



Student Identifiers (Higher Education Exemptions) Amendment (Education Minister Exemptions) 2022

I, Jason Clare, Minister for Education, make the following instrument.

Dated 24 November 2022

Jason Clare
Minister for Education

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1 Name

This instrument is the *Student Identifiers (Higher Education Exemptions) Amendment (Education Minister Exemptions) 2022*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 53A of the *Student Identifiers Act 2014*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Student Identifiers (Higher Education Exemptions) Instrument 2021

1 Section 4

Insert:

visa holder has the meaning given in subsection 5(1) of the *Migration Act 1958*.

2 After section 5

Insert:

6 Exemptions given by the Education Minister

For the purposes of subsection 53A(3) of the Act, subsection 53A(1) does not apply to a conferral of a regulated higher education award on an individual where:

- (a) the individual is not:
 - (i) an Australian citizen; or
 - (ii) a visa holder that has validly entered Australia on that visa; and
- (b) the individual does not, at the time of the conferral of the regulated higher education award, reside in Australia; and
- (c) the individual has either:
 - (i) completed, outside of Australia, all of the requirements to be conferred the regulated higher education award; or
 - (ii) completed all the requirements to be conferred the regulated higher education award, before 1 January 2023.

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