

EXPLANATORY STATEMENT

*Instrument of approval pursuant to section 16-50(1)
of the Higher Education Support Act 2003*

Higher Education Provider Approval (No. 11 of 2005)

Issued by the authority of the Minister for Education, Science and Training

Subject: ***Higher Education Support Act 2003***
 Higher Education Provider Approval pursuant to subsection 16-50 (1) of the
 Higher Education Support Act 2003

Subsection 16-50(1) of the *Higher Education Support Act 2003* ('the HESA') provides that the Minister must decide an application for approval as a higher education provider, and must cause the applicant to be notified in writing regarding whether or not the applicant is approved as a higher education provider.

The instrument of approval is made pursuant to subsection 16-50(1) of the HESA. The instrument approves and gives notice of approval of the Colleges of Business and Technology (WA) Pty Ltd (trading as Curtin International College) as a Higher Education Provider.

In accordance with subsection 16-50(4) of the HESA, information that is specified in the Higher Education Provider Guidelines as information that must be provided to an applicant upon approval as a higher education provider is set out in Attachment 1 to the notice of approval. Attachment 1 forms part of the contents of the notice.

Attachment 1 refers to the requirements set out in the Higher Education Provider Guidelines and the Commonwealth Grant Scheme Guidelines. Copies of these guidelines are available at http://www.backingaustraliasfuture.gov.au/guidelines/hep_guide.htm

Consultation was not undertaken and was not considered necessary in this case because the instrument confers a benefit on Colleges of Business and Technology (WA) Pty Ltd (trading as Curtin International College) and it is the only body affected by the instrument. This instrument will not have a direct or substantial indirect effect on business, nor will it restrict competition.

Commencement

In accordance with section 16-55 of the HESA and subsection 12(3) of the *Legislative Instruments Act 2003*, the approval takes effect on the day after the last day on which a House of Parliament could have passed a resolution disallowing the notice.