

# EXPOSURE DRAFT



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## **Education Services for Overseas Students (Registration Charges) Amendment (COVID-19 Exemptions) Regulations 2020**

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I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 2020

David Hurley  
Governor-General

By His Excellency's Command

Dan Tehan [**DRAFT ONLY—NOT FOR SIGNATURE**]  
Minister for Education

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## 1 Name

This instrument is the *Education Services for Overseas Students (Registration Charges) Amendment (COVID-19 Exemptions) Regulations 2020*.

## 2 Commencement

- (1) Each provision of this instrument 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.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table.	12 April 2020.	12 April 2020
2. Schedule 1, Part 1	12 April 2020.	12 April 2020
3. Schedule 1, Part 2	The day after this instrument is registered.	
4. Schedule 1, Part 3	1 July 2021.	1 July 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

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

## 3 Authority

This instrument is made under the *Education Services for Overseas Students (Registration Charges) Act 1997*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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Schedule 1 Amendments

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## Schedule 1—Amendments

### Part 1—Amendments commencing 12 April 2020

#### *Education Services for Overseas Students (Registration Charges) Regulations 2011*

##### 1 Before regulation 1

Insert:

### Part 1—Preliminary

##### 2 Regulation 4

Repeal the regulation, substitute:

### Part 2—Matters relating to charges imposed from the 2012 calendar year

##### 4 Application of this Part

This Part applies to charges imposed by the Act for 2012 and all later calendar years.

##### 3 At the end of the instrument

Add:

### Part 3—Exemption from entry to market charges imposed from 12 April 2020 to 30 June 2021

##### 8 Entry to market charges—exemption

For the purposes of subsection 6(9) of the Act, the class of providers made up of all providers (other than providers mentioned in regulation 7) is prescribed for entry to market charges imposed during the period commencing 12 April 2020 and ending on 30 June 2021.

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Amendments **Schedule 1**  
Amendments commencing day after registration **Part 2**

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## **Part 2—Amendments commencing day after registration**

### *Education Services for Overseas Students (Registration Charges) Regulations 2011*

#### **4 Regulation 7**

Omit “subsection 6(4)”, substitute “subsection 6(9)”.

#### **5 At the end of the instrument**

Add:

## **Part 4—Exemption from annual registration charges imposed in the 2021 calendar year**

#### **9 Exemption—annual registration charge**

For the purposes of subparagraph 5(7)(c)(i) of the Act, the class of providers made up of all registered providers on 1 January 2021 is prescribed for 2021 and all later calendar years.

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Schedule 1 Amendments

Part 3 Amendments commencing 1 July 2021

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## Part 3—Amendments commencing 1 July 2021

### *Education Services for Overseas Students (Registration Charges) Regulations 2011*

#### 6 Parts 3 and 4

Repeal the Parts.