

EXPLANATORY STATEMENT

Migration Regulations 1994

ELIGIBLE EDUCATION PROVIDERS AND EDUCATIONAL BUSINESS PARTNERS

(Clauses 573.112, 574.112 and 575.112)

1. This Instrument is made under clauses 573.112, 574.112 and 575.112 of Schedule 2 to the *Migration Regulations 1994* ('the Regulations').
2. Clauses 573.112 and 574.112 of the Regulations provide that the Minister may, by Instrument in writing, specify an education provider as an eligible education provider and specify one or more other education providers as educational business partners of the eligible education provider.
3. Clause 575.112 of the Regulations provides that the Minister may, by Instrument in writing, specify an education provider as an eligible education provider.
4. The purpose of the Instrument is to specify eligible education providers and their educational business partners for subclass 573 Higher Education Sector and 574 Postgraduate Research Sector Student visas and to specify eligible education providers for subclass 575 Non-award Sector Student visas. The Instrument specifies that educational business partners are linked to a particular eligible education provider.
5. The effect of the instrument is to reflect modifications to the details of education providers participating in the streamlined visa processing arrangements, including universities and their educational business partners. The instrument also gives effect to the extension of streamlined visa processing as recommended in the Review of the Student Visa Assessment Level Framework 2013 by specifying non-university education providers as eligible education providers and their educational business partners. The instrument includes the addition of eligible education providers, the addition of educational business partners, removal of some educational business partners and updating the details of some eligible education providers and educational business partners already specified.

6. Eligible education providers were consulted before the instrument was made. Eligible education providers were given the opportunity to confirm details of their educational business partner nominations. The extension of streamlined visa processing to certain low immigration risk education providers followed a period of extensive stakeholder consultation during the review of the student visa Assessment Level framework.
7. The Office of Best Practice Regulation has advised that a Regulatory Impact Statement is not required (OBPR Reference 16207).
8. Under section 44 of the *Legislative Instruments Act 2003* the Instrument is exempt from disallowance and therefore a Human Rights Statement of Compatibility is not required.
9. The Instrument, IMMI 14/007, commences on 22 March 2014.