

House of Representatives

Supplementary Order Paper

Tuesday, 10 August 2004

Education (Export Education Levy) Amendment Bill

Proposed amendments

Hon Trevor Mallard, in Committee, to move the following amendments:

Clause 4(1)

To omit from *new paragraph (ab)* (line 2 on page 2) the expression “.”, and substitute the expression “:”.

Clause 4(2)

To insert in *new section 238I(1B)(a)(i)*, after the word “refunded” (line 24 on page 2), the words “the tuition fees or other”.

To insert in *new section 238I(1B)(a)(ii)*, after the word “reimbursement” (line 26 on page 2), the words “of the student”.

To insert in *new section 238I(1B)* (after line 27 on page 2) the following paragraph:

“(ab) with the approval of the Minister, to reimburse the Crown for any sum provided by the Crown and paid to any person to ensure the reimbursement of the student, in whole or in part, for tuition fees or for any payment other than tuition fees made by or on behalf of that student to the private training establishment in respect of the student’s course of study or training if, and to the extent that,—

“(i) the private training establishment had not refunded the tuition fees or other payment; and

“(ii) the agency responsible for the administration of the levy approved the reimbursement of the student as necessary and appropriate in the circumstances: .

Explanatory note

This Supplementary Order Paper amends the Education (Export Education Levy) Amendment Bill.

Clause 4(1) is amended to correct a minor drafting error.

Clause 4(2) is amended by inserting a *new paragraph (ab)* into *new section 238I(1B)*. The new paragraph makes it clear that, with the approval of the Minister, the funds of the levy may be used to reimburse the Crown where the Crown (rather than the fund) directly provides money for the reimbursement of students in a particular case. The amendment also provides that the same conditions apply to payments made directly from Crown funds as apply to payments made directly from the funds of the levy itself. These are that the reimbursement to the student was only made if, and to the extent that,—

- the private training establishment had not refunded the payment (made by or on behalf of the student); and
- the agency responsible for the administration of the levy approved the reimbursement of the student as necessary and appropriate in the circumstances.

The amendments to *new section 238I(1B)(a)* are minor clarifications for consistency with the *new paragraph (ab)*.

