



# **Student Identifiers (Higher Education Exemptions) Amendment (Education Minister Exemptions) 2022**

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I, Jason Clare, Minister for Education, make the following instrument.

Dated 24 November 2022

Jason Clare  
Minister for Education

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## 1 Name

This instrument is the *Student Identifiers (Higher Education Exemptions) Amendment (Education Minister Exemptions) 2022*.

## 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	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Note: This table relates only to the provisions of this instrument as originally made.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 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Student Identifiers (Higher Education Exemptions) Instrument 2021*

#### 1 Section 4

Insert:

*visa holder* has the meaning given in subsection 5(1) of the *Migration Act 1958*.

#### 2 After section 5

Insert:

#### 6 Exemptions given by the Education Minister

For the purposes of subsection 53A(3) of the Act, subsection 53A(1) does not apply to a conferral of a regulated higher education award on an individual where:

- (a) the individual is not:
  - (i) an Australian citizen; or
  - (ii) a visa holder that has validly entered Australia on that visa; and
- (b) the individual does not, at the time of the conferral of the regulated higher education award, reside in Australia; and
- (c) the individual has either:
  - (i) completed, outside of Australia, all of the requirements to be conferred the regulated higher education award; or
  - (ii) completed all the requirements to be conferred the regulated higher education award, before 1 January 2023.