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Immigration (Education) Amendment Regulations 2004 (No. 1)¹

Statutory Rules 2004 No. 1²

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I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Immigration (Education) Act 1971*.

Dated 31 AUG 2004 2004

PM Jeffery

Governor-General

By His Excellency's Command

GARY HARDGRAVE

Minister for Citizenship and Multicultural Affairs

Regulation 1

1 Name of Regulations

These Regulations are the *Immigration (Education) Amendment Regulations 2004* (No.).

2 Commencement

These Regulations are taken to have commenced on 1 September 2004.

3 Amendment of *Immigration (Education) Regulations 1992*

Schedule 1 amends the *Immigration (Education) Regulations 1992*.

Schedule 1 Amendment

(regulation 3)

[1] Subregulations 4 (3) and (4)

substitute

- (3) A person enrolling in a prescribed English course is exempt from paying the fee if, at the time of enrolment, he or she is:
- (a) the holder of a health care card, within the meaning of section 4A of the Act; or
 - (b) a registered job seeker, within the meaning of that section.
- (4) The fee for a person enrolling in a prescribed English course is waived if, at the time of enrolment, the person is the holder of:
- (a) a Business Skills (Provisional) (Class UR) visa; or
 - (b) an Interdependency (Provisional) (Class UG) visa; or
 - (c) a Partner (Provisional) (Class UF) visa; or
 - (d) a Partner (Temporary) (Class UK) visa; or
 - (e) a Resolution of Status (Temporary) (Class UH) visa; or

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- (f) a Skilled — Independent Regional (Provisional) (Class UX) visa.
- (5) The Minister must give a person a refund of an amount paid in respect of the fee for a prescribed English course if the Minister is satisfied that the person:
- (a) was, at the time of enrolment:
- (i) exempt from paying the fee under subregulation (3); or
- (ii) entitled to a waiver of the fee under subregulation (4); and
- (b) has paid the amount.

Notes

1. These Regulations amend Statutory Rules 1992 No. 432, as amended by 1993 Nos. 31 and 54; 1994 No. 142; 1995 No. 303; 1997 Nos. 136, 280 and 405; 1999 No. 90; 2001 No. 46; 2002 No. 120; 2003 No. 91; 2004 No. 192.
2. Notified in the *Commonwealth of Australia Gazette* on / 2004.

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