



**Education Services for Overseas
Students (Registration Charges)
Amendment (Tuition Protection Service)
Act 2012**

No. 10, 2012

**An Act to amend the *Education Services for
Overseas Students (Registration Charges) Act 1997*,
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. 10, 2012

**An Act to amend the *Education Services for
Overseas Students (Registration Charges) Act 1997*,
and for related purposes**

[Assented to 20 March 2012]

The Parliament of Australia enacts:

*Education Services for Overseas Students (Registration Charges) Amendment (Tuition Protection
Service) Act 2012* No. 10, 2012 1

1 Short title

This Act may be cited as the *Education Services for Overseas Students (Registration Charges) Amendment (Tuition Protection Service) Act 2012*.

2 Commencement

- (1) Each provision of this Act 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
Provision(s)	Commencement	Date/Details
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	20 March 2012
2. Schedule 1	The later of: (a) immediately after the commencement of Part 1 of Schedule 2 to the <i>Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012</i> ; and (b) immediately after the commencement of Schedule 1 to the <i>Education Services for Overseas Students (Registration Charges) Amendment Act 2011</i> . However, the provision(s) do not commence at all unless both of the events mentioned in paragraphs (a) and (b) occur.	1 July 2012 (paragraph (a) applies)

Note: This table relates only to the provisions of this Act as originally enacted.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

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

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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

Education Services for Overseas Students (Registration Charges) Act 1997

1 Subsection 5(6)

Repeal the subsection, substitute:

- (6) For the purposes of this section, a course is taken to be a separate course at each location at which the provider is registered to provide the course.

2 Subsection 6(1)

Repeal the subsection, substitute:

Application of section

- (1) This section applies if:
 - (a) a designated authority recommends under section 9AA of the *Education Services for Overseas Students Act 2000* (the *ESOS Act*) that a provider be registered under that Act to provide a course at a location to overseas students; and
 - (b) the provider meets the requirements in subsection 9AB(1) of that Act, other than the requirement in paragraph 9AB(1)(c); and
 - (c) at the time the provider meets those requirements, the provider is not registered to provide any course at any locations.

3 Subsection 6(2) (table)

Omit “for the State under section 9” (wherever occurring), substitute “at the location under section 9AB”.

4 Subsection 6(3)

Omit “for the State”, substitute “at the location”.

*[Minister's second reading speech made in—
House of Representatives on 22 September 2011
Senate on 3 November 2011]*

(196/11)

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