



Migration Amendment (Suspending Education Providers) Regulations 2024

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 14 March 2024

David Hurley
Governor-General

By His Excellency's Command

Clare O'Neil
Minister for Home Affairs

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1 Name

This instrument is the *Migration Amendment (Suspending Education Providers) Regulations 2024*.

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.	23 March 2024

Note: This table relates only to the provisions of this instrument as originally made.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 the *Migration Act 1958*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Migration Regulations 1994

1 Before regulation 1.30

Insert:

1.29 Score relevant to suspension of registered provider

- (1) This regulation is made for the purposes of paragraph 97(2)(d) of the *Education Services for Overseas Students Act 2000*.
- (2) In considering whether to give an Immigration Minister's suspension certificate to a registered provider at a particular time, the Minister may have regard to the relevant score that has effect for the registered provider at that time.
- (3) The Minister may, by legislative instrument, specify the following:
 - (a) the method for working out a score for a registered provider;
 - (b) when, and how often, a relevant score for a registered provider is to be worked out;
 - (c) the period for which a relevant score has effect for a registered provider.
- (4) Without limiting paragraph (3)(a), the method specified in the instrument made under that paragraph may take into account the following:
 - (a) matters relating to overseas students, or intending overseas students, in respect of:
 - (i) the registered provider; or
 - (ii) another provider that is an associate of the registered provider;
 - (b) matters that occurred during a particular period, whether that period ends before or after the commencement of this regulation.
- (5) In this regulation:

associate has the same meaning as in the *Education Services for Overseas Students Act 2000*.

Immigration Minister's suspension certificate has the same meaning as in the *Education Services for Overseas Students Act 2000*.

intending overseas student has the same meaning as in the *Education Services for Overseas Students Act 2000*.

overseas student has the same meaning as in the *Education Services for Overseas Students Act 2000*.

registered provider has the same meaning as in the *Education Services for Overseas Students Act 2000*.

relevant score means a score that is worked out for a registered provider using the method specified in the instrument made under paragraph (3)(a).