EXPLANATORY STATEMENT

Instrument of approval pursuant to subsection 16-50(1) of the Higher Education Support Act 2003

Higher Education Provider Approval (No. 2 of 2008)

Issued by the authority of the Minister for Education

Subject: Higher Education Support Act 2003
Higher Education Provider Approval pursuant to section 16-25 and subsection 16-50(1) of the Higher Education Support Act 2003

Section 16-25 of the Higher Education Support Act 2003 (‘the HESA’) empowers the Minister to, in writing, approve a body corporate as a higher education provider. Subsection 16-50(1) of the HESA provides that the Minister must decide an application for approval as a higher education provider, and must cause the applicant to be notified in writing regarding whether or not the applicant is approved as a higher education provider.

The instrument of approval is made pursuant to subsection 16-50(1) of the HESA. The instrument approves and gives notice of approval of ICHM Pty Ltd as a higher education provider.

Consultation was not undertaken and was not considered necessary in this case because the instrument confers a benefit on ICHM Pty Ltd and ICHM Pty Ltd is the only body affected by the instrument. This instrument will not have a direct or substantial indirect effect on business, nor will it restrict competition.

Commencement

In accordance with section 16-55 of the HESA and subsection 12(3) of the Legislative Instruments Act 2003, the approval takes effect on the day after the last day on which a House of Parliament could have passed a resolution disallowing the notice.