

# Tertiary Education (Amendment) Bill

## Circulation Print

### EXPLANATORY MEMORANDUM

- Clause 1 defines the main purpose of the Act to repeal provisions relating to voluntary student unionism and to make further provision about non-academic fees, subscriptions and charges.
- Clause 2 provides for the Act to commence on the day after Royal Assent.
- Clause 3
- repeals sections 12C, 12D, 12E and 12F of the **Tertiary Education Act 1993** which prevent a tertiary education institution requiring membership of a student organisation, and limit the purposes for which compulsory non-academic fees can be used.
  - amends section 12G to extend the provisions of that section to provide that all fees, subscriptions and charges that are collected by the governing body of a post-secondary education institution to be paid to an organisation of students for membership or for the use of or participation in activities, facilities or services are to be held on trust by the governing body.
  - repeals section 22(3) which provides related regulation making powers.
- Clause 4 substitutes a new section 12J to make a transitional provision removing the constraints imposed by section 12F on funds that were collected before the commencement of the Act.
- Clause 5 makes a statute law revision to change a reference to "college" to "institution" in section 15(2) of the Act.

