EXPOSURE DRAFT

2013-2014-2015

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

EXPOSURE DRAFT

Education Services for Overseas
Students (Registration Charges)
Amendment (Streamlining Regulation)
Bill 2015

No.    , 2015

(Education and Training)

A Bill for an Act to amend the Education Services
for Overseas Students (Registration Charges) Act
1997, and for other purposes
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A Bill for an Act to amend the Education Services for Overseas Students (Registration Charges) Act 1997, and for other purposes

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Act 2015.

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.

<table>
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<th>Commencement information</th>
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<tr>
<td>Column 1</td>
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<tr>
<td>Provisions</td>
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<td>1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table</td>
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<td>2. Schedule 1</td>
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Note: This table relates only to the provisions of this Act as originally enacted.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.

No. 2015 Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015
3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Education Services for Overseas Students (Registration Charges) Act 1997

1 Section 6
Repeal the section, substitute:

6 Entry to market charges

   (1) If:

      (a) a provider applies under section 9 of the Education Services for Overseas Students Act 2000 (the ESOS Act) to be registered to provide a course at a location to overseas students; and

      (b) the provider meets the registration requirements (disregarding paragraph 11(g)(i) of the ESOS Act); and

      (c) at the time the provider meets those requirements, the provider is not registered under the ESOS Act to provide any course at any location; and

      (d) the provider is not included in a class of providers that is prescribed by the regulations to be exempt from the requirement to pay the entry to market charges imposed by section 8 of this Act;

   the provider is liable to pay an entry to market charges in accordance with this section.

First entry to market charge

   (2) The amount of the first entry to market charge is $7,818.

   Note: This amount is indexed under section 7.

   (3) The first entry to market charge is payable before the provider is registered (the first registration) to provide the course at the location.
Schedule 1 Entry to market charges

Second entry to market charge

(4) The amount of the second entry to market charge is $5,212.

Note: This amount is indexed under section 7.

(5) If the provider is still registered to provide the course at the
location on the first anniversary day, the second entry to market
charge is payable by the end of that day.

Third entry to market charge

(6) The amount of the third entry to market charge is $2,606.

Note: This amount is indexed under section 7.

(7) If the provider is still registered to provide the course at the
location on the second anniversary day, the third entry to market
charge is payable by the end of that day.

When a provider is taken to be still registered

(8) If:

(a) the provider’s first registration is renewed, continued or
extended under the ESOS Act for a period; and
(b) the first anniversary day or second anniversary day falls
within that period;

the provider is taken, for the purposes of this section, to be still
registered to provide the course at the location on that day.

Exemption

(9) The regulations may prescribe one or more classes of provider that
are exempt from the requirement to pay the entry to market charges
imposed by section 8.

Definitions

(10) In this section:

first anniversary day means the first anniversary of the day on
which the period of the provider’s first registration started.
second anniversary day means the second anniversary of the day on which the period of the provider’s first registration started.

2 Subsection 7(2)
Omit “column 1 of the table in subsection 6(2)”, substitute “subsection 6(2), (4) or (6)”.

3 Subsection 7(6)
Repeal the subsection, substitute:

Definition
(6) In this section:
initial year means:
(a) in relation to the annual registration charge—the first calendar year in which the dollar amounts specified in subsection 5(2) are imposed under section 8; or
(b) in relation to an entry to market charge—the year 2015.