



*Education (Overseas Students) Act 1996*

# **Education (Overseas Students) Regulation 2014**

**Current as at 1 January 2017**





Queensland

# Education (Overseas Students) Regulation 2014

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# Education (Overseas Students) Regulation 2014

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Education (Overseas Students) Regulation 2014*.

### 2 Commencement

This regulation commences on 1 September 2014.

## Part 2 Registration

### Division 1 Definitions

#### 3 Definitions for pt 2

In this part—

*non-State school* means a school that is provisionally accredited, or accredited, under the *Education (Accreditation of Non-State Schools) Act 2001*.

*registration* includes a change of registration and a renewal of registration.

*State instructional institution* see the *Education (General Provisions) Act 2006*, schedule 4.

## **Division 2                      Applications**

### **4                      Persons who may make applications—Act, s 7(1)**

For section 7(1) of the Act, the following persons may make an application under that section—

- (a) a person authorised in writing by the chief executive to provide, arrange or promote a course conducted by a State instructional institution;
- (b) a person authorised in writing by the governing body of a non-State school if the non-State school intends to provide, arrange or promote a course to an overseas student.

## **Division 3                      Registration criteria**

### **5                      Registration criteria—Act, schedule, definition *registration criteria***

For the Act, schedule, definition, *registration criteria*, the registration criteria are as follows—

- (a) the application requirements and standards contained in the National Code of Practice for Providers of Education and Training to Overseas Students made under the *Education Services for Overseas Students Act 2000* (Cwlth), part 4;
- (b) if the applicant or the course must be accredited, approved, registered or otherwise recognised under a law (other than the Act), the applicant or the course must be accredited, approved, registered or otherwise recognised under the law;
- (c) for registration of a course that is an English Language Intensive Course for Overseas Students (ELICOS), the course must be accredited, endorsed or otherwise recognised by the National ELT Accreditation Scheme Limited ACN 003 980 667.

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## **Part 3                      The register of registered    providers and registered    courses**

### **6            Information to be kept in register—Act, s 26(2)**

- (1) For section 26(2) of the Act, the register of registered providers and registered courses must contain the information stated in sections 7 and 8.
- (2) However, the register may contain other information if the chief executive considers it appropriate.

### **7            Information about each registered provider**

For each registered provider, the register must contain—

- (a) the information to be included in a registration certificate under section 9(4)(a) of the Act; and
- (b) other names used by the registered provider in promoting registered courses provided by the registered provider; and
- (c) if the registered provider is not an individual—
  - (i) information about its legal status; and
  - (ii) any Australian company number or Australian registered body number for the registered provider under the Corporations Law; and
  - (iii) the name and title of its chief executive officer; and
- (d) the address, a telephone number and a fax number (if any) for the central or head office or campus of the registered provider; and
- (e) details of any suspensions or cancellations about the registered provider.

## **8 Information about each registered course**

For each registered course, the register must contain—

- (a) the information to be included in a registration certificate under section 9(4)(b) of the Act; and
- (b) the cost and duration of the course; and
- (c) details of any suspensions and cancellations about the course and its registered provider.

## **Part 4 Fees**

### **9 Application of pt 4**

This part prescribes the fees for section 7(2)(b) of the Act.

### **10 Fee for application for registration or renewal of registration as provider**

The fee for an application for registration as a provider, or an application to renew the registration of a provider, is \$334.85.

### **11 Fee for application for registration or renewal of registration of course**

- (1) The fee for a registered course application is \$83.75.
- (2) If a registered course application relates to more than 20 courses, the fee mentioned in subsection (1) is increased by \$83.75 for each multiple of 20 courses or part of a multiple.
- (3) However, for a registered course application that is made on the same day as the provider of the course or courses makes a registered provider application—
  - (a) if the registered provider application relates to not more than 20 courses—the fee otherwise payable under subsection (1) is waived; or



- (b) if the registered provider application relates to more than 20 courses—the fee otherwise payable under subsections (1) and (2) is reduced by \$83.75.
- (4) In this section—
- registered course application*** means—
- (a) an application for registration of a course or courses; or
  - (b) an application to renew the registration of a course or courses.
- registered provider application*** means—
- (a) an application for registration as a provider; or
  - (b) an application to renew the registration of a registered provider.

## **12 Fee for application to change registration of provider or course**

The fee for an application to change the registration of a registered provider or registered course is \$83.75.

## 1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations

## 2 Key

### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
<b>AIA</b>	= <b>Acts Interpretation Act 1954</b>	<b>(prev)</b>	= <b>previously</b>
<b>amd</b>	= <b>amended</b>	<b>proc</b>	= <b>proclamation</b>
<b>amd</b>	= <b>amendment</b>	<b>prov</b>	= <b>provision</b>
<b>t</b>			
<b>ch</b>	= <b>chapter</b>	<b>pt</b>	= <b>part</b>
<b>def</b>	= <b>definition</b>	<b>pubd</b>	= <b>published</b>
<b>div</b>	= <b>division</b>	<b>R[X]</b>	= <b>Reprint No. [X]</b>
<b>exp</b>	= <b>expires/expired</b>	<b>RA</b>	= <b>Reprints Act 1992</b>
<b>gaz</b>	= <b>gazette</b>	<b>reloc</b>	= <b>relocated</b>
<b>hdg</b>	= <b>heading</b>	<b>renum</b>	= <b>renumbered</b>
<b>ins</b>	= <b>inserted</b>	<b>rep</b>	= <b>repealed</b>
<b>lap</b>	= <b>lapsed</b>	<b>(retro)</b>	= <b>retrospectively</b>
<b>notf</b>	= <b>notified</b>	<b>rv</b>	= <b>revised version</b>
<b>d</b>			
<b>num</b>	= <b>numbered</b>	<b>s</b>	= <b>section</b>
<b>o in</b>	= <b>order in council</b>	<b>sch</b>	= <b>schedule</b>
<b>c</b>			

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
<b>om</b>	= omitted	<b>sdiv</b>	= subdivision
<b>orig</b>	= original	<b>SIA</b>	= Statutory Instruments Act 1992
<b>p</b>	= page	<b>SIR</b>	= Statutory Instruments Regulation 2012
<b>para</b>	= paragraph	<b>SL</b>	= subordinate legislation
<b>prec</b>	= preceding	<b>sub</b>	= substituted
<b>pres</b>	= present	<b>unnum</b>	= unnumbered
<b>prev</b>	= previous		

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

<b>Current as at</b>	<b>Amendments included</b>	<b>Notes</b>
1 September 2014	none	
1 January 2015	2014 SL No. 228	
1 January 2016	2015 SL No. 132	
1 January 2017	2016 SL No. 180	

## 4 List of legislation

### Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note.

#### **Education (Overseas Students) Regulation 2014 SL No. 179**

made by the Governor in Council on 21 August 2014  
notfd <www.legislation.qld.gov.au> 22 August 2014  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 September 2014 (see s 2)  
exp 1 September 2024 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.  
amending legislation—

#### **Education Legislation (Fees) Amendment Regulation (No. 1) 2014 SL No. 228 pts 1, 4**

notfd <www.legislation.qld.gov.au> 3 October 2014  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2015 (see s 2)

#### **Education Legislation (Fees) Amendment Regulation (No. 1) 2015 SL No. 132 pts 1, 4**

notfd <www.legislation.qld.gov.au> 2 October 2015  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2016 (see s 2)

#### **Education Legislation (Fees) Amendment Regulation 2016 SL No. 180 ss 1, 2(2), pt 4**

notfd <www.legislation.qld.gov.au> 30 September 2016  
ss 1–2 commenced on date of notification  
pt 4 commenced 1 January 2017 (see s 2(2))

## 5 List of annotations

### **Fee for application for registration or renewal of registration as provider**

s 10 amd 2014 SL No. 228 s 11; 2015 SL No. 132 s 8; 2016 SL No. 180 s 9

### **Fee for application for registration or renewal of registration of course**

s 11 amd 2014 SL No. 228 s 12; 2015 SL No. 132 s 9; 2016 SL No. 180 s 10

### **Fee for application to change registration of provider or course**

s 12 amd 2014 SL No. 228 s 13; 2015 SL No. 132 s 10; 2016 SL No. 180 s 11