



Queensland

Higher Education (General Provisions) Act 2008

Higher Education (General Provisions) Regulation 2008

Current as at 1 January 2014

Reprint note

This is the last reprint before lapse. Lapsed by 2014 Act No. 25 s 198.
Lapsed on 1 July 2014.

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, 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.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/Leg_Info/information.htm.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



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Higher Education (General Provisions) Regulation 2008

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Higher Education (General Provisions) Regulation 2008

[as amended by all amendments that commenced on or before 1 January 2014]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Higher Education (General Provisions) Regulation 2008*.

2 Commencement

This regulation commences on 1 August 2008.

3 Definitions

The dictionary in schedule 3 defines particular words used in this regulation.

[s 4]

Part 2 Examination fees

Division 1 Non self-accrediting higher education institutions

Subdivision 1 Preliminary

4 Meaning of *highest fee application*

- (1) The *highest fee application*—
 - (a) of 2 or more accreditation applications made by an entity, is the accreditation application that relates to the higher education course for which the highest fee is payable under schedule 2, part 2, item 1; or
 - (b) of 2 or more accreditation applications advised on by a committee, is the accreditation application that relates to the higher education course for which the highest fee is payable under schedule 2, part 2, item 2.
- (2) For subsection (1), if more than 1 accreditation application relates to a higher education course for which the highest fee is payable, only 1 of the applications is taken to be the highest fee application.
- (3) Also, if the accreditation applications mentioned in subsection (2) are an application for accreditation of a bachelor degree and an application for accreditation of an associated honours degree, the application for accreditation of the bachelor degree is taken to be the highest fee application.

5 Purpose of div 1

This division prescribes the examination fees payable for applications made under part 2 of the Act.

Subdivision 2 Applications made by entities other than interstate non self-accrediting higher education institutions

6 Application of sdiv 2

This subdivision applies to an entity other than an interstate non self-accrediting higher education institution.

7 Examination fees—accreditation and registration

- (1) This section applies if—
 - (a) an entity makes 1 or more accreditation applications; and
 - (b) at the same time as making the applications, the entity makes a registration application; and
 - (c) in deciding the applications, the Minister—
 - (i) decides to examine the operation or proposed operation of the entity; and
 - (ii) establishes 1 or more committees to advise the Minister on deciding the applications.
- (2) If the Minister establishes only 1 committee to advise on the applications, the entity must pay the total of the following examination fees before the examination is conducted—
 - (a) for the highest fee application of the accreditation applications made by the entity or if the entity made only 1 accreditation application—the fee stated for the relevant course level in schedule 2, part 2, item 1;
 - (b) for each other accreditation application—the fee stated for the relevant course level in schedule 2, part 2, item 3.
- (3) If the Minister establishes 2 or more committees to advise on the applications made by the entity, the entity must pay the total of the following examination fees before the examination is conducted—

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- (a) for the highest fee application of the accreditation applications made by the entity—the fee stated for the relevant course level in schedule 2, part 2, item 1;
- (b) for the highest fee application of the accreditation applications advised on by each committee, other than the committee that advised on the application mentioned in paragraph (a)—the fee stated for the relevant course level in schedule 2, part 2, item 2;
- (c) for each other accreditation application—the fee stated for the relevant course level in schedule 2, part 2, item 3.

8 Examination fees—accreditation

- (1) This section applies if—
 - (a) an entity makes 1 or more accreditation applications; and
 - (b) the entity does not, at the same time as making the applications, make a registration application; and
 - (c) in deciding the applications, the Minister—
 - (i) decides to examine the operation or proposed operation of the entity; and
 - (ii) establishes 1 or more committees to advise the Minister on deciding the applications.
- (2) The entity must pay the total of the following examination fees before the examination is conducted—
 - (a) for the highest fee application advised on by each committee—the fee stated for the relevant course level in schedule 2, part 2, item 2;
 - (b) for each other accreditation application—the fee stated for the relevant course level in schedule 2, part 2, item 3.

9 Examination fees—renewal of registration

- (1) Subsection (2) applies if—

- (a) an entity makes an application for renewal of registration; and
 - (b) the entity does not, at the same time as making the application, make an accreditation application; and
 - (c) in deciding the application, the Minister decides to examine the operation or proposed operation of the entity.
- (2) The entity must pay the examination fee stated in schedule 2, part 2, item 4 before the examination is conducted.

Subdivision 3 Applications made by interstate non self-accrediting higher education institutions

10 Application of sdiv 3

This subdivision applies to an entity that is an interstate non self-accrediting higher education institution.

11 Examination fees—accreditation

- (1) This section applies if—
- (a) an entity makes 1 or more accreditation applications; and
 - (b) in deciding the application, the Minister decides to examine the operation or proposed operation of the entity.
- (2) The entity must pay the total of the following examination fees before the examination is conducted—
- (a) for one accreditation application—the fee stated for the course in schedule 2, part 2, item 5(a);
 - (b) for each additional accreditation application—the fee stated for the course in schedule 2, part 2, item 5(b).

[s 12]

12 Examination fees—renewal of registration

- (1) This section applies if—
 - (a) an entity makes an application for renewal of registration; and
 - (b) the entity does not, at the same time as making the application, make an accreditation application; and
 - (c) in deciding the application, the Minister decides to examine the operation of the entity.
- (2) The entity must pay the examination fee stated schedule 2, part 2, item 6 before the examination is conducted.

Subdivision 4 Waiver of particular examination fees

13 Waiver of examination fee for associated honours degree

- (1) This section applies if an entity applies for accreditation of a bachelor degree and, at the same time, the entity applies for accreditation of an associated honours degree.
- (2) The examination fee for the associated honours degree is waived.

14 Waiver of fee for particular higher education institutions

- (1) This section applies if—
 - (a) an interstate non self-accrediting higher education institution makes 2 or more applications for accreditation, or renewal of accreditation, of higher education courses; and
 - (b) the institution is operating, or proposes operating, in Queensland only to the extent of providing supervised assessment of the courses.
- (2) The Minister may waive, entirely or partly, payment of a fee mentioned in this division if the Minister considers it

appropriate taking into consideration the amount of work involved in an examination of the institution's operation or proposed operation.

Division 2 Self-accrediting higher education institutions

15 Purpose of div 2

This division prescribes the examination fees payable for applications made under part 3 of the Act.

16 Examination fee—full self-accrediting authority

- (1) This section applies if—
 - (a) an entity makes an application—
 - (i) under section 43 of the Act, for a full self-accrediting authority; or
 - (ii) under section 50 of the Act, for renewal of a full self-accrediting authority; and
 - (b) in deciding the application, the Minister decides to examine the operation or proposed operation of the entity.
- (2) The entity must pay the following before the examination is conducted—
 - (a) for an application for a full self-accrediting authority—the examination fee stated in schedule 2, part 2, item 7;
 - (b) for an application for renewal of a full self-accrediting authority—the examination fee stated in schedule 2, part 2, item 8.
- (3) In this section—

[s 17]

full self-accrediting authority means a self-accrediting authority for all fields of study and all AQF qualification levels.

17 Examination fee—partial self-accrediting authority

- (1) This section applies if—
 - (a) an entity makes an application—
 - (i) under section 43 of the Act, for a partial self-accrediting authority; or
 - (ii) under section 50 of the Act, for renewal of a partial self-accrediting authority; and
 - (b) in deciding the application, the Minister decides to examine the operation or proposed operation of the entity.
- (2) The entity must pay the following before the examination is conducted—
 - (a) for an application for a partial self-accrediting authority—the examination fee stated in schedule 2, part 2, item 9;
 - (b) for an application for renewal of a partial self-accrediting authority—the examination fee stated in schedule 2, part 2, item 10.
- (3) In this section—

partial self-accrediting authority means a self-accrediting authority for less than all fields of study and all AQF qualification levels.

Part 3 Miscellaneous

18 Fees

The fees payable under the Act are stated in schedule 2.

Schedule 2 Fees

section 18

Part 1 Application fees

	\$
1 Application for registration as a non self-accrediting higher education institution (Act, s 8(2)(e)), or renewal of registration (Act, s 15(2)(c))	643.80
2 Application for accreditation of a higher education course (Act, s 23(2)(d)), or renewal of accreditation (Act, s 28(2)(c))	643.80
3 Application by non self-accrediting higher education institution for approval to make a major change to the institution or a course (Act, s 36(2)(c))	1 170.35
4 Application for self-accrediting authority (Act, s 43(2)(d)), or renewal of self-accrediting authority (Act, s 50(2)(c)) . .	643.80
5 Application to make a major change to a self-accrediting higher education institution (Act, s 57(2)(c))	1 170.35
6 Application for approval to change the scope of a self-accrediting higher education institution's self-accrediting authority (Act, s 60(2)(d))	11 704.75
7 Application for approval to be established or recognised in the State as a university, specialised university, university college or specialised university college (Act, s 74(2)(c))—	
(a) if the entity making the application is not an existing higher education institution	65 546.15
(b) if the entity making the application is an existing higher education institution, other than a university college or a specialised university college	53 044.95
(c) if the entity making the application is a university college or a specialised university college	35 113.65

\$

- 8 Application for approval for an overseas higher education institution to operate in the State (Act, s 86(2)(e)), or renewal of approval (Act, s 93(2)(c))—
- (a) if the entity making the application is approved to operate as an overseas higher education institution under an Act of the Commonwealth or another State 9 246.80
 - (b) otherwise 24 579.80

Part 2 Examination fees

\$

- 1 Application for, or renewal of, accreditation made at the same time as an application for, or renewal of, registration (ss 4(1)(a), 7(2)(a) and 7(3)(a))—
- (a) diploma level course 12 465.35
 - (b) advanced diploma level course 14 806.45
 - (c) associate degree level course 14 806.45
 - (d) bachelor degree level course 16 210.85
 - (e) bachelor (honours) degree level course 16 210.85
 - (f) graduate certificate level course 12 465.35
 - (g) graduate diploma level course 14 572.40
 - (h) masters degree level course 16 486.15
 - (i) doctoral level course 19 488.25
- 2 Application for, or renewal of, accreditation, for the highest fee application for each committee (ss 4(1)(b), 7(3)(b) and 8(2)(a))—
- (a) diploma level course 8 134.90
 - (b) advanced diploma level course 9 539.25
 - (c) associate degree level course 9 539.25
 - (d) bachelor degree level course 10 475.50
 - (e) bachelor (honours) degree level course 10 475.50
 - (f) graduate certificate level course 8 134.90

Schedule 2

	\$
(g) graduate diploma level course	9 421.95
(h) masters degree level course	10 943.60
(i) doctoral level course	12 699.35
3 Application for, or renewal of, accreditation (ss 7(2)(b), 7(3)(c) and 8(2)(b))—	
(a) diploma level course	2 033.70
(b) advanced diploma level course	2 384.55
(c) associate degree level course	2 384.55
(d) bachelor degree level course	2 619.10
(e) bachelor (honours) degree level course	2 619.10
(f) graduate certificate level course	2 033.70
(g) graduate diploma level course	2 355.60
(h) masters degree level course	2 735.90
(i) doctoral level course	3 175.10
4 Application for renewal of registration (s 9(2)).	8 603.00
5 Application by an interstate non self-accrediting higher education institution for accreditation or renewal of accreditation (s 11(2))—	
(a) for 1 application	4 506.15
(b) for each additional application	1 127.50
6 Application by an interstate non self-accrediting higher education institution for renewal of registration (s 12(2))..	4 506.15
7 Application for full self-accrediting authority (s 16(2)(a))—	
(a) if the applicant is an existing higher education institution	31 777.90
(b) otherwise	43 131.80
8 Application for renewal of full self-accrediting authority (s 16(2)(b)).	31 777.90
9 Application for partial self-accrediting authority (s 17(2)(a))—	
(a) if the applicant is an existing higher education institution	23 936.00

	\$
(b) otherwise	35 289.35
10 Application for renewal of partial self-accrediting authority (s 17(2)(b))	23 936.00

Part 3 Assessment fees

	\$
1 Assessment fee to accompany an annual report (Act, ss 40(3), 65(3) and 105(3))	585.45

Schedule 3 Dictionary

section 3

accreditation application means an application for accreditation or renewal of accreditation.

application for accreditation means an application, made under section 23 of the Act, for accreditation of a higher education course.

application for registration means an application, made under section 8 of the Act, for registration of an entity as a non self-accrediting higher education institution.

application for renewal of accreditation means an application, made under section 28 of the Act, for renewal of the accreditation of a higher education course.

application for renewal of registration means an application, made under section 15 of the Act, for renewal of non self-accrediting higher education institution's registration.

associated honours degree, in relation to a bachelor degree, means an honours degree that may be completed only by a person who has completed the bachelor degree or an equivalent higher education course to the bachelor degree.

bachelor degree means a higher education course at the AQF qualification level of bachelor degree.

committee means a committee established by the Minister, under section 131 of the Act, to advise on deciding an application made under the Act.

examination fee means the fee payable by an applicant for the Minister to examine the operation, or proposed operation, of an entity or higher education institution.

highest fee application, for part 2, division 1, see section 4.

honours degree means a higher education course at the AQF qualification level of bachelor (honours) degree.

interstate non self-accrediting higher education institution means—

- (a) a higher education institution that is recognised as a non self-accrediting higher education institution under an Act of the Commonwealth or another State; or
- (b) an entity that has submitted an application for recognition as a non self-accrediting higher education institution under an Act of the Commonwealth or another State and the application has not yet been decided.

registration application means an application for registration or renewal of registration.

relevant course level, in relation to an accreditation application, means the AQF qualification level of the higher education course to which the accreditation application relates.

Endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the *Reprints Act 1992*, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 January 2014. Future amendments of the *Higher Education (General Provisions) Regulation 2008* may be made in accordance with this reprint under the *Reprints Act 1992*, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 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 3237 0466 or email 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.

Reprint No.	Amendments included	Effective	Notes
1	none	1 August 2008	
1A	2009 SL No. 188	1 January 2010	
1B	2010 SL No. 245	1 January 2011	
1C	2011 SL No. 169	1 January 2012	
1D	2012 SL No. 144	1 January 2013	
Current as at 1 January 2014		Amendments included 2013 SL No. 180	Notes

5 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. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Higher Education (General Provisions) Regulation 2008 SL No. 241

made by the Governor in Council on 24 July 2008

notfd gaz 25 July 2008 pp 1838–41

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 2008 (see s 2)

[exp 1 September 2018](#) (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.

Endnotes

amending legislation—

**Education and Training Legislation Amendment Regulation (No. 1) 2009 SL No. 188
pts 1, 6**

notfd gaz 4 September 2009 pp 77–8

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2010 (see s 2)

**Education and Training Legislation Amendment Regulation (No. 1) 2010 SL No. 245
ss 1–2(1), pt 6**

notfd gaz 10 September 2010 pp 115–16

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2011 (see s 2(1))

Education Legislation Amendment Regulation (No. 1) 2011 SL No. 169 pts 1, 6

notfd gaz 9 September 2011 pp 100–3

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2012 (see s 2)

**Education and Training Legislation (Fees) Amendment Regulation (No. 1) 2012 SL
No. 144 ss 1, 2(2), pt 6**

notfd gaz 31 August 2012 pp 1097–9

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2013 (see s 2(2))

**Education and Training Legislation (Fees) Amendment Regulation (No. 1) 2013 SL
No. 180 pts 1, 6**

notfd gaz 20 September 2013 pp 101–3

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2014 (see s 2)

6 List of annotations

PART 4—CONSEQUENTIAL AMENDMENTS

pt 4 (s 19) om R1 (see RA ss 7(1)(k) and 40)

SCHEDULE 1—CONSEQUENTIAL AMENDMENTS OF OTHER REGULATIONS

om R1 (see RA s 40)

SCHEDULE 2—FEES

sub 2009 SL No. 188 s 16; 2010 SL No. 245 s 15; 2011 SL No. 169 s 18; 2012
SL No. 144 s 15; 2013 SL No. 180 s 16