



A/g Deputy Secretary
Ms Kelly Pearce

Mr Jason Lange
Executive Director
Office of Impact Analysis
Department of the Prime Minister and Cabinet

Dear Mr Lange

Certification of Department of Education's Review: Remaking the Higher Education Provider Guidelines 2012 (F2022C00479)

I am writing to the Office of Impact Analysis (OIA) regarding the Higher Education Provider Guidelines 2012 (F2022C00479) (the Instrument), which as per the *Legislation Act 2003*, had been scheduled to sunset on 1 April 2023. However, it has been decided that the Instrument is to be remade without significant amendments.

The Instrument is made under the *Higher Education Support Act 2003* (the Act) for the purpose of clarifying and expanding on requirements for higher education providers (providers) that receive funding under the Act, including in relation to tuition protection, course fees and the quality and accountability of providers.

The Department of Education certifies that the Higher Education Provider Guidelines 2012 is operating effectively and efficiently, and that a Regulation Impact Statement is not required for this instrument to be remade.

The assessment that the Instrument is operating effectively and efficiently has been informed by a consultation process which involved:

- regular feedback on higher education issues through the Higher Education Loan Program (HELP) Communications provider working group meetings that occur four times a year; and
- regular email and other communication between providers, other key stakeholders and the Department of Education dealing with higher education matters.

I also note that the regulatory burden to business, community organisations or individuals has been quantified using the Australian Government's *Regulatory Burden Measurement framework*. These are provided below.

Average annual regulatory costs (from business as usual)				
Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total by sector	\$0	\$0	\$0	\$0

I note the Australian Government has initiated a major review of the Higher education system by an independent panel through the Australian University Accord process, with a final report due in December 2023.

I acknowledge that OIA will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Ms Peta Brill on (02) 6240 9577, or Peta.Brill@education.gov.au.

Yours sincerely



Ms Kelly Pearce
A/g Deputy Secretary
Higher Education, Research and International Group
Department of Education
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