

**SENATE STANDING COMMITTEE ON
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE
BUDGET ESTIMATES 2009-10**

Outcome: 3

DEEWR Question No. EW0367_10

Senator Hanson-Young asked on 4 June 2009, EEWWR Hansard page 58

Question

Removal of providers from CRICOS

“Mr Walters—A lot of providers have been taken off for various reasons, some of them relating to the national code. Ms Chaudhury would probably have some of those stats but you might want us to take them on notice.

Ms Paul—We do not need to go into too much detail, but in brief, the department has a very active compliance area. It is a regulatory function which we hold inside the department. Ms Chaudhury is in charge of that. We vigorously pursue any provider who breaches the act and take action, including taking their registration away. When you read about colleges closing, it would be because of the action that we or we in combination with a state government have taken. I do not know that we need to go further in the interests of time.

Senator HANSON-YOUNG—If you could take on it notice, I would like to see a list of centres or providers that have been struck off the list and some examples of the types of things that you have had to chase up and issue some sort of penalty for.”

Answer

Section 83 of the *Education Services for Overseas Students Act 2000* (the ESOS Act) allows the Minister or her delegate to impose sanctions for non compliance. Since 2001 the registration of the following education and training providers on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) has been cancelled under section 83:

College of International Business Pty Ltd
New South Wales International College Pty Ltd
Schutt Flying Academy (Australia) Pty Ltd
Australian College of Technology Pty Ltd
Australian International College of Business Pty Ltd
Frankarens Pty Ltd
International Management Centres Association Limited
Wings Air Pty Ltd
Phillip Australia Pty Ltd
Adelaide Legal & Commercial College - The City Business College
International College of Spinology
The Educationists Pty Ltd
Australia-Tasmania College of Technology Pty Ltd
Ehle Pty Ltd
Alpha Beta Colleges Pty Ltd
Air Training Centre, trading as Arena Aviation

Information Technology Training Institute Pty Ltd
Beauty Tec Australia Pty Ltd t/a International Nail & Beauty Colleges of Australasia

Some examples of breaches of the ESOS Act and/or its National Code for which providers' CRICOS registration have been cancelled include:

- for reasons of financial difficulty, the provider may not be or was not able to provide courses to its accepted students or refund course money to its accepted students – section 83(1A) of the ESOS Act;
- providing or promoting delivery of an unregistered course - breach of section 8 of the ESOS Act; and
- giving misleading information to students or to DEEWR (breaches of section 15 and related sections of the National Code).

In addition, acting under their jurisdiction's own legislation, the designated education authorities of state and territory governments have cancelled the approval and registration of other providers to deliver courses to overseas students in that state or territory. Cancellation by a state designated authority leads to automatic cancellation of the provider's CRICOS registration under section 91 of the ESOS Act.