

EXPLANATORY STATEMENT

Issued by authority of the Assistant Treasurer and Minister for Financial Services

Corporations Act 2001

Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Amendment (2025 Measures No. 1) Determination 2025

Part 7.6 of the *Corporations Act* (the Act) sets out licensing obligations for relevant providers, that is, financial planners and financial advisers who provide personal advice to retail clients. Section 921B sets out four education and training standards for a person who is, or is to be, a relevant provider. These four education and training standards set out minimum requirements relating to: qualifications (the *first standard*); an exam (the *second standard*); an initial professional year of work and training (the *third standard*); and continuing professional development (the *fourth standard*).

Section 921C of the Act prohibits the Australian Securities and Investments Commission (ASIC) from granting an Australian financial services (AFS) licence to a person who has not met the education and training standards. Section 921C also prohibits AFS licensees and authorised representatives of licensees from authorising other persons to give personal advice to retail clients in relation to relevant financial products unless the other persons have met the education and training standards.

Under the education and training standards for relevant providers outlined in the Act, the first standard – the *qualifications standard* in subsection 921B(2) – requires a person to complete an approved bachelor or higher degree, or equivalent qualification, or foreign qualification, which has been approved by the Minister. Paragraph 921B(6)(a) of the Act provides that the Minister responsible for administering the Act may, by legislative instrument, approve bachelor or higher degrees, or equivalent qualifications, for the purposes of subsection 921B(2). These approved degrees/qualifications are set out in the *Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Determination 2021* (the Approved Qualifications Determination).

Before approving degrees/qualifications for the purposes of subsection 921B(2), the Minister must be satisfied that doing so is necessary or desirable to ensure relevant providers are adequately trained and competent to provide personal advice to retail clients (subsection 921B(7) of the Act).

In addition, subsection 33(3) of the *Acts Interpretation Act 1901* provides a general authority under which the Minister may repeal, rescind, revoke, amend, or vary the legislative instrument referred to in subsection 921B(6) of the Act.

The *Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Amendment (2025 Measures No. 1) Determination 2025* (the Amending Determination) amends the Approved Qualifications Determination to update the approved degrees/qualifications and make other minor amendments. The course updates were identified in consultation with relevant educational providers. Public consultation was not undertaken as the course updates and other amendments are minor and machinery in nature.

The Minister has assessed that these amendments are necessary and desirable to ensure that relevant providers are adequately trained and competent to provide personal advice to retail clients in relation to relevant financial products.

The Amending Determination is a legislative instrument for the purposes of the *Legislation Act 2003*.

The Amending Determination is subject to disallowance under section 42 of the *Legislation Act 2003*.

The Amending Determination will be repealed automatically by section 48A of the *Legislation Act 2003*.

The Amending Determination commenced on the day after the instrument was registered on the Federal Register of Legislation.

Details of the Amending Determination are set out in [Attachment A](#).

A statement of Compatibility with Human Rights is at [Attachment B](#).

The Office of Impact Analysis (OIA) has been consulted (ref: OIA24-08660) and agreed that an Impact Analysis is not required. The measure has no impact on compliance costs.

Details of the Corporations (Relevant Providers—Education and Training Standards) Amendment (2025 Measures No. 1) Determination 2025

Section 1 – Name

This section provides that the name of the instrument is the *Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Amendment (2025 Measures No. 1) Determination 2025* (the Amending Determination).

Section 2 – Commencement

The Amending Determination commenced on the day after the instrument was registered on the Federal Register of Legislation.

Section 3 – Authority

The Amending Determination is made under the *Corporations Act 2001* (the Act).

Section 4 – Schedules

This section provides that each instrument that is specified in the Schedules to this instrument are amended or repealed as set out in the applicable items in the Schedules, and any other item in the Schedules to this instrument has effect according to its terms.

Schedule 1—Amendments

Schedule 1 makes amendments to the Approved Qualifications Determination in the following areas:

- inserting a definition for the term ‘non-relevant degree’;
- fixing minor typographical mistakes;
- adding new approved degrees;
- making minor updates to unit names and codes;
- removing duplicative units;
- addressing unit restructures and adjustments; and
- changing the commencement period of certain courses.

All references to items are references to items of the Amending Determination, unless stated otherwise.

Minor amendments

Item 1 inserts a new definition of *non-relevant degree* to clarify that a non-relevant degree is one which is awarded by a higher education provider and satisfies the AQF criteria for AQF level 7 or higher, but is not a graduate certificate or a relevant degree. This provides

certainty to existing advisers, education providers and AFS licensees that a graduate certificate is *not* considered to be a ‘non-relevant degree’ for the purposes of section 8 of the Approved Qualifications Determination. Section 8 applies to existing advisers and outlines the required units of study that must be completed to achieve qualifications equivalent to the education and training standard.

Item 2 makes minor amendments to include two transitional provisions not previously referenced in the Amending Determination and correct a minor typographical error.

Updates to courses in the Approved Qualifications Determination

The Approved Qualifications Determination is updated from time to time as higher education providers:

- seek approval of new degrees/qualifications; and
- make changes to existing approved degrees/qualifications to ensure that the details outlined in the Approved Qualifications Determination are accurate and up-to-date. This includes updating the details of required units of study (for example, old/new subject codes and/or names for existing approved units, equivalent units that have the same content and learning outcomes as existing approved units, whether or not an ethics bridging unit is required), and updating details relating to commencement of the approved degree/qualification.

New approved degrees – items 4 and 23

Item 4 inserts a new approved qualification – BP351 Bachelor of Accounting – offered by the Royal Melbourne Institute of Technology (RMIT).

RMIT offers several approved Bachelor degrees, listed at table items 31A to 40 of Schedule 1 to the Approved Qualification Determination. Item 4 inserts BP351 Bachelor of Accounting at item 31AA in that table. This new approved degree is conditional upon the relevant provider completing the specified units of study. The curriculum for this approved degree includes the study of ethics, so it is not subject to the general condition requiring an ethics bridging unit. This qualification is approved for studies commenced on or after Semester 1 2025.

Item 23 inserts three new approved qualifications offered by Southern Cross University:

- Bachelor of Business/Bachelor of Arts;
- Bachelor of Psychological Science/Bachelor of Business;
- Bachelor of Information Technology/Bachelor of Business.

Southern Cross University offers several approved Bachelor degrees, listed at table items 40A to 40C of Schedule 1 to the Approved Qualification Determination. Item 23 inserts the abovementioned qualifications at item 40D in that table. These new approved qualifications are conditional upon the relevant provider completing the specified units of study. The curriculum for each of these approved qualifications include the study of ethics, so they are not subject to the general condition requiring an ethics bridging unit. These qualifications are approved for studies commenced on or after 1 March 2025.

Updates and corrections to existing approved degrees/qualifications – items 3, 5 to 22 and 24 to 29

The approved degrees/qualifications listed in the table at Schedule 1 to the Approved Qualifications Determination include conditions requiring the relevant provider to:

- commence the approved degree/qualification after, or between, specified date(s); and
- complete specified unit(s) of study (if applicable).

These items in the Amending Determination amend the conditions to update the commencement details and/or the individual units of study required for specified approved degrees/qualifications, to reflect updates to courses requested by the higher education providers.

Item 3 adds a new unit offered by the Queensland University of Technology (QUT) which will replace a unit previously required for the Bachelor of Business (Financial Planning) 9 Unit Specialisation. Listing both the new unit which commences from Semester 1, 2025 and the previous unit it replaces will ensure that a relevant provider could complete the required unit under the previous or new form of the unit.

Items 5 and 9 remove a unit from three courses offered by RMIT which is not required to be completed in those approved degrees.

Items 6 to 8, 10 to 18, 20, and 22 include new unit names and codes as alternatives to previously listed names and codes. Listing the new names and codes as alternatives to the previous names and codes ensures that a relevant provider can complete the required units under either name or code to meet the conditions for the identified degree or course.

Items 19, 21, 24, 25 and 27 make changes to the commencement periods of certain approved degrees/qualifications to reflect the withdrawal of those courses. These courses will no longer be available for new enrolments after the end of the relevant commencement period.

Item 26 amends the name of a course at item 92A offered by the University of New England to correct a minor typographical error.

Items 28 and 29 indicate that two bridging courses in Schedule 2 offered by QUT, will no longer be available for new enrolments after Semester 1, 2025 and Semester 2, 2026 respectively.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Amendment (2025 Measures No. 1) Determination 2025

This Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Legislative Instrument

Section 921B of the *Corporations Act 2001* sets out the education and training standards for a person who is, or is to be, a ‘relevant provider’ – that is, a person who provides personal financial advice to retail clients. A relevant provider is generally required to complete an approved bachelor or higher degree, or equivalent qualification, which has been approved by the Minister. These approved degrees/qualifications are set out in the *Corporations (Relevant Providers Degrees, Qualifications and Courses Standard) Determination 2021* (the Approved Qualifications Determination).

Schedule 1 amends the Approved Qualifications Determination to make minor amendments to clarify the definition of *non-relevant degree*, fix minor typographical mistakes and update the approved degrees/qualifications listed in the Approved Qualifications Determination.

Human rights implications

This Legislative Instrument does not engage any of the applicable rights or freedoms.

Conclusion

This Legislative Instrument is compatible with human rights as it does not raise any human rights issues.