

EXPLANATORY STATEMENT

Immigration (Education) Act 1971

**ENGLISH COURSES FOR HOLDERS OF CERTAIN TEMPORARY VISAS
(SUBPARAGRAPH 4A(a)(ii))**

1. This Instrument, IMMI 10/058, is made under subparagraph 4A(a)(ii) of the *Immigration (Education) Act 1971* ('the Act'). This instrument revokes instrument number IMMI 07/061 signed on 28 August 2007.
2. Subparagraph 4A(a)(ii) of the Act provides that a person is eligible for English courses if he or she is in Australia and holds a temporary visa of a class specified in a legislative instrument made by the Minister.
3. The purpose of the Instrument is to specify classes of temporary visas, the holders of which will be able to access English courses.
4. The Instrument operates to provide access to English courses for holders of the following temporary visas:
 - (a) Business Skills (Provisional) (Class UR);
 - (b) Interdependency (Provisional) (Class UG);
 - (c) Partner (Provisional) (Class UF);
 - (d) Partner (Temporary) (Class UK);
 - (e) Resolution of Status (Temporary) (Class UH);
 - (f) Skilled – Designated Area-sponsored (Provisional) (Class UZ);
 - (g) Skilled – Independent Regional (Provisional) (Class UX);
 - (h) Skilled – Regional Sponsored (Subclass 475); and
 - (i) Skilled – Regional Sponsored (Subclass 487).
5. The Instrument also operates to provide access to English courses for holders of the above temporary visas under subparagraph 4A(a)(ii) rather than subparagraphs 4(b)(ii) and 4(c)(ii), which are repealed from 1 January 2011, referred to in the previous instrument.
6. Pursuant to section 18 of the *Legislative Instruments Act 2003* consultation was not necessary. The Instrument is of a minor or machinery nature and does not substantially alter existing arrangements.

7. The Office of Best Practice Regulation's Business Cost Calculator and Assessment Checklists were used to determine that there was no compliance cost on business or impact on competition in relation to this instrument (OBPR reference number 11735).
8. This Instrument, IMMI 10/058, commences on 1 January 2011.