

Student Identifiers (Higher Education Exemptions) Instrument 2021

I, Alan Tudge, Minister for Education and Youth, make the following instrument.

Dated 19 July 2021

Alan Tudge

Minister for Education and Youth

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1 Name

 This instrument is the *Student Identifiers (Higher Education Exemptions) Instrument 2021*.

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 |
| The whole of this instrument | The day after this instrument is registered. |  |

Note: This table relates only to the provisions of this instrument as originally made.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 section 53A of the *Student Identifiers Act 2014*.

4 Definitions

Note: A number of expressions used in this instrument are defined in section 4 of the Act, including the following:

(a) Registrar;

(b) student identifier.

 In this instrument:

 ***Act***means the *Student Identifiers Act 2014.*

 ***Commonwealth supported student*** has the meaning given in Schedule 1 of the *Higher Education Support Act 2003*.

 ***course of study*** has the meaning given in Schedule 1 of the *Higher Education Support Act 2003*.

 ***FEE-HELP assistance*** has the meaning given in Schedule 1 of the *Higher Education Support Act 2003*.

 ***HECS-HELP assistance*** has the meaning given in Schedule 1 of the *Higher Education Support Act 2003*.

 ***OS-HELP assistance*** has the meaning given in Schedule 1 of the *Higher Education Support Act 2003*.

***SA-HELP assistance*** has the meaning given in Schedule 1 of the *Higher Education Support Act 2003*.

***unit of study*** has the meaning given in Schedule 1 of the *Higher Education Support Act 2003*.

5 Matters to consider for exemptions by the Registrar

 For the purposes of subsection 53A(7) of the Act*,* when considering a request to make a determination that subsection 53A(1) of the Act does not apply in relation to an individual,the Registrar must have regard to the following matters in making a decision:

 (a) the purpose of individuals being assigned a student identifier for their higher education studies;

 (b) the impact of not being assigned a student identifier on the individual;

 (c) whether the individual will, or is likely to, apply for FEE-HELP assistance or HECS-HELP assistance, or become a Commonwealth supported student; and

 (d) whether the individual understands the consequences of not being assigned a student identifier in relation to their higher education studies, including that the individual will not be:

 (i) eligible to be a Commonwealth supported student, or for HECS-HELP assistance or FEE-HELP assistance for a unit of study of a course of study that they commenced on or after 1 January 2021 and for any unit of study on or after 1 January 2023;

 (ii) entitled to OS-HELP assistance for applications on or after 1 January 2021;

 (iii) eligible for SA-HELP assistance in relation to student services and amenities fees payable on or after 1 January 2023.