

# EXPOSURE DRAFT

2013-2014-2015

The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

EXPOSURE DRAFT
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## **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**

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The Parliament of Australia enacts:

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### **1 Short title**

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

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### **2 Commencement**

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(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.

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#### **Commencement information**

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##### **Column 1**

##### **Column 2**

##### **Column 3**

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##### **Provisions**

##### **Commencement**

##### **Date/Details**

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1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table

The day this Act receives the Royal Assent.

2. Schedule 1

At the same time as Schedule 1 to the *Education Services for Overseas Students Amendment (Streamlining Regulation) Act 2015* commences.

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Note: This table relates only to the provisions of this Act as originally enacted.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.

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## Schedule 1 Entry to market charges

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

### 4 **3 Schedules**

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6 repealed as set out in the applicable items in the Schedule  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

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2 *Education Services for Overseas Students (Registration Charges) No. , 2015*  
*Amendment (Streamlining Regulation) Bill 2015*

**EXPOSURE DRAFT**

1 **Schedule 1—Entry to market charges**  
2

3 *Education Services for Overseas Students (Registration*  
4 *Charges) Act 1997*

5 **1 Section 6**

6 Repeal the section, substitute:

7 **6 Entry to market charges**

8 (1) If:

- 9 (a) a provider applies under section 9 of the *Education Services*  
10 *for Overseas Students Act 2000* (the *ESOS Act*) to be  
11 registered to provide a course at a location to overseas  
12 students; and  
13 (b) the provider meets the registration requirements  
14 (disregarding paragraph 11(g)(i) of the *ESOS Act*); and  
15 (c) at the time the provider meets those requirements, the  
16 provider is not registered under the *ESOS Act* to provide any  
17 course at any location; and  
18 (d) the provider is not included in a class of providers that is  
19 prescribed by the regulations to be exempt from the  
20 requirement to pay the entry to market charges imposed by  
21 section 8 of this Act;  
22 the provider is liable to pay 3 entry to market charges in  
23 accordance with this section.

24 *First entry to market charge*

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

26 Note: This amount is indexed under section 7.

27 (3) The first entry to market charge is payable before the provider is  
28 registered (the *first registration*) to provide the course at the  
29 location.

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## Schedule 1 Entry to market charges

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### *Second entry to market charge*

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

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Note: This amount is indexed under section 7.

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- (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.

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### *Third entry to market charge*

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

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Note: This amount is indexed under section 7.

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- (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.

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### *When a provider is taken to be still registered*

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- (8) If:

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(a) the provider's first registration is renewed, continued or extended under the ESOS Act for a period; and

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(b) the first anniversary day or second anniversary day falls within that period;

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

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### *Exemption*

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- (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.

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### *Definitions*

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- (10) In this section:

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***first anniversary day*** means the first anniversary of the day on which the period of the provider's first registration started.

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# EXPOSURE DRAFT

Entry to market charges **Schedule 1**

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1                    *second anniversary day* means the second anniversary of the day  
2                    on which the period of the provider's first registration started.

## 3   **2 Subsection 7(2)**

4                    Omit "column 1 of the table in subsection 6(2)", substitute  
5                    "subsection 6(2), (4) or (6)".

## 6   **3 Subsection 7(6)**

7                    Repeal the subsection, substitute:

8                    *Definition*

9                    (6) In this section:

10                  *initial year* means:

- 11                  (a) in relation to the annual registration charge—the first  
12                  calendar year in which the dollar amounts specified in  
13                  subsection 5(2) are imposed under section 8; or  
14                  (b) in relation to an entry to market charge—the year 2015.

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