

SUPPLEMENTARY EXPLANATORY STATEMENT

Issued by the authority of the Minister for Education

Tertiary Education Quality and Standards Agency Act 2011

Higher Education Standards Framework (Threshold Standards) 2021

BACKGROUND

The *Higher Education Standards Framework (Threshold Standards) 2021* came into effect on 1 July 2021, and replaced the *Higher Education Standards Framework (Threshold Standards) 2015*. It sets out the requirements that a higher education provider must meet, and continue to meet, in order to be registered by the Tertiary Education Quality and Standards Agency (TEQSA) to operate in Australia.

PURPOSE AND OPERATION

This Supplementary Explanatory Statement should be read in conjunction with the initial Explanatory Statement for this instrument. Its purpose is to address a concern set out by the Senate Scrutiny of Delegated Legislation Committee, as outlined in the *Delegated Legislation Monitor 12 of 2021*.

This Supplementary Explanatory Statement provides information about the Australian Qualifications Framework (AQF), which is referenced in the *Higher Education Standards Framework (Threshold Standards) 2021*.

THE AUSTRALIAN QUALIFICATIONS FRAMEWORK

The AQF is incorporated by reference, as in force from time to time, in the *Higher Education Support Act 2003* (HESA). The 'Australian Qualifications Framework' is defined in Schedule 1 to HESA as meaning the framework for recognition and endorsement of qualifications:

- that is established by the Council consisting of the Ministers for the Commonwealth and each State and Territory responsible for higher education; and
- that is to give effect to agreed standards in relation to the provision of education in Australia;

as in force from time to time.

The *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act) provides in section 5 that, in the TEQSA Act, 'Australian Qualifications Framework' has the same meaning as in the HESA.

The *Higher Education Standards Framework (Threshold Standards) 2021* are made under the TEQSA Act. Schedule 1 to that Instrument, which sets out the defined terms in the

Instrument, notes that the definition of 'Australian Qualifications Framework' can be found in section 5 of the TEQSA Act, which in turn directs the reader to the original incorporation by reference in the HESA.

The AQF can be freely accessed at the following link: www.aqf.edu.au.