



Australian Skills Quality Authority Instrument Fixing Fees Amendment (Refund of Fees) Determination 2020

I, Senator the Hon Michaelia Cash, Minister for Employment, Skills, Small and Family Business, make the following Determination.

30 April 2020

Michaelia Cash
Minister for Employment, Skills, Small and Family Business

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1 Name

This instrument is the *Australian Skills Quality Authority Instrument Fixing Fees Amendment (Refund of Fees) Determination 2020*.

2 Commencement

- (1) Each provision of this instrument 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
Provisions	Commencement	Date/Details
1. The whole of this instrument	20 April 2020.	

Note: This table relates only to the provisions of this instrument as originally made.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

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

3 Authority

This instrument is made under subsection 232(1) and 232(5) of the *National Vocational Education and Training Regulator Act 2011*.

4 Schedule

The instrument that is specified in the Schedule to this instrument is amended as set out in the items in the Schedule.

Schedule 1—Amendments

Australian Skills Quality Authority Instrument Fixing Fees No. 1 of 2013

1 Schedule B, after subsection 3(f)

Add:

- (g) Despite subsection (d) or (f), a fee paid under the Act or the ESOS Act may be refunded, in whole or in part, where, in ASQA's opinion, special or unusual circumstances exist that cause the fee to be unreasonable or inequitable.
- (h) To avoid doubt, circumstances related to the COVID-19 pandemic are special or unusual circumstances which could cause the fee to be unreasonable or inequitable for the purposes of subsection (g).

2 Schedule B, after subsection 5(e)

Add:

- (ea) To avoid doubt, circumstances related to the COVID-19 pandemic are special or unusual circumstances which could cause the fee to be unreasonable or inequitable for the purposes of paragraph (e)(i).