

# **Immigration (Education) Amendment Regulations 2001 (No. 1)**

## **2001 No. 46**

### **EXPLANATORY STATEMENT**

#### **STATUTORY RULES 2001 No. 46**

Issued by the Authority of the Minister for Immigration and Multicultural Affairs

*Immigration (Education) Act 1971*

*Immigration (Education) Amendment Regulations 2001 (No. 1)*

Section 13 of the *Immigration (Education) Act 1971* provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing all matters required or permitted by the Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

In addition, regulations may be made pursuant to the following power:

- subsection 4A(1) of the Act provides that the regulations may provide for the charging and recovery of fees, not exceeding the applicable fee limit per year per student, in respect of English courses provided in accordance with section 4.

The Regulations amend the *Immigration (Education) Regulations 1992* to provide for the indexation of a fee imposed in relation to English courses provided pursuant to section 4.

In accordance with Commonwealth Government Final Consumption Expenditure figures provided by the Department of Finance and Administration from data supplied by the Department of Treasury, the indexation for the period of financial year 2000-2001 results in an increase in the prescribed fee of approximately 1.5%, constituting an increase in the fee from \$280 to \$285.

The quantum of this increase does not cause the applicable fee limit to be exceeded.

Details of the regulations are as follows.

#### Regulation 1 - Name of Regulations

This regulation provides that these Regulations are the *Immigration (Education) Amendment Regulations 2001 (No. 1)*.

#### Regulation 2 - Commencement

This regulation provides that these Regulations commence on 1 April 2001.

#### Regulation 3 - Amendment of *Immigration (Education) Regulations 1992*

This regulation provides that the *Immigration (Education) Regulations 1992* are amended as set out in Schedule 1 to these Regulations.

#### Schedule 1 - Amendment

Item 1 - Paragraph 4(1)(a)

This item amends paragraph 4(1)(a) of the *Immigration (Education) Regulations 1992* to provide for the annual indexation of the prescribed fee for a formal English course. The fee is increased from \$280 to \$285.

The regulations commence on 1 April 2001.