov.au of its intention to vary the census date or EFTSL value at least 5 working days before making the variation; and

(c) where the variation to the census date or EFTSL value for a unit of study will in the provider’s reasonable view disadvantage a student enrolled or seeking to enrol in the unit of study affected by the variation, it is made before the date ascertained in accordance with section 4.15.1 of these guidelines.

4.20.5 Without limiting the generality of paragraph 4.20.1(c) of these guidelines, a student will be disadvantaged by a variation that:

a) reduces the EFTSL value for a unit of study; or

b) brings the census date for a unit of study forward in time.

ITEM 3

Delete paragraph 4.25.5 and substitute:

4.25.5 A higher education provider that varies a published census date or EFTSL value must publish the varied census date or EFTSL value no later than two weeks after making the variation.