



Tertiary Education Quality and Standards Agency (Charges) Regulations 2022

made under the

Tertiary Education Quality and Standards Agency (Charges) Act 2021

Compilation No. 3

Compilation date: 18 December 2025

Includes amendments: F2025L01586

Prepared by the Office of Parliamentary Counsel, Canberra

About this compilation

This compilation

This is a compilation of the *Tertiary Education Quality and Standards Agency (Charges) Regulations 2022* that shows the text of the law as amended and in force on 18 December 2025 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au).

Application, saving and transitional provisions

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Presentational changes

The *Legislation Act 2003* provides for First Parliamentary Counsel to make presentational changes to a compilation. Presentational changes are applied to give a more consistent look and feel to legislation published on the Register, and enable the user to more easily navigate those documents.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. Any modifications affecting the law are accessible on the Register.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1—Preliminary

1 Name

This instrument is the *Tertiary Education Quality and Standards Agency (Charges) Regulations 2022*.

3 Authority

This instrument is made under the *Tertiary Education Quality and Standards Agency (Charges) Act 2021*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) registered higher education provider;
- (b) registered higher education provider charge;
- (c) year (which is defined to mean a calendar year).

In this instrument:

accredited course has the same meaning as in the TEQSA Act.

Act means the *Tertiary Education Quality and Standards Agency (Charges) Act 2021*.

base component of the charge: see subsection 5(2).

civil penalty provision has the same meaning as in the *Regulatory Powers (Standard Provisions) Act 2014*.

compliance component of the charge: see subsection 5(4).

compliance undertaking means an undertaking (other than an undertaking that is enforceable under Part 6 of the *Regulatory Powers (Standard Provisions) Act 2014*) given by a provider to TEQSA, and accepted by TEQSA in writing, to comply with:

- (a) the ESOS Act; or
- (b) the TEQSA Act; or
- (c) a legislative instrument made under the ESOS Act or the TEQSA Act.

Example: For paragraph (c), the Threshold Standards is a legislative instrument made under the TEQSA Act.

ESOS Act means the *Education Services for Overseas Students Act 2000*.

full-time study load, for a student undertaking a course of study with a registered higher education provider for a year, means:

Section 4

- (a) if section 169-28 of the *Higher Education Support Act 2003* applies to the provider in respect of the course—an amount of study, undertaken as part of that course in that year, that is represented by units of study that have a total EFTSL value (within the meaning of that Act) of 1; or
- (b) if paragraph (a) does not apply—an amount of study, undertaken as part of that course in that year, that is the equivalent of the minimum amount of study that a student undertaking that course on a full-time basis would be expected to undertake in that year.

investigation means an investigation involving the exercise of investigative powers under Part 3 of the *Regulatory Powers (Standard Provisions) Act 2014*, in its application under:

- (a) Division 4 of Part 7 of the ESOS Act; or
- (b) Division 4 of Part 7 of the TEQSA Act.

TEQSA Act means the *Tertiary Education Quality and Standards Agency Act 2011*.

Part 2—Registered higher education provider charge

5 Amount of charge

- (1) For the purposes of paragraph 7(1)(b) of the Act, the amount of registered higher education provider charge for a year for a registered higher education provider is the sum of:
- the base component of the charge; and
 - the compliance component of the charge (if any).

Base component of charge

- (2) The **base component of the charge** for a year (the **relevant year**) is worked out in accordance with the formula:

$$\frac{7,591,000}{\text{Number of providers}} + \left(\frac{2,260,000}{\text{Total equivalent full-time students}} \times \frac{\text{Provider's equivalent full-time students}}{\text{full-time students}} \right)$$

where:

number of providers means the number of registered higher education providers at the start of the relevant year.

provider's equivalent full-time students means the total number of students enrolled, on an equivalent full-time basis, in each accredited course that was, in the year that is 2 years before the relevant year, provided by the provider.

total equivalent full-time students means the total number of students enrolled, on an equivalent full-time basis, in each accredited course that was, in the year that is 2 years before the relevant year, provided by each entity that, at that time, was a registered higher education provider.

- (3) In working out, for the purposes of subsection (2), the number of students enrolled on an equivalent full-time basis in an accredited course in a year:
- count a student that has a full-time study load for the course and the year as 1 student; and
 - count any other student as a fraction that represents the student's amount of study undertaken as part of the course and the year relative to a student that does have a full-time study load for the course and the year.

Example: A full-time student is enrolled in 8 units of study as part of a course for a year and is counted as 1 student. A part-time student is enrolled in 4 units of study as part of that course and is counted as half of 1 student. Another student is enrolled in 10 units of study as part of that course and is counted as 1 and a quarter of 1 student.

Compliance component of charge

- (4) The **compliance component of the charge** for a year is the sum of the following:

Section 5

- (a) if, in the previous year, TEQSA decided to commence one or more assessments under section 59 of the TEQSA Act to assess whether the provider continued to meet the Threshold Standards (within the meaning of that Act)—\$39,600 for each assessment;
 - (b) if, in the previous year, TEQSA decided to commence one or more assessments under section 61 of the TEQSA Act in respect of an accredited course in relation to the provider—\$39,600 for each assessment;
 - (ba) if, in the previous year, TEQSA decided to conduct one or more audits of the provider under subsection 112A(1) of the ESOS Act—\$39,600 for each audit;
 - (c) if:
 - (i) at any time in the previous year, the provider’s registration had one or more conditions; and
 - (ii) the conditions were imposed by TEQSA under subsection 10B(1) or 83(3) of the ESOS Act or subsection 32(1) of the TEQSA Act (whether or not they were imposed in that year);\$4,500 for each condition;
 - (d) if:
 - (i) at any time in the previous year, the accreditation of a course of study in relation to the provider had one or more conditions; and
 - (ii) the conditions were imposed by TEQSA under subsection 53(1) of the TEQSA Act (whether or not they were imposed in that year);\$3,700 for each condition;
 - (e) if, at any time in the previous year, one or more compliance undertakings were in force—\$1,800 for each undertaking;
 - (f) if, at any time in the previous year, TEQSA conducted an investigation in relation to a matter that constitutes, or may constitute, a contravention of an offence provision or a civil penalty provision by the provider (whether or not the investigation is continuing)—\$180 for each hour spent in conducting the investigation in that year by:
 - (i) members of the staff of TEQSA mentioned in section 156 of the TEQSA Act; and
 - (ii) subject to subsection (5), staff made available to TEQSA mentioned in section 157 of the TEQSA Act.
- (5) Subparagraph (4)(f)(ii) applies in relation to the services of an officer or employee of a State or Territory authority only if an arrangement mentioned in subsection 157(2) of the TEQSA Act provides for the Commonwealth to reimburse the State or Territory with respect to those services.

Part 3—Application provisions

6 Amendments made by the *Tertiary Education Quality and Standards Agency (Charges) Amendment Regulations 2025*

The amendments of this instrument made by the *Tertiary Education Quality and Standards Agency (Charges) Amendment Regulations 2025* apply in relation to registered higher education provider charge for 2026 and later years.

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnote 2—Abbreviation key

ad = added or inserted	orig = original
am = amended	p = page(s)
amdt = amendment	para = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
ch = Chapter(s)	prev = previous
cl = clause(s)	(prev...) = previously
cont. = continued	pt = Part(s)
def = definition(s)	r = regulation(s)/Court rule(s)
Dict = Dictionary	reloc = relocated
disallowed = disallowed by Parliament	renum = renumbered
div = Division(s)	rep = repealed
ed = editorial change	rs = repealed and substituted
exp = expires/expired or ceases/ceased to have effect	s = section(s)/subsection(s) /rule(s)/subrule(s)/order(s)/suborder(s)
gaz = gazette	sch = Schedule(s)
LA = <i>Legislation Act 2003</i>	SLI = Select Legislative Instrument
LIA = <i>Legislative Instruments Act 2003</i>	SR = Statutory Rules
(md) = misdescribed amendment can be given effect	sub ch = Sub-Chapter(s)
(md not incorp) = misdescribed amendment cannot be given effect	sub div = Subdivision(s)
mod = modified/modification	sub pt = Subpart(s)
No. = Number(s)	<u>underlining</u> = whole or part not commenced or to be commenced
Ord = Ordinance	

Endnotes

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Tertiary Education Quality and Standards Agency (Charges) Regulations 2022	25 Nov 2022 (F2022L01523)	26 Nov 2022 (s 2(1) item 1)	
Tertiary Education Quality and Standards Agency (Charges) Amendment Regulations 2023	27 Nov 2023 (F2023L01556)	1 Jan 2024 (s 2(1) item 1)	—
Tertiary Education Quality and Standards Agency (Charges) Amendment Regulations 2024	16 Dec 2024 (F2024L01666)	1 Jan 2025 (s 2(1) item 1)	—
Tertiary Education Quality and Standards Agency (Charges) Amendment Regulations 2025	17 Dec 2025 (F2025L01586)	18 Dec 2025 (s 2(1) item 1)	—

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
Part 1 heading	ad F2025L01586
s 2.....	rep LA s 48D
s 4.....	am F2025L01586
Part 2	
Part 2 heading	ad F2025L01586
s 5.....	am F2023L01556; F2024L01666; F2025L01586
Part 3	
Part 3 heading	ad F2025L01586
s 6.....	rs F2025L01586
s 7.....	am F2023L01556
	rep F2025L01586
