



Canberra College of Advanced Education Amendment Act 1986

No. 136 of 1986

An Act to amend the *Canberra College of Advanced Education Act 1967*

[Assented to 9 December 1986]

[Date of commencement 6 January 1987]

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

Short title, &c.

1. (1) This Act may be cited as the *Canberra College of Advanced Education Amendment Act 1986*.

(2) The *Canberra College of Advanced Education Act 1967*¹ is in this Act referred to as the Principal Act.

2. After section 25 of the Principal Act the following section is inserted:

Higher education administration charge

“25A. (1) In this section—

‘enrolment’ includes re-enrolment;

‘relevant enrolment’ means the enrolment of a person to undertake a course of study or instruction or part of a course of study or instruction at the College, being a course the completion of which leads to the granting of a degree, diploma or other award of the College (whether or not that course or that part of that course is

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undertaken for the purpose of obtaining such an award) but does not include—

- (a) the enrolment of a person in a course of technical and further education within the meaning of the *States Grants (Tertiary Education Assistance) Act 1984*;
- (b) the enrolment of a person who is an overseas student within the meaning of the *Overseas Students Charge Act 1979* to undertake such a course or part of such a course where the College imposes a fee of the kind referred to in paragraph 25 (2) (e) in relation to that course or part of that course;
- (c) the enrolment of a person to undertake such a course or part of such a course during a year where the person has already enrolled in such a course or part of such a course in respect of that year at the College, being another course in respect of which higher education administration charge was imposed in respect of that year;
- (d) the enrolment of a person who is included in a class of persons specified by the Minister for the purposes of paragraph (d) of the definition of 'relevant enrolment' in sub-section 3 (1) of the *States Grants (Tertiary Education Assistance) Act 1984*;
- (e) the enrolment of a person to undertake part of such a course during a year where that enrolment is required for the purposes of another course being undertaken by that person at another tertiary education institution, being another course in respect of which an amount of higher education administration charge was imposed in respect of that year; or
- (f) the enrolment of a person to undertake such a course where the College provides a scholarship for the person to undertake that course, being a scholarship that entitles the person to an amount by way of living allowance of at least \$1,000 per annum, not including any amount payable in respect of the person's dependants.

“(2) The College shall, in relation to the year commencing on 1 January 1987 and each subsequent year, impose an amount of higher education administration charge in respect of each relevant enrolment at the College in respect of that year, being the amount applicable under section 4D of the *States Grants (Tertiary Education Assistance) Act 1984* in respect of that year.

“(3) Where a person who is required to pay an amount of higher education administration charge in respect of the enrolment of the person to undertake a course of study or instruction or part of a course of study or instruction at the College in respect of a year fails to pay that amount to the College before the final payment day for that course or that part of that course in that year, the person shall, unless the Principal of the College otherwise determines, cease to be enrolled to undertake that course or that part of that course during that year.

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“(4) For the purposes of this section, where the enrolment of a person to undertake a course of study or instruction at the College entitles the person to undertake a part of that course in more than one year, the person shall be deemed to become enrolled to undertake that course in respect of each year in which the person undertakes a part of that course.

“(5) The reference in sub-section (3) to the final payment day for a course or a part of a course in a year is a reference to such day during that year as is determined by the Principal of the College in relation to that course or that part of that course.”.

NOTE

1. No. 104, 1967, as amended. For previous amendments, see No. 114, 1970; No. 216, 1973; No. 95, 1975; No. 37, 1976; No. 36, 1978; No. 191, 1979; No. 96, 1984; and Nos. 65 and 161, 1985.

*[Minister's second reading speech made in—
House of Representatives on 19 August 1986
Senate on 11 November 1986]*