



Committee Secretariat  
Standing Committee on Education and Employment  
House of Representatives  
Parliament of the Commonwealth of Australia  
PO Box 6021  
Parliament House  
Canberra ACT 2600  
[ee.reps@aph.gov.au](mailto:ee.reps@aph.gov.au)

Dear Secretary,

**Education Services for Overseas Students Legislation Amendment  
(Tuition Protection Service and Other Measures) Bill 2011.**

There are currently 500 fee paying international students studying in ACT public schools. The ACT Government Education and Training Directorate welcomes for the most part the 41 recommendations outlined in the Knight Review, particularly those pertaining to the school sector. The ACT Government Education and Training Directorate also support the Baird Review of the Education Services for Overseas Students (ESOS) and appreciate the need for greater transparency and accountability of international education providers in Australia.

The implementation of the Amendments to the ESOS Act - Legislation Amendment (Tuition Protection Service and Other Measures) Bill 2011 raises some issues for the ACT Government Education and Training Directorate and will impact on our program and impose unworkable compliance requirements on us as a high quality provider of international education in the schools sector.

## **Division 2- Obligations on registered providers when a provider or student defaults**

### **Subdivision A –Provider defaults**

#### **46A: When a registered provider defaults**

As a government schools education provider, the ACT Government Education and Training Directorate have multiple high school and college campuses located across Canberra.

Occasionally, a student will request to transfer to another high school or college due to course offerings and curriculum choices or in order to be at a school closer to their homestay.

In these circumstances, the ACT Government Education and Training Directorate should not be deemed to have defaulted as the course remains unchanged. 46A should not be applicable to state and territory government schools.

### **Subdivision B –Student defaults**

#### **47A When a student defaults**

Students that are enrolled in ACT Government Education and Training Directorate programs are occasionally unable to begin their high school or college course on the agreed starting date. There are many reasons that a delay may occur including a hold up in visa processing and personal circumstances such as illness or a death in the family. In such situations it should not be considered a student default.

Currently, the Provider Registration and International Student Management System (PRISMS) allows for providers to report changes to student start dates within 14 days. The ACT Government Education and Training Directorate recommend that the TPS reporting is also 14 days to make the two time frames consistent.

#### **47C Registered provider to notify of student default**

It is unworkable and unrealistic for the ACT Government Education and Training Directorate to notify the Secretary and TPS Director within 24 hours of a student defaulting. Complying with a 24 hour reporting requirement would not be possible if the default occurred over the weekend as central office and schools are operational

Monday - Friday. There would also be an issue if the student were due to arrive during the school holiday period and was delayed.

The ACT Government Education and Training Directorate would need more time than 24 hours to confirm with the student regarding any special circumstances that resulted in a delay in the start date and to allow the student to commence the course within a reasonable time frame.

Currently, the Provider Registration and International Student Management System (PRISMS) allows for providers to report a student for any changes to their situation, including the non-commencement of studies. The ACT Government Education and Training Directorate recommend that the TPS reporting is also 14 days to make the two time frames consistent.

### **Schedule 3 – Prepaid Fees**

#### **Division 1 – Main amendments**

##### **Section 22 – Requirement to provide for study periods**

###### **Subsection (1) and (3)**

The ACT Government Education and Training Directorate follow an academic school year of 40 weeks. The requirement outlined in section 23t for a study period to be no more than 24 weeks is unworkable in a high school and college setting. The ACT Government Education and Training Directorate set the tuition fees in advance and are invoiced in October for payment by March 1 of the following academic school year.

#### **Division 2 – Pre-paid fees**

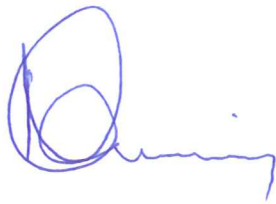
##### **Section 27 – Prepaid fees**

###### **Subsection (3)**

The ACT Government Education and Training Directorate often receive requests from students and their parents to pay tuition fees earlier than 2 weeks before the beginning of a study period. Parents may choose to pay fees when there is a favourable exchange rate or they may wish to pay early whilst their children are at home with them for the January holiday period.

Thank you for the opportunity to make this submission and bring these issues to your attention.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nicole King', with a large initial 'N' and a cursive 'King'.

Nicole King  
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International Education Unit  
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5 October 2011