EXPLANATORY STATEMENT

Approval and Notice of approval under section 16-25 and subsection 16-50(1) of the Higher Education Support Act 2003

Higher Education Provider Approval No. 8 of 2009

Issued by the authority of the Minister for Education

Subject: Higher Education Support Act 2003 (HESA)
Higher Education Provider approval and notice of approval under section 16-25 and subsection 16-50(1) of HESA

Authority

Section 16-25 of HESA provides for the approval of bodies as Higher Education Providers by the Minister, while subsection 16-50(1) of HESA provides that the Minister must decide an application for approval as a higher education provider (paragraph 16-50(1)(a)) and cause the applicant to be notified in writing whether or not the applicant is approved as a higher education provider (paragraph 16-50(1)(b)). Subsection 16-55(1) of HESA stipulates that a notice of approval of a body as a higher education provider is a legislative instrument.
Under section 238-5 of HESA the Minister has delegated her powers under section 16-25 and subsection 16-50(1) of HESA to an APS employee in the Department.

Purpose

This instrument approves Stott’s Colleges Pty Ltd as a higher education provider under section 16-25 of HESA and as a consequence decides the application of Stott’s Colleges Pty Ltd for the purposes of subsection 16-50(1)(a) of HESA. The instrument also gives Stott’s Colleges Pty Ltd notice of that approval for the purposes of subsection 16-50(1)(b) of HESA.

Commencement

In accordance with paragraph 16-55(2) of the HESA this notice of approval is taken to have commenced on the first day after it is registered on the Federal Register of Legislative Instruments.

Consultation

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