

EDUCATION**ED301****EDUCATION SERVICE PROVIDERS (FULL FEE
OVERSEAS STUDENTS) REGISTRATION ACT 1991****EDUCATION SERVICE PROVIDERS (FULL FEE
OVERSEAS STUDENTS) REGISTRATION REGULATIONS 1992**

Made by His Excellency the Deputy of Lieutenant-Governor and
Administrator in Executive Council.

Citation

1. These regulations may be cited as the *Education Service Providers (Full Fee Overseas Students) Registration Regulations 1992*.

Commencement

2. These regulations come into operation on the day on which the Act comes into operation.

Interpretation

3. (1) In these regulations, unless the contrary intention appears —
 - “**approved**” means approved by the chief executive officer;
 - “**exempted education service provider**” means an education service provider exempted under regulation 5;
 - “**register**” means the register of education service providers kept under section 41;
 - “**section**” means a section of the Act.
- (2) A reference in these regulations to registration or the renewal of registration includes a reference to the issue or renewal of a certificate of registration under section 18.

Fees

4. The fees set out in Schedule 1 are payable in respect of the matters referred to in that Schedule.

Exempted education service providers

5. An education service provider mentioned in Schedule 2 is exempted from —

- (a) section 9, 10 or 11, whichever is applicable; and
- (b) Part 3 of the Act other than sections 22, 25 and 28.

Renewal of registration

6. (1) An application for renewal of registration under the Act shall be made in the approved form not earlier than 90 days and not later than 30 days before the date on which the registration expires.

(2) An application under subregulation (1) shall be accompanied by the fee set out in Schedule 1.

(3) If —

- (a) an application is made, and the fee is paid, under this regulation; and
- (b) the chief executive officer is satisfied —
 - (i) as to the matters referred to in section 13 (1); and
 - (ii) if section 9, 10 or 11 is applicable, as to the matters referred to in that section,

the chief executive officer shall renew the registration of the education service provider subject to such conditions (if any) as the chief executive officer imposes under section 15.

Particulars to be included in register

7. The register of education service providers is to contain the following particulars with respect to each registered education service provider —

- (a) the name, principal location and other contact details of the education service provider;
- (b) the registered name, address and other contact details of the proprietor of the education service provider;
- (c) the name, title, address and other contact details of the vice-chancellor, director or principal of the education service provider;
- (d) the name, title, address and other contact details of the person designated by the education service provider as the person who has particular responsibility for overseas students;
- (e) the name and location of other premises of the education service provider;
- (f) the title, duration and tuition fee for each education service that the education service provider provides to full fee overseas students;
- (g) the amount and purpose of any additional fees charged of full fee overseas students; and
- (h) the information supplied by the education service provider as to the number of full fee overseas student numbers to whom it provides education services.

Notification of changes in particulars

8. (1) A registered education service provider shall notify the chief executive officer in writing as soon as practicable after any change occurs in relation to —

- (a) any of the particulars contained in the register with respect to that education service provider;

- (b) any matter relating to that education service provider of a kind referred to in section 13 (1); or
- (c) any other information supplied by that education service provider in its most recent application for registration or renewal of registration.

(2) Subregulation (1) does not apply to a change in respect of which an application or notice has to be given under section 18.

Annual return

9. Not later than 1 December in each year a registered education service provider shall furnish a return to the chief executive officer in the approved form setting out, in respect of the most recent academic year, the actual number of full fee overseas students to whom the education service provider provided education services.

Offences

10. A person who contravenes regulation 8 or 9 commits an offence and is liable to a penalty of \$1 000.

Operation of approved accounts and trust accounts

11. If, under section 16, an education service provider to which that section applies is directed by the chief executive officer to pay students' funds into an approved account or an approved trust account the education service provider shall —

- (a) operate the approved account or approved trust account;
- (b) make payments into and out of the approved account or approved trust account; and
- (c) pay interest derived from students' funds,

in accordance with the contractual arrangements referred to in section 13 (1) (e) and any conditions imposed by the chief executive officer under section 15.

SCHEDULE 1

[Reg. 4]

FEES

1. For —

- (a) an application under section 9, 10, 11, 12 or 20 for registration of an education service provider;
- (b) an application under regulation 6 for renewal of the registration of an education service provider;
- (c) an application under section 18 (1) for the amendment of a certificate of registration by adding one or more education services:
 - if the number of full fee overseas students at the education service provider is less than 10 \$220
 - if the number of full fee overseas students at the education service provider is 10 or more \$550

- 2. For an application under section 18 (1) for the amendment of a certificate of registration by deleting one or more education services \$20

3. For a notice under section 18 (3) of a change in particulars where there is a change in the proprietorship of the education service provider:
 - if the number of full fee overseas students at the education service provider is less than 10 \$220
 - if the number of full fee overseas students at the education service provider is 10 or more \$550
4. For a notice under section 18 (3) of any other change in particulars \$20

SCHEDULE 2

[Reg. 5]

EXEMPTED EDUCATION SERVICE PROVIDERS

Aquinas College	Manning
Aranmore Catholic College	Leederville
Bunbury Cathedral Grammar School	Bunbury
Chisholm Catholic College	Bedford
Christ Church Grammar School	Claremont
Christian Brothers College Fremantle	Fremantle
Foothills School	Guildford
Guildford Grammar School	Guildford
Hale School	Wembley Downs
Iona Presentation College	Mosman Park
John Paul XXIII College	Claremont
Lumen Christi College	Gosnells
Mazenod College	Lesmurdie
Mercy College	Koondoola
Methodist Ladies College	Claremont
Newman College	Doubleview
Penrhos College	Como
Perth College (Inc.)	Mt Lawley
Presbyterian Ladies College	Cottesloe
Sacred Heart College	Sorrento
Santa Maria College	Attadale
Scotch College	Claremont
Servite College	Tuart Hill
Seton Catholic College	Samson
St Brigid's College	Lesmurdie
St Hilda's Anglican School for Girls	Mosman Park
St Joseph's College	Albany
St Mary's Anglican Girls School	Karrinyup
St Norbet College	Cannington
St Patrick's College	Geraldton
Stella Maris Presentation College	Geraldton
Swan Christian High School	Midland
Ursula Frayne Catholic College	Victoria Park
Wesley College	South Perth

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.