



# **Higher Education Support Amendment(Student Contribution Amounts and Other Measures) Act2012**

**No. 127, 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(Student Contribution Amounts and Other Measures) Act2012**

**No. 127, 2012**

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

*[Assented to 13 September 2012]*

**The Parliament of Australia enacts:**

## **1 Short title**

This Act may be cited as the *Higher Education Support Amendment (Student Contribution Amounts and Other Measures) Act 2012*.

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*Higher Education Support Amendment (Student Contribution Amounts and Other Measures) Act  
2012No. 127, 20121*

**Schedule 1** Student contribution amounts

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**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.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	13 September 2012
2. Schedule 1	The day this Act receives the Royal Assent.	13 September 2012
3. Schedule 2	1 January 2013.	1 January 2013

Note: This table relates only to the provisions of this Act as originally enacted.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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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—Student contribution amounts

### *Higher Education Support Act 2003*

**1 Subsection 93-10(1) (paragraph (a) of the cell at table item 3, column 2)**

Before “Computing”, insert “Mathematics, Statistics,”.

**2 Subsection 93-10(1) (paragraph (b) of the cell at table item 3, column 2)**

Omit “; or”, substitute “.”.

**3 Subsection 93-10(1) (paragraph (c) of the cell at table item 3, column 2)**

Repeal the paragraph.

**4 Subsection 93-10(1) (paragraph (a) of the cell at table item 7, column 2)**

Omit “(a)”.

**5 Subsection 93-10(1) (paragraph (a) of the cell at table item 7, column 2)**

After “Engineering”, insert “, Science”.

**6 Subsection 93-10(1) (paragraph (a) of the cell at table item 7, column 2)**

Omit “; or”, substitute “.”.

**7 Subsection 93-10(1) (paragraph (b) of the cell at table item 7, column 2)**

Repeal the paragraph.

### **8Application**

The amendments made by this Schedule apply in relation to a unit of study with a census date on or after 1 January 2013.

## **Schedule 2—Citizenship or residency requirements**

### ***Higher Education Support Act 2003***

#### **1 Subsection 36-10(2B)**

Omit “paragraph (2)(b) or (c)”, substitute “subsection (2)”.

#### **2 Subsection 90-5(3)**

Omit “\*permanent humanitarian visa holder”, substitute “student”.

#### **3 Subsection 90-5(3)**

Omit “the visa holder”, substitute “the student”.

#### **4 Subsection 104-5(3)**

Omit “\*permanent humanitarian visa holder or \*permanent visa holder”, substitute “student”.

#### **5 Subsection 104-5(3)**

Omit “the visa holder”, substitute “the student”.

#### **6 At the end of section 104-5**

Add:

- (4) Despite subsections (1) and (2), a student does not meet the citizenship or residency requirements in relation to a unit of study to which access was provided by \*Open Universities Australia if the student was not resident in Australia on the day the student gave the \*request for Commonwealth assistance in relation to the unit as referred to in subparagraph 104-1(1)(i)(i).

#### **7 Subsection 126-5(2)**

Omit “\*permanent humanitarian visa holder”, substitute “student”.

#### **8 Subsection 126-5(2)**

Omit “the visa holder” (wherever occurring), substitute “the student”.



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## 9 Application

- (1) The amendments made by items 1 to 3 of this Schedule apply in relation to a unit of study that forms part of a course of study commenced by a person on or after 1 January 2013.
- (2) The amendments made by items 4 and 5 of this Schedule apply in relation to a unit of study that forms part of a course of study or bridging course for overseas-trained professionals commenced by a person on or after 1 January 2013.
- (3) The amendment made by item 6 of this Schedule applies in relation to a unit of study with a census date on or after 1 January 2013.
- (4) The amendments made by items 7 and 8 of this Schedule apply in relation to a student services and amenities fee if:
  - (a) the fee is payable on or after 1 January 2013 by a person who is enrolled in a course of study or bridging course for overseas-trained professionals; and
  - (b) the person commences the course on or after 1 January 2013.

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*[Minister's second reading speech made in—  
House of Representatives on 23 May 2012  
Senate on 27 June 2012]*