



Higher Education Support Amendment Act (No. 1) 2012

No. 38, 2012

**An Act to amend the *Higher Education Support Act
2003*, and for related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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Higher Education Support Amendment Act (No. 1) 2012

No. 38, 2012

An Act to amend the *Higher Education Support Act 2003*, and for related purposes

[Assented to 15 April 2012]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Higher Education Support Amendment Act (No. 1) 2012*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	15 April 2012
2. Schedule 1, items 1 to 4	1 January 2012.	1 January 2012
3. Schedule 1, item 5	1 January 2011.	1 January 2011
4. Schedule 1, item 6	1 January 2012.	1 January 2012
5. Schedule 1, items 7 and 8	1 January 2011.	1 January 2011
6. Schedule 1, items 9 and 10	1 January 2012.	1 January 2012
7. Schedule 1, item 11	1 January 2013.	1 January 2013
8. Schedule 1, items 12 to 17	The day after this Act receives the Royal Assent.	16 April 2012

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Part 1—Amendments relating to indexation

Higher Education Support Act 2003

1 Paragraph 19-37(5)(a)

Omit “1 January 2011”, substitute “1 January 2012”.

2 Paragraph 19-37(5)(e)

Omit “\$250”, substitute “\$263”.

3 Paragraph 19-37(5)(e)

Omit “1 January 2011”, substitute “1 January 2012”.

4 Subsection 19-37(5) (note 2)

Omit “\$250”, substitute “\$263”.

5 Section 198-5

Before “This table”, insert “(1)”.

6 Section 198-5 (table item 1AA)

Repeal the item, substitute:

1A	Amount mentioned in paragraph 19-37(5)(e)	Section 19-37
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7 At the end of section 198-5

Add:

- (2) The amount mentioned in the section referred to in an item of the table, for a calendar year with an indexation factor greater than 1, is replaced by the amount worked out in accordance with section 198-10.

8 Indexation of amounts in 2011

The amounts set out in the table in section 198-5 of the *Higher Education Support Act 2003*, as in force immediately before the commencement of the *Higher Education Support Amendment (Indexation) Act 2010*, are to be indexed on 1 January 2011 in accordance with Part 5-6 of the *Higher Education Support Act 2003*, as in force immediately before the commencement of the *Higher Education Support Amendment (Indexation) Act 2010*.

9 Indexation of amount in 2012

Despite section 198-10 of the *Higher Education Support Act 2003*, the amount set out in item 1A of the table in section 198-5 of that Act, as inserted by item 6 of this Part, is not to be indexed on 1 January 2012 in accordance with Part 5-6 of that Act.

Part 2—Other amendments

Higher Education Support Act 2003

10 Subsection 16-20(1) (table)

Omit “Melbourne College of Divinity”, substitute “MCD University of Divinity”.

11 Subsection 151-5(4)

Repeal the subsection, substitute:

Rounding

- (4) If an amount worked out using the formula in subsection (2) is an amount made up of dollars and cents, round the amount down to the nearest dollar.
- (5) If an amount worked out using the formula in subsection (3) is an amount made up of dollars and cents, round the amount up to the nearest dollar.

12 Subclause 1(1) of Schedule 1 (definition of *course of study in dentistry*)

Before “academic requirements”, insert “minimum”.

13 Subclause 1(1) of Schedule 1 (at the end of the definition of *course of study in dentistry*)

Add “, regardless of whether further dentistry study is completed before registration is sought”.

14 Subclause 1(1) of Schedule 1 (definition of *course of study in veterinary science*)

Before “academic requirements”, insert “minimum”.

15 Subclause 1(1) of Schedule 1 (at the end of the definition of *course of study in veterinary science*)

Add “, regardless of whether further veterinary science study is completed before registration is sought”.

16 Application—item 11

The amendment made by item 11 applies in relation to payments made under section 151-1 of the *Higher Education Support Act 2003* on or after the day that item commences.

17 Application—items 12 to 15

The amendments made by items 12 to 15 apply for the purposes of working out the FEE-HELP limit in relation to the following persons:

- (a) a person who is enrolled in a course of study in dentistry or a course of study in veterinary science on the day this item commences;
- (b) a person who enrolls in a course of study in dentistry or a course of study in veterinary science on or after the day this item commences.

*[Minister's second reading speech made in—
House of Representatives on 15 February 2012
Senate on 15 March 2012]*