

Version  
as at 1 January 2022



## Education (Export Education Levy) Amendment Regulations 2018

(LI 2018/245)

Education (Export Education Levy) Amendment Regulations 2018: revoked, on 1 January 2022, pursuant to clause 3 of the Education (Export Education Levy) Regulations 2011 Revocation Order 2021 (SL 2021/395).

Patsy Reddy, Governor-General

### Order in Council

At Wellington this 3rd day of December 2018

Present:

The Right Hon Jacinda Ardern presiding 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 of Education made after consultation with providers as required under section 238H(3) of that Act.

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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**These regulations are administered by the Ministry of Education.**

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## **Regulations**

### **1 Title**

These regulations are the Education (Export Education Levy) Amendment Regulations 2018.

### **2 Commencement**

These regulations come into force on 1 January 2019.

### **3 Principal regulations**

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

### **4 Regulation 6 replaced (Amount of levy)**

Replace regulation 6 with:

#### **6 Amount of levy**

- (1) The amount of levy payable for any year by each provider that is required to pay a levy is,—
  - (a) for a provider that is a registered private training establishment, 0.89% of the tuition fees received by the provider from international students in respect of that year; and
  - (b) for a provider that is not a registered private training establishment, 0.50% of the tuition fees 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).
- (3) The levies in subclause (1) are exclusive of goods and services tax.

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 1 January 2019, amend the Education (Export Education Levy) Regulations 2011 to increase the levy payable each year by providers who receive tuition fees from international students enrolled with them.

The current levy payable by a provider in any year is 0.45% of the tuition fees received by the provider from international students in respect of that year. This levy is increased to 0.89% for registered private training establishments and to 0.50% for all other providers (for example, schools, polytechnics, and universities).

Issued under the authority of the Legislation Act 2019.  
Date of notification in *Gazette*: 6 December 2018.

## Notes

### **1** *General*

This is a consolidation of the Education (Export Education Levy) Amendment Regulations 2018 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

### **2** *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

### **3** *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

### **4** *Amendments incorporated in this consolidation*

Education (Export Education Levy) Regulations 2011 Revocation Order 2021 (SL 2021/395): clause 3