I, CHRIS EVANS, Minister for Tertiary Education, Skills, Jobs and Workplace Relations, make this determination under paragraph (b) of the definition of designated authority in section 5 of the Education Services for Overseas Students Act 2000.

Dated 8 November 2011

CHRIS EVANS
Minister for Tertiary Education, Skills, Jobs and Workplace Relations

1 Name of determination
This determination is the Education Services for Overseas Students (Designated Authority) Determination 2011 (No. 2).

2 Commencement
This determination commences on the day after it is registered.

3 Revocation
The Specification of criteria for the purposes of the definition of “designated authority” made by the Minister on 19 June 2011 is revoked.
4 Definitions

In this determination:

*Act* means the *Education Services for Overseas Students Act 2000*.

*ASQA* means the body established by section 155 of the *National Vocational Education and Training Regulator Act 2011*.

*NVETR Act* means the *National Vocational Education and Training Regulator Act 2011*.

5 Designated authorities

For paragraph (b) of the definition of *designated authority* in section 5 of the Act, the designated authority for a State in relation to a provider is:

(a) if the provider is providing or seeking to provide an English Language Intensive Course for Overseas Students, or a Foundation program, other than in its capacity as a school, in a State that is:

(i) a referring State (within the meaning given by section 5 of the NVETR Act); or

(ii) a non-referring State (within the meaning given by section 7 of the NVETR Act); or

(iii) a Territory; —

ASQA; or

(b) otherwise — the person responsible under the law of the State for approving providers to provide courses to overseas students for the State.