



# **Higher Education Support Amendment Act (No. 1) 2012**

**No. 38, 2012**

**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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# Higher Education Support Amendment Act (No. 1) 2012

No. 38, 2012

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

[Assented to 15 April 2012]

The Parliament of Australia enacts:

### **1 Short title**

This Act may be cited as the *Higher Education Support Amendment Act (No. 1) 2012*.

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## 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.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provision(s)</b>	<b>Commencement</b>	<b>Date/Details</b>
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	15 April 2012
2. Schedule 1, items 1 to 4	1 January 2012.	1 January 2012
3. Schedule 1, item 5	1 January 2011.	1 January 2011
4. Schedule 1, item 6	1 January 2012.	1 January 2012
5. Schedule 1, items 7 and 8	1 January 2011.	1 January 2011
6. Schedule 1, items 9 and 10	1 January 2012.	1 January 2012
7. Schedule 1, item 11	1 January 2013.	1 January 2013
8. Schedule 1, items 12 to 17	The day after this Act receives the Royal Assent.	16 April 2012

Note: This table relates only to the provisions of this Act as originally enacted.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.

- (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.

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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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

### Part 1—Amendments relating to indexation

#### *Higher Education Support Act 2003*

**1 Paragraph 19-37(5)(a)**

Omit “1 January 2011”, substitute “1 January 2012”.

**2 Paragraph 19-37(5)(e)**

Omit “\$250”, substitute “\$263”.

**3 Paragraph 19-37(5)(e)**

Omit “1 January 2011”, substitute “1 January 2012”.

**4 Subsection 19-37(5) (note 2)**

Omit “\$250”, substitute “\$263”.

**5 Section 198-5**

Before “This table”, insert “(1)”.

**6 Section 198-5 (table item 1AA)**

Repeal the item, substitute:

1A	Amount mentioned in paragraph 19-37(5)(e)	Section 19-37
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**7 At the end of section 198-5**

Add:

- (2) The amount mentioned in the section referred to in an item of the table, for a calendar year with an indexation factor greater than 1, is replaced by the amount worked out in accordance with section 198-10.

**8 Indexation of amounts in 2011**



The amounts set out in the table in section 198-5 of the *Higher Education Support Act 2003*, as in force immediately before the commencement of the *Higher Education Support Amendment (Indexation) Act 2010*, are to be indexed on 1 January 2011 in accordance with Part 5-6 of the *Higher Education Support Act 2003*, as in force immediately before the commencement of the *Higher Education Support Amendment (Indexation) Act 2010*.

## **9 Indexation of amount in 2012**

Despite section 198-10 of the *Higher Education Support Act 2003*, the amount set out in item 1A of the table in section 198-5 of that Act, as inserted by item 6 of this Part, is not to be indexed on 1 January 2012 in accordance with Part 5-6 of that Act.

## Part 2—Other amendments

### *Higher Education Support Act 2003*

#### **10 Subsection 16-20(1) (table)**

Omit “Melbourne College of Divinity”, substitute “MCD University of Divinity”.

#### **11 Subsection 151-5(4)**

Repeal the subsection, substitute:

##### *Rounding*

- (4) If an amount worked out using the formula in subsection (2) is an amount made up of dollars and cents, round the amount down to the nearest dollar.
- (5) If an amount worked out using the formula in subsection (3) is an amount made up of dollars and cents, round the amount up to the nearest dollar.

#### **12 Subclause 1(1) of Schedule 1 (definition of *course of study in dentistry*)**

Before “academic requirements”, insert “minimum”.

#### **13 Subclause 1(1) of Schedule 1 (at the end of the definition of *course of study in dentistry*)**

Add “, regardless of whether further dentistry study is completed before registration is sought”.

#### **14 Subclause 1(1) of Schedule 1 (definition of *course of study in veterinary science*)**

Before “academic requirements”, insert “minimum”.

#### **15 Subclause 1(1) of Schedule 1 (at the end of the definition of *course of study in veterinary science*)**

Add “, regardless of whether further veterinary science study is completed before registration is sought”.

## **16 Application—item 11**

The amendment made by item 11 applies in relation to payments made under section 151-1 of the *Higher Education Support Act 2003* on or after the day that item commences.

## **17 Application—items 12 to 15**

The amendments made by items 12 to 15 apply for the purposes of working out the FEE-HELP limit in relation to the following persons:

- (a) a person who is enrolled in a course of study in dentistry or a course of study in veterinary science on the day this item commences;
- (b) a person who enrolls in a course of study in dentistry or a course of study in veterinary science on or after the day this item commences.

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*[Minister's second reading speech made in—  
House of Representatives on 15 February 2012  
Senate on 15 March 2012]*

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(17/12)

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