

**2006**

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**CANBERRA INSTITUTE OF TECHNOLOGY  
(VALIDATION OF FEES) BILL 2006**

**EXPLANATORY STATEMENT**

**SEPTEMBER 2006**

**Presented by  
Mr Andrew Barr MLA  
Minister for Education and Training**

Australian Capital Territory

# **Canberra Institute of Technology (Validation of Fees) Bill 2006**

## **Explanatory Statement**

### **Outline**

The purpose of the Canberra Institute of Technology (Validation of Fees) Bill 2006 is to validate all fees collected by Canberra Institute of Technology (CIT) for the years 1993 to 2005 inclusive.

This Act stipulates that for all purposes the fees charged at CIT between 1993 and 2005 are valid.

### **Financial Impact Statement**

This Bill does not have any direct financial impact.

If a student chose to challenge the fees charged at CIT during the relevant period by litigation, the ACT could incur legal costs in defending such a case. If the defense was unsuccessful, there could be financial costs associated with refunding fees to a large number of previous CIT students. An estimate of these costs is unavailable due to the hypothetical nature of the circumstances in which financial claims could be made.

## **Detailed Explanation**

Section 53 (1) of the Canberra Institute of Technology Act 1987 advises that CIT fees for attendance at courses and programs are determined by the Minister in writing. Prior to the enactment of the Legislation Act in 2001, the Subordinate Laws Act (1989) required any changes to the fee schedules charged at CIT to be notified in the Government Gazette. The most recent date on which this occurred was 1 July 1991. Following the introduction of the Legislation Act, the fees at CIT as determined by the relevant Minister became a disallowable instrument and were therefore required to be presented to the Legislative Assembly and notified on the Legislation Register. The last time that the fees charged at CIT were amended was for Semester 1 1999, and these fees were presented to the Legislative Assembly in 2006 and notified on the Legislation Register on 2 March 2006 (DI2006-36). Between 1991 and 2006 the fees charged at CIT have been amended on six occasions.

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