

**NOTICE ISSUED FOR THE PURPOSES OF SECTION 19-40(2) OF THE HIGHER EDUCATION  
SUPPORT ACT 2003**

**1. Introduction**

1.1 I am a delegate of the Minister for Education and Training for the purposes of subsection 19-40(2) of the *Higher Education Support Act 2003* (the Act).

1.2 The purpose of this Notice is to conditionally exempt each of the providers listed at **Attachment B** (referred to as the **Provider** in the remainder of this Notice) from the requirement at subsection 19-40(1) of the Act to comply with the tuition assurance requirements.

1.3 Unless otherwise specified, terms in this Notice have the same meaning as in the Act. Additional defined terms are set out at clause 7 of **Attachment A** to this Notice.

**2. Exemption**

2.1 Under:

(a) subsection 19-40(2) of the Act, I exempt the Provider from the requirement at subsection 19-40(1) to comply with the tuition assurance requirements (**Exemption**); and

(b) subsection 19-40(3) of the Act, I impose the conditions set out at **Attachment A (Exemption Conditions)** on the Exemption.

2.2 The Exemption takes effect from 1 January 2018 and remains in force until it is revoked by the Minister. The Minister will give the Provider no less than 20 business days prior written notice of the revocation.

2.3 In accordance with subsection 19-40(2) of the Act, the Exemption is subject to the Provider complying with the conditions of exemption specified at **Attachment A (Exemption Conditions)** of this Notice. A failure to comply with the Exemption Conditions would mean that the Provider is no longer exempt from, and therefore may be in breach of, the requirement to comply with the tuition assurance requirements.

2.4 For the avoidance of doubt, subject to clause 2.2, the Exemption Conditions continue to apply to the Provider, even if the Provider is in breach of any of the Exemption Conditions.

2.5 The reason for imposing these Exemption Conditions is to ensure that adequate and appropriate measures are in place to support students and the Commonwealth in the event that the Provider or another provider ceases to provide a course of study to a student who is enrolled in one or more units of study forming part of a course of study. This is important to allow students to continue their higher education with minimal disruption.

**3. Contact details**

3.1 Questions in relation to the content of this Notice should be addressed to:

**Attention:** Damian Coburn  
**Address:** Higher Education Group  
Australian Government Department of Education and  
Training  
PO Box 9880  
CANBERRA ACT 2601.  
**Email:** [FEE-HELPTuitionAssurance@education.gov.au](mailto:FEE-HELPTuitionAssurance@education.gov.au)

Dated: **20 December 2017**



Damian Coburn  
Branch Manager  
Higher Education

**Delegate of the Minister for Education and Training**