

1987-88

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 3 November 1988

(Minister for Employment, Education and Training)

A BILL

FOR

An Act to amend the *Overseas Students Charge Act 1979*

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title etc.

5 **1.** (1) This Act may be cited as the *Overseas Students Charge Amendment Act 1988*.

(2) In this Act, "Principal Act" means the *Overseas Students Charge Act 1979*¹.

Commencement

10 **2.** This Act commences on the day on which it receives the Royal Assent.

Interpretation

3. Section 4 of the Principal Act is amended:

- (a) by omitting from paragraph (c) of the definition of “overseas student” in subsection 4 (1) “university or advanced” and substituting “higher”; 5
- (b) by omitting from the definition of “prescribed course” in subsection 4 (1) “university or advanced” and substituting “higher”;
- (c) by omitting from subsection 4 (1) the definition of “university or advanced education course”;
- (d) by inserting in subsection 4 (1) the following definitions: 10
- “ ‘casual higher education student’ means a student:
- (a) enrolled at a higher education institution; and
- (b) whose enrolment entitles him or her to study a subject or a number of subjects but does not entitle him or her to undertake a course of study offered by the institution; 15
- ‘course of study’ means a program that:
- (a) comprises the study of a number of subjects; and
- (b) is offered by a prescribed educational institution as a package aimed at imparting a certain level of education (whether of a general nature or in a particular field); 20
- ‘higher education course’ means:
- (a) a course of study offered by a higher education institution; or 25
- (b) a declared course;”;
- (e) by omitting subsection (2) and substituting the following subsection:
- “(2) References in this Act to:
- (a) enrolment in a prescribed course for a year; and
- (b) enrolment as a casual higher education student for a year; 30
- are references respectively to:
- (c) enrolment that entitles the person enrolled to undertake, at any time in that year, the prescribed course or a part of the prescribed course; and
- (d) enrolment that entitles the person enrolled to undertake, at any time in that year, the study in respect of which the person is enrolled as such a student.”. 35

Imposition of charge

4. Section 5 of the Principal Act is amended by inserting “, or as a casual higher education student,” after “course”. 40

Rates of charge

5. Section 6 of the Principal Act is amended:

(a) by omitting subsections (1) and (2) and substituting the following subsections:

5 “(1) The amount of charge imposed by this Act in respect of the enrolment of an overseas student in a higher education course for a year after 31 December 1988 is:

(a) where the student is an eligible overseas student (Class A) in relation to the year:

10 (i) if the student is enrolled in a course of study in medicine, veterinary science or dentistry—\$4,546; or

(ii) if subparagraph (i) does not apply—\$3,753;

(b) where the student is an eligible overseas student (Class B) in relation to the year:

15 (i) if the student is enrolled in a course of study in medicine, veterinary science or dentistry—\$6,128; or

(ii) if subparagraph (i) does not apply—\$5,288; or

(c) in any other case:

20 (i) if the student is enrolled in a course of study in medicine, veterinary science or dentistry—\$7,311; or

(ii) if subparagraph (i) does not apply—\$6,471.

“(2) The amount of charge imposed by this Act in respect of the enrolment of an overseas student as a casual higher education student for a year after 31 December 1988 is \$6,471.

25 “(2A) The amount of charge imposed by this Act in respect of the enrolment of an overseas student in a technical and further education course for a year after 31 December 1988 is:

(a) where the student is an eligible overseas student (Class A) in relation to the year—\$606;

30 (b) where the student is an eligible overseas student (Class B) in relation to the year—\$853; or

(c) in any other case—\$1,042.”;

(b) by omitting from subsection (3) “1987” and “\$328” and substituting “1988” and “\$350” respectively;

35 (c) by omitting from subsection (4), (4A), (4B) and (4C) “university or advanced” (wherever occurring) and substituting “higher”.

6. Section 6A of the Principal Act is repealed and the following section is substituted:

Charge not payable in certain cases

40 “6A. Where:

(a) an overseas student is enrolled in a prescribed course or as a casual higher education student for a year; and

- (b) the student is not required to attend, at any time during that year, the prescribed educational institution at which he or she is enrolled in connection with the study undertaken in the course or as a casual higher education student;

the charge is not payable in respect of the student's enrolment for that year." 5

NOTE

1. No. 119, 1979, as amended. For previous amendments, see No. 61, 1981; No. 22, 1982; Nos. 68 and 84, 1983; Nos. 136 and 165, 1984; No. 155, 1985; No. 138, 1986; No. 129, 1987; and No. 80, 1988.