



## Education (Export Education Levy) Amendment Regulations 2017

Patsy Reddy, Governor-General

### Order in Council

At Wellington this 18th day of April 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 238H of the Education Act 1989—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister made after consultation with providers as required under section 238H(3) of that Act.

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## Regulations

### 1 Title

These regulations are the Education (Export Education Levy) Amendment Regulations 2017.

### 2 Commencement

These regulations come into force on 30 May 2017.

### 3 Principal regulations

These regulations amend the Education (Export Education Levy) Regulations 2011 (the **principal regulations**).

### 4 Regulations 6 and 7 replaced

Replace regulations 6 and 7 with:

### 6 Amount of levy

- (1) The amount of levy payable for any year by each provider who is required to pay the levy is 0.45% of the tuition fees (exclusive of goods and services tax) received by the provider from international students in respect of that year.
- (2) The levy is not payable for fees paid by any student referred to in regulation 5(2)(a) or (b).

### 7 When levy payable

- (1) The levy for any year is payable by schools as follows:
  - (a) for enrolments between 1 January and 30 April of that year (inclusive), no later than 31 July of that year:
  - (b) for enrolments between 1 May and 31 July of that year (inclusive), no later than 31 October of that year:
  - (c) for enrolments in that year that are not covered by paragraph (a) or (b), no later than 31 January of the following year.
- (2) The levy for any year is payable by all other providers as follows:
  - (a) for enrolments between 1 January and 30 April of that year (inclusive), no later than 30 May of that year:
  - (b) for enrolments between 1 May and 31 August of that year (inclusive), no later than 30 September of that year:
  - (c) for enrolments between 1 September and 31 December of that year (inclusive), no later than 16 February of the following year.

### 5 Regulation 9 amended (Providers to supply information to administrator of levy)

Replace regulation 9(1) with:

- (1) Every provider that is a school must, as soon as practicable after a request by the Ministry of Education for a particular year, advise the Ministry of—
- (a) the number of international students enrolled at the school between 1 January and 30 April of that year (inclusive) and the amount of tuition fees paid for that year by each of those students; and
  - (b) the number of international students enrolled at the school between 1 May and 31 July of that year (inclusive) and the amount of tuition fees paid for that year by each of those students; and
  - (c) the number of international students enrolled at the school during that year that are not covered by paragraph (a) or (b) and the amount of tuition fees paid for that year by each of those students.

## 6 Revocation

The Education (Export Education Levy) Regulations 2010 (SR 2010/450) are revoked.

Michael Webster,  
Clerk of the Executive Council.

## Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 30 May 2017, amend the Education (Export Education Levy) Regulations 2011—

- to remove the \$185 flat fee component of the levy;
- to adjust the dates on which particular providers must pay their levies;
- to update the supply of information requirements.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 20 April 2017.

These regulations are administered by the Ministry of Education.