



Queensland

Education (General Provisions) Amendment Regulation (No. 1) 2007

Subordinate Legislation 2007 No. 292

made under the

Education (General Provisions) Act 2006

Contents

		Page
1	Short title	2
2	Regulation amended	2
3	Insertion of new ss 69A and 69B	2
	69A Refund of part of fee for distance education—Act, s 434(2)(a).	2
	69B Refused application for distance education fee refund	3
4	Insertion of pt 10, div 1, hdg.	3
5	Insertion of new pt 10, div 2	3
	Division 2 Transitional provision for Education (General Provisions) Amendment Regulation (No. 1) 2007	
	89A Refund of part of fee for distance education	4

1 Short title

This regulation may be cited as the *Education (General Provisions) Amendment Regulation (No. 1) 2007*.

2 Regulation amended

This regulation amends the *Education (General Provisions) Regulation 2006*.

3 Insertion of new ss 69A and 69B

After section 69—

insert—

‘69A Refund of part of fee for distance education—Act, s 434(2)(a)

- ‘(1) This section applies if, because of a change in the personal circumstances of a person for whom a fee mentioned in the Act, section 52(2) was paid for a school year, the person is—
- (a) no longer enrolled in a program of distance education at a State school; or
 - (b) no longer undertaking a component of a program of distance education at a State school.
- ‘(2) The person or, if another person paid the fee, the other person may apply to the chief executive for a refund of part of the fee.
- ‘(3) The application must—
- (a) be made in writing before the end of semester 1 of the school year to which the fee relates; and
 - (b) give details of the change in the person’s personal circumstances.

Example of change in personal circumstances—

a change in the person’s residence because of a transfer in the employment of a parent of the person

- ‘(4) The chief executive may refund part of the fee if the chief executive is satisfied it is appropriate and reasonable to do so because of the change in the person’s personal circumstances.

- ‘(5) If the chief executive decides to refund part of the fee, the chief executive must calculate the refund payable in accordance with the departmental policy for calculating the refund published on the department’s website.

Editor’s note—

The department’s website address is <www.education.qld.gov.au>.

- ‘(6) For calculating the refund, the person’s enrolment in, or undertaking of a component of, the program of distance education is taken to have ceased on the day the application was made.

‘69B Refused application for distance education fee refund

- ‘(1) If the chief executive decides not to grant an application under section 69A, the chief executive must give the applicant notice of the reasons for the decision.
- ‘(2) The applicant may, within 14 days after the notice is given, apply to the chief executive for a reconsideration of the decision.
- ‘(3) Unless the chief executive made the decision personally, the chief executive must ensure the decision is not reconsidered by—
- (a) the person who made the decision; or
 - (b) a person in a less senior office in the department than the person who made the decision.’.

4 Insertion of pt 10, div 1, hdg

Part 10, before section 73—

insert—

‘Division 1 Transitional provisions for SL No. 246 of 2006’.

5 Insertion of new pt 10, div 2

Part 10, after section 89—

insert—

**‘Division 2 Transitional provision for Education
(General Provisions) Amendment
Regulation (No. 1) 2007**

‘89A Refund of part of fee for distance education

- ‘(1) This section applies if, before the end of semester 1 of the 2007 school year—
- (a) a fee under the Act, section 52(2) was paid for the provision of distance education to a person during the school year; and
 - (b) because of a change in the person’s personal circumstances, the person’s enrolment in, or undertaking of a component of, a program of distance education at a State school ceased; and
 - (c) the person who paid the fee asked the chief executive for a refund of part of the fee.
- ‘(2) The chief executive may deal with the request as if it were an application under section 69A.
- ‘(3) Subsection (4) applies if the chief executive decides to refund part of the fee.
- ‘(4) Despite section 69A(6), for calculating the refund, the person’s enrolment in, or undertaking of a component of, the program of distance education is taken to have ceased on the day decided by the chief executive in consultation with the person who made the request.’

ENDNOTES

- 1 Made by the Governor in Council on 29 November 2007.
- 2 Notified in the gazette on 30 November 2007.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Education, Training and the Arts.

© State of Queensland 2007