Education Services for Overseas Students (Suitable alternative courses) Determination 2012 (No. 1)

Education Services for Overseas Students Act 2000

I, CHRIS EVANS, Minister for Tertiary Education, Skills, Science and Research, pursuant to subsection 49(6) of the Education Services for Overseas Students Act 2000 (the Act), specify the criteria to be applied in considering whether a particular course is a ‘suitable alternative course’ for the purposes of the Act.

Dated 18th June 2012

CHRIS EVANS
Minister for Tertiary Education, Skills, Science and Research

1 Name of determination
This determination is the Education Services for Overseas Students (Suitable Alternative Courses) Determination 2012 (No. 1).

2 Commencement
This determination commences at the same time as item 2 of the table under subsection 2(1) of the Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012.

3 Definitions
In this determination:
Act means the Education Services for Overseas Students Act 2000.
Course has the same meaning as it has in section 5 of the Act.
4 Criteria to be applied in considering whether a particular course is a ‘suitable alternative course’
For subsection 49(6) of the Act, the criteria to be applied in considering whether a particular course is a suitable alternative course are:

(a) The course is offered by a person who:
   (i) is registered under the Act to provide that particular course at the location in which that course is provided; or
   (ii) provides that course in accordance with an arrangement that the person has with a registered provider for that particular course for the particular location.

(b) Similarity with level and field of study as the original course;

(c) Geographical location; and

(d) Acceptability to student.