

Commonwealth of Australia

Higher Education Support Act 2003

HECS-HELP BENEFIT GUIDELINES NO. 1

Amendment to Guidelines made pursuant to section 238-10 of the
Higher Education Support Act 2003

I, Chris Evans, Minister for Tertiary Education, Skills, Science and Research, pursuant to section 238-10 of the *Higher Education Support Act 2003* ("the Act"), make the attached amendment to the HECS-HELP Benefit Guidelines No. 1 for the purposes of the Act.

Dated this.....18th.....day of.....May.....2012.

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

Commonwealth of Australia

Higher Education Support Act 2003

HECS-HELP BENEFIT GUIDELINES NO. 1

Amendment No. 1

(i) CITATION

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

(ii) AUTHORITY

This legislative instrument is made under section 238-10 of the Act for the purposes of the Act.

(iii) DATE OF EFFECT

This Guidelines take effect on the day after the day on which they are registered on the Federal Register of Legislative Instruments.

(iv) AMENDMENT

This legislative instrument amends the *HECS-HELP Benefit Guidelines No. 1* registered on the Federal Register of Legislative Instruments on 10 March 2010 (see F2010L00630).

ITEM 1

At clause 5 'TRANSITIONAL ARRANGEMENTS', delete subclause 5(1) and insert the following new subclause 5(1):

- (1) The revocation of the Previous Guidelines does not affect the validity of a payment or decision made under the Previous Guidelines.

ITEM 2

At paragraph 1.5.5:

- (a) Insert the following new definition:

Approved form has the meaning given by section 388-50 in Schedule 1 to the Taxation Administration Act 1953.

- (b) Delete the definition of **Early childhood education teacher** and substitute:

Early childhood education teacher means a person who:

- (a) completed an early childhood education teaching course as a Commonwealth supported or HECS liable student for the whole or part of the course; and
- (b) has a debt incurred at course completion in respect of that course; and
- (c) is employed in a facility for providing education or childcare services to children prior to their commencing formal schooling; and
- (d) does one or both of the following during the income year referred to in paragraph 2.15.1.15:
 - (i) provides education or childcare services in the facility to children prior to their commencing formal schooling; or
 - (ii) provide pedagogical support to staff in the facility,provided that the person does not work exclusively with children who have commenced formal schooling or with staff who work exclusively with children who have commenced formal schooling.

- (c) Delete the definition of **Form**

ITEM 3

Delete paragraph 2.15.1.20 and substitute:

2.15.1.20 The eligible postcode locations are:

- (a) For the income years 2008–09 and 2009–10
 - (i). the Ongoing Postcode Locations specified in paragraph 2.15.1.30; and
 - (ii). the Restricted Non-ongoing Postcode Locations specified in paragraph 2.15.1.35

- (b) for the income year 2010–11 the eligible postcode locations for a person are the Ongoing Postcode Locations specified in paragraph 2.15.1.30; and
- (c) for the income year 2011–12 and any later income year, the eligible postcode locations for a person are the 2011-12 Ongoing Postcode Locations specified in paragraph 2.15.1.40.

ITEM 4

Delete paragraph 2.15.1.25

ITEM 5

Insert new paragraph 2.15.40:

The **2011-12 Ongoing Postcode Locations** are:

ACT/NSW	2017, 2018, 2083, 2094, 2128, 2141, 2142, 2143, 2144, 2157, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2170, 2174, 2176, 2177, 2190, 2191, 2192, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2204, 2256, 2262, 2263, 2281, 2284, 2293, 2294, 2295, 2296, 2297, 2298, 2303, 2304, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2318, 2319, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2333, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2365, 2369, 2370, 2371, 2372, 2379, 2380, 2381, 2382, 2386, 2387, 2388, 2390, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2408, 2409, 2410, 2411, 2415, 2420, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2452, 2453, 2454, 2455, 2456, 2460, 2462, 2463, 2464, 2465, 2466, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2488, 2489, 2490, 2502, 2505, 2506, 2518, 2528, 2536, 2537, 2538, 2539, 2540, 2541, 2545, 2546, 2548, 2549, 2550, 2551, 2555, 2559, 2564, 2565, 2566, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2590, 2594, 2609, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2655, 2656, 2658, 2659, 2660, 2661, 2663, 2665, 2666, 2668, 2669, 2671, 2672, 2675, 2678, 2680, 2681, 2700, 2701, 2702, 2703, 2705, 2706, 2707, 2708, 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2717, 2720, 2721, 2722, 2725, 2726, 2727, 2729, 2730, 2731, 2732, 2733, 2734, 2735, 2736, 2737, 2738, 2739, 2752, 2757, 2758, 2760, 2767, 2770, 2775, 2780, 2782, 2785, 2786, 2787, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2797, 2798, 2799, 2800, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2818, 2820, 2821, 2823, 2824, 2825, 2826, 2827, 2828, 2829, 2830, 2831, 2832, 2833, 2834, 2835, 2836, 2838, 2839, 2840, 2842, 2843, 2844, 2845, 2846, 2847, 2848, 2849, 2850, 2852, 2864, 2865, 2866, 2867, 2868, 2869, 2870, 2871, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2890, 2891, 2898, 2899
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ITEM 8

Delete Chapter 4 and substitute:

CHAPTER 4 APPLYING FOR THE HECS-HELP BENEFIT

4.1 PURPOSE

- 4.1.1 The purpose of this chapter is to specify for the purposes of subsection 157-5 of the *Act* the:
- (a) manner in which a person must apply to the Commissioner for the HECS-HELP benefit; and

(b) the time within which the application must be made to the Commissioner.

4.5 CONDITION FOR APPLICATION

4.5.5 An application is not valid unless the person lodges an income tax return for the income year or advises the Commissioner that they are not required to lodge a return for the income year.

4.10 MANNER OF APPLICATION

4.10.1 An application must be made using the *approved form*.

4.15 TIME WITHIN WHICH AN APPLICATION MUST BE MADE

4.15.1 An application must be submitted no later than two years after the end of the income year for which a person is applying for the HECS-HELP benefit.