EXPLANATORY STATEMENT

Notice of revocation of approval as a provider on application under subsection 22-40(1) of the Higher Education Support Act 2003

Issued by the authority of the Minister for Tertiary Education, Skills, Jobs and Workplace Relations

Subject: Higher Education Support Act 2003 (the Act)
Revocation of approval of a body as a higher education provider on request by the body under subsection 22-40(1) of the Act
Notice of revocation of approval under subsection 22-40(3) of the Act

Authority
Section 22-40(1) of the Higher Education Support Act 2003 (the Act) provides for the revocation of approval of a body as a higher education provider by the Minister if the body requests in writing that the Minister revoke its approval.

Section 22-40(3) of the Act specifies that the Minister must cause the body to be notified of the revocation in writing at least 14 days before the day on which the revocation is to take effect.

Under section 238-5 of the Act the Minister has delegated his powers under subsections 22-40(1) and 22-40(3) of the Act to any person holding the position of Branch Manager of the Tertiary Student Support Branch in the Skills Group of the Department of Education, Employment and Workplace Relations.

Subsection 22-40(3A) of the Act stipulates that a notice of revocation under subsection 22-40(3) is a legislative instrument for the purposes of the Legislative Instrument Act 2003.

Purpose
This legislative instrument revokes the approval of College of Law Pty Ltd as a higher education provider under subsection 22-40(1) of the Act.

Background
College of Law Pty Ltd was approved by the Minister’s delegate as a higher education provider on 24 February 2005 by Instrument of Approval No 4 of 2005 registered on the Federal Register of Legislative Instruments on 2 March 2005 (F2005L00419).

On 4 April 2011, College of Law Pty Ltd requested in writing that its approval as a higher education provider be revoked.

Commencement
In accordance with subsection 22-40(4) of the Act, the notice of revocation shall commence on 30 November 2011.

Consultation
Consultation was not undertaken and was not considered necessary because College of Law Pty Ltd has voluntarily applied for revocation of its approval as a higher education provider and College of Law Pty Ltd is the only higher education provider affected by the instrument.