(1) Clause 5, page 3 (line 2), at the end of the definition of leviable provider, add “but does not include a provider covered by subsection (1A)”. [leviable providers]

(2) Clause 5, page 3 (after line 16), after subclause (1), insert:

(1A) An approved course provider is covered by this subsection if the provider is a registered training organisation that is:

(a) owned by the Commonwealth, a State or a Territory; or
(b) established to provide vocational education or training under one of the following:

   (i) the Technical and Further Education Commission Act 1990 (NSW);
   (ii) the Education and Training Reform Act 2006 (Vic.);
   (iii) the TAFE Queensland Act 2013 (Qld);
   (iv) the Vocational Education and Training Act 1996 (WA);
   (v) the TAFE SA Act 2012 (SA);
   (vi) the Training and Workforce Development Act 2013 (Tas.);
   (vii) the Canberra Institute of Technology Act 1987 (ACT). [leviable providers]

(3) Clause 7, page 4 (line 8), omit “(1) Unless the leviable provider is covered by subsection (3), the”, substitute “The”. [leviable providers]

(4) Clause 7, page 4 (line 19) to page 5 (line 4), omit subclauses (2) and (3). [leviable providers]
VET Student Loans (VSL Tuition Protection Levy) Bill 2019 RQ109

Statement of reasons: why certain amendments should be moved as requests

Section 53 of the Constitution is as follows:

**Powers of the Houses in respect of legislation**

53. Proposed laws appropriating revenue or moneys, or imposing taxation, shall not originate in the Senate. But a proposed law shall not be taken to appropriate revenue or moneys, or to impose taxation, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand or payment or appropriation of fees for licences, or fees for services under the proposed law.

The Senate may not amend proposed laws imposing taxation, or proposed laws appropriating revenue or moneys for the ordinary annual services of the Government.

The Senate may not amend any proposed law so as to increase any proposed charge or burden on the people.

The Senate may at any stage return to the House of Representatives any proposed law which the Senate may not amend, requesting, by message, the omission or amendment of any items or provisions therein. And the House of Representatives may, if it thinks fit, make any of such omissions or amendments, with or without modifications.

Except as provided in this section, the Senate shall have equal power with the House of Representatives in respect of all proposed laws.

**Amendment (1)**

The effect of this amendment is to exclude TAFEs from liability to pay VSL tuition protection levy. It is covered by section 53 because it amends a Bill that imposes taxation.

**Amendment (2)**

The effect of this amendment is to exclude TAFEs from liability to pay VSL tuition protection levy. It is covered by section 53 because it amends a Bill that imposes taxation.

**Consequential amendments**

Amendments (3) and (4) are consequential on the amendments mentioned above.
VET Student Loans (VSL Tuition Protection Levy) Bill 2019
SHEET RQ109

Statement by the Clerk of the Senate pursuant
to the order of the Senate of 26 June 2000

Amendments (1) to (4)

As this is a bill imposing taxation within the meaning of section 53 of the Constitution, any Senate amendments to the bill must be moved as requests. This is in accordance with the precedents of the Senate.