

1987

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 5 November 1987

(*Minister for Employment, Education and Training*)

A BILL

FOR

An Act to amend the *Student Assistance Act 1973*

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 *Student Assistance Amendment Act 1987*.

 (2) In this Act, "Principal Act" means the *Student Assistance Act 1973*¹.

Commencement

10 2. This Act shall come into operation on the day on which it receives the Royal Assent.

 3. Section 10 of the Principal Act is repealed and the following section is substituted:

Education Assistance

15 "10. (1) Subject to the regulations, an authorised person may, in respect of a year or a part of a year, approve the grant of Education Assistance to a person who:

 (a) is an Australian citizen or a permanent resident of Australia;

- (b) is enrolled, or proposes to enrol, as a student of an education institution for that year or that part of that year; and
- (c) is undertaking, or proposes to undertake, wholly at that institution in that year or that part of that year:

- (i) a course of study or instruction that the Minister has determined in writing to be a secondary course, or a tertiary course, for the purposes of this section; or 5
- (ii) a part of a course of study or instruction, being a part that the Minister has determined in writing to be a part of a secondary course, or a part of a tertiary course, for the purposes of this section. 10

“(2) Where a person undertaking:

- (a) a course of study or instruction; or
- (b) a part of a course of study or instruction;

offered by an education institution is required or allowed by that institution to attend, and attends, for the purposes of that course, or that part of the course, a place other than that institution (not being a place in respect of which a determination under subsection (3) is in force), the person shall, for the purposes of paragraph (1) (c), be taken to be undertaking that course or that part of the course wholly at that institution. 15 20

“(3) The Minister may determine, in writing, that subsection (2) does not apply in relation to a place, or to a class of places, specified in the determination.

“(4) Where a person is undertaking, or proposes to undertake, by correspondence with an education institution: 25

- (a) a course of study or instruction; or
- (b) a part of a course of study or instruction;

offered by that education institution, the person shall, for the purposes of paragraph (1) (c), be taken to be undertaking that course, or that part of that course, wholly at that institution.”. 30

Savings

4. Notwithstanding the repeal of section 10 of the Principal Act made by section 3 of this Act:

- (a) a determination of the Minister under section 10 of the Principal Act that was in force immediately before the commencement of this Act continues in force, after that commencement, as if it had been made under section 10 of the Principal Act as in force after that commencement; and 35
- (b) regulations made for the purposes of section 10 of the Principal Act and in force immediately before the commencement of this Act continue in force after that commencement. 40

NOTE

1. No. 155, 1973, as amended. For previous amendments, see No. 37, 1976; No. 26, 1982; Nos. 63, 72 and 120, 1984; No. 137, 1985; and No. 114, 1986.

