



FEE-HELP Guidelines Amendment No. 1

Higher Education Support Act 2003

I, Chris Evans, Minister for Tertiary Education, Skills, Science and Research, make these FEE-HELP Guidelines Amendment No. 1 under section 238-10 of the *Higher Education Support Act 2003*.

Dated this ___ 21st ___ day of _____ March _____ 2012.

signed

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

Higher Education Support Act 2003

FEE-HELP GUIDELINES

Amendment No. 1

(i) Citation

This legislative instrument may be cited as
Amendment No. 1 to the FEE-HELP Guidelines.

(ii) Authority

This legislative instrument is made pursuant to Item 4 of the table in section 238-10 of the *Higher Education Support Act 2003* (the Act) to provide for matters set out in Part 3-3 of the Act.

(iii) Commencement

This legislative instrument commences on the day after registration on the Federal Register of Legislative Instruments.

(IV) Amendment

This legislative instrument amends the FEE-HELP Guidelines made on 3 August 2007 and registered on 31 August 2007 (see F2007L02710).

Purpose

The purpose of this legislative instrument is to update the list of professional occupations and assessing bodies to reflect recent changes made by the Department of Immigration and Citizenship to the Skilled Occupation List as relevant to higher education.

The FEE-HELP Guidelines are amended as follows:

Item 1 – Section 1.1.5

(a) Delete the definition **DEST** and substitute:

Department means the Commonwealth Department of Industry, Innovations, Science, Research and Tertiary Education;

Item 2 – Section 2.5.10

(b) Delete and substitute:

2.5.10 Under section 104-50 of the Act, assessing bodies may issue assessment statements for the purposes of FEE-HELP for their listed professional occupation in the State or Territory specified. Where an assessing body is not limited to a particular State or Territory, it may issue assessment statements in all States and Territories.

| Listed Professional Occupation | Assessing Body | State or Territory |
|--|--|----------------------------|
| Accountant, External Auditor | Certified Practising Accountants Australia (CPA Australia ABN 64 008 392 452); The Institute of Chartered Accountants in Australia (ABN 50 084 642 571); Institute of Public Accountants (ABN 81 004 130 643) | All States and Territories |
| Architect | Architects Accreditation Council of Australia Ltd (ABN 83 465 163 655) | All States and Territories |
| Chiropractor | Council on Chiropractic Education Australasia Inc (ABN 19 206 915 328) | All States and Territories |
| Computer Programmer, Analyst, Developer, Software Engineer, Administrators | Australian Computer Society Inc (ABN 53 156 305 487) | All States and Territories |
| Dentist | Australian Dental Council (ABN 70 072 269 900) | All States and Territories |
| Dietitian | Dietitians Association of Australia (ABN 34 008 521 480) | All States and Territories |

| Listed Professional Occupation | Assessing Body | State or Territory |
|---|---|----------------------------|
| Engineer | Engineers Australia (ABN 63 020 415 510) | All States and Territories |
| Interpreter/Translator | National Accreditation Authority for Translators and Interpreters Ltd (ABN 42 008 596 996) | All States and Territories |
| Legal Practitioner - Barrister, Solicitor | Legal Profession Admission Board (ABN 50 581 255 931) | NSW |
| Legal Practitioner - Barrister, Solicitor | Legal Practitioners Admission Board | ACT |
| Legal Practitioner - Barrister, Solicitor | Legal Practitioners Admission Board | NT |
| Legal Practitioner - Barrister, Solicitor | Legal Practitioners Admission Board (ABN 53 925 175 583) | QLD |
| Legal Practitioner - Barrister, Solicitor | Legal Practitioners' Registry (ABN 16 305 983 353) | SA |
| Legal Practitioner - Barrister, Solicitor | Board of Legal Education | TAS |
| Legal Practitioner - Barrister, Solicitor | Council of Legal Education and Board of Examiners | VIC |
| Legal Practitioner - Barrister, Solicitor | Legal Practice Board Western Australia (ABN 23 127 312 585) | WA |
| Managers (Chief Executive, Corporate, Sales and Marketing, Advertising, Public Relations) | Australian Institute of Management (ABN 56 004 525 017) | All States and Territories |
| Medical Laboratory Scientist/Technician | Australian Institute of Medical Scientists (ABN 12 945 883 573) | All States and Territories |
| Medicine | Medical Board of Australia | All States and Territories |
| Nuclear Medicine Technologist | Australian and New Zealand Society of Nuclear Medicine (ABN 14 383 173 234) | All States and Territories |
| Nursing (Registered, Midwife, Nursing Clinical Director) | Australian Nursing and Midwifery Accreditation Council (ABN 91 021 040 318) | All States and Territories |
| Occupational Therapist | Occupational Therapy Council (Aust & NZ) Inc (ABN 50 377 833 627) | All States and Territories |
| Optometrist | Optometry Council of Australia and New Zealand (ABN 38 074 875 111) | All States and Territories |
| Osteopath | Australian and New Zealand Osteopathic Council (ABN 45 142 289 049) | All States and Territories |
| Pharmacist | Australian Pharmacy Council (ABN 45 568 153 354) | All States and Territories |

| Listed Professional Occupation | Assessing Body | State or Territory |
|----------------------------------|---|----------------------------|
| Physicist (Medical) | Australasian College of Physical Scientists and Engineers in Medicine (ABN 45 005 379 162) | All States and Territories |
| Physiotherapist | Australian Physiotherapy Council (ABN 28 108 663 896) | All States and Territories |
| Pilot (Helicopter, Aeroplane) | Civil Aviation Safety Authority (ABN 44 808 014 470) | All States and Territories |
| Podiatrist | Australian Podiatry Council (ABN 24 008 488 748) | All States and Territories |
| Psychiatrist | Australian Medical Council | All States and Territories |
| Psychologist | Australian Psychological Society (ABN 23 000 543 788) | All States and Territories |
| Radiographer/Sonographer | Australian Institute of Radiography (ABN 26 924 779 836) | All States and Territories |
| School Teacher | Australian Institute for Teaching and School Leadership Limited (ABN 17 117 362 740) | All States and Territories |
| Ship's Engineer, Master, Officer | Australian Maritime Safety Authority | All States and Territories |
| Social Worker | Australian Association of Social Workers (ABN 93 008 576 010) | All States and Territories |
| Speech Pathologist | Speech Pathology Association of Australia Ltd (ABN 17 008 393 440) | All States and Territories |
| Surveyor | Australian Institute of Quantity Surveyors (ABN 97 008 485 809) Surveying and Spatial Sciences Institute | All States and Territories |
| Veterinarian | Australasian Veterinary Boards Council Inc. (ABN 49 337 540 469) | All States and Territories |
| Welfare Worker | Australian Community Workers Association (ABN 28 696 828 620) | All States and Territories |

Item 3 – Section 3.15.51

Delete and substitute:

3.15.51 Complaints about breaches of privacy should be referred to the Privacy Officer in the Legal Section, Business Collaboration Branch, Corporate Division of the Department. Privacy complaints may be emailed to privacy@innovation.gov.au. Privacy complaints can be made directly to the Federal Privacy Commissioner, however the Federal Privacy Commissioner prefers that the Department first be given an opportunity to deal with the complaint.

Item 4 – Section 3.25.3

Delete and substitute:

- 3.25.3 For the purposes of paragraph 104-3(2)(e) of the Act, OUA:
- a) must require any student who is accessing a unit of study through OUA, to pay to OUA the tuition fee for the unit; and
 - b) must not charge any domestic student any other fee for the unit unless it is:
 - i) a charge for a good or service that is not essential to the unit of study; or
 - ii) a charge for an alternative form, or alternative forms, of access to a good or service that is an essential component of the unit of study but is otherwise made readily available at no additional fee by OUA; or
 - iii) a charge for an essential good or service that the student has the choice of acquiring from a supplier other than OUA and is for:
 - A) equipment or items which become the physical property of the student and are not consumed during the unit of study; or
 - B) food, transport and accommodation costs associated with the provision of field trips that form part of the unit of study.
 - iv) a fine or a penalty provided it is imposed principally as a disincentive and not in order to raise revenue or cover administrative costs.

Item 5 – Section 3.25.15(b)

Delete and substitute:

- b) give the schedule for a particular period to the Minister by emailing the schedule to the email address advised by the Department; and

Item 6 – Section 3.25.20(c)

Delete and substitute:

- c) OUA has advised the Department in writing, of its intention to vary, and its reasons for varying, the tuition fee; and

Item 7 – Section 3.30.35(c)

Delete and substitute:

- c) OUA has advised the Department, in writing, of its intention to vary, and its reasons for varying, the published census date; and