



Higher Education Support Amendment (VET FEE-HELP Assistance) Act 2008

No. 11, 2008

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/>)

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No. 11, 2008

An Act to amend the *Higher Education Support Act 2003*, and for related purposes

[Assented to 20 March 2008]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Higher Education Support Amendment (VET FEE-HELP Assistance) Act 2008*.

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2 Commencement

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

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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Higher Education Support Act 2003

1 At the end of clause 6 of Schedule 1A

Add:

- ; and (g) the body complies with any requirements set out in the *VET Provider Guidelines relating to *VET credit transfer arrangements.

2 After clause 27 of Schedule 1A

Insert:

27A Requirements in the VET Provider Guidelines

A *VET provider must comply with any requirements set out in the *VET Provider Guidelines relating to:

- (a) fees for *VET units of study; or
- (b) fees for *VET courses of study; or
- (c) matters or things for which fees may be charged.

3 Subclause 28(1) of Schedule 1A

After “provide”, insert “, other than under *VET restricted access arrangements,”.

Note: The following heading to subclause 28(1) is inserted “*General rule*”.

4 After subclause 28(2) of Schedule 1A

Insert:

Restricted access arrangements

- (2A) A *VET provider must give the Minister a schedule of the *VET tuition fees determined under clause 27 for each *VET unit of study it provides or proposes to provide under a *VET restricted access arrangement during a period ascertained in accordance with the *VET Provider Guidelines. It must give the schedule:
 - (a) in a form approved by the Minister; and

(b) in accordance with the requirements that the Minister determines in writing.

(2B) The provider must:

- (a) ensure that the schedule provides sufficient information to enable a person to work out the person's *VET tuition fee for the *VET unit of study the provider provides or is to provide under the *VET restricted access arrangement; and
- (b) ensure that the schedule is available, on request and without charge, to all students enrolled, or eligible to be enrolled, under the VET restricted access arrangement.

5 Subparagraph 28(3)(a)(i) of Schedule 1A

After "(1)", insert "or (2A)".

6 Subclause 28(4) of Schedule 1A

Omit "and (2)", substitute "to (2B)".

7 At the end of clause 43 of Schedule 1A

Add:

- ; and (i) the student meets any other requirements set out in the *VET FEE-HELP Guidelines.

8 Subclause 45(1) of Schedule 1A

Repeal the subclause, substitute:

- (1) The course requirements for *VET FEE-HELP assistance for a *VET unit of study are that the unit:
 - (a) is being undertaken as part of a *VET course of study that meets any requirements set out in the *VET FEE-HELP Guidelines relating to *VET credit transfer arrangements; and
 - (b) is not being undertaken as part of a VET course of study that:
 - (i) is subject to a determination under subclause (2); or
 - (ii) is with a *VET provider that is subject to a determination under subclause (2).

9 Clause 1 of Schedule 1

Insert:

VET credit transfer arrangement means an arrangement for crediting a *VET unit of study or *VET course of study toward a *higher education award.

10 Clause 1 of Schedule 1

Insert:

VET restricted access arrangement, for a *VET course of study, means an arrangement:

- (a) that was entered into between the *VET provider providing the course and an employer or industry body; and
 - (b) that limits or restricts enrolments in some or all of the places in the course.
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[*Minister's second reading speech made in—
House of Representatives on 14 February 2008
Senate on 11 March 2008*]

(7/08)
