



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/>)

Contents

1	Short title	1
2	Commencement.....	2
3	Schedule(s)	2
Schedule 1—Student contribution amounts		3
<i>Higher Education Support Act 2003</i>		3
Schedule 2—Citizenship or residency requirements		4
<i>Higher Education Support Act 2003</i>		4



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No. 127, 2012

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*.

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

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.

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Note: This table relates only to the provisions of this Act as originally enacted.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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

8 Application

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 2Citizenship or residency requirements
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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”.

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.

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