

**Senate Standing Committee on Education Employment and Workplace  
Relations**

**QUESTIONS ON NOTICE  
Budget Estimates 2010-2011**

**Outcome 3 - Higher Education**

**DEEWR Question No.EW0347\_11**

**Senator Cormann asked on 2/06/2010, Hansard page 137.**

**Question**

**ESOS ASSURANCE FUND**

Senator CORMANN—I have a case study here from some students from the Czech Republic. They are now back in the Czech Republic and pretty annoyed. They went to a college on the Gold Coast which has folded. They went through all of the preliminary processes and then submitted their paperwork on or about 25 March, yet they are back in the Czech Republic and have not heard a thing. Is that the normal sort of time frame? Ms Chaudhury—I would have to look into the detail with that one, because it is not clear whether they submitted the paperwork to the Tuition Assurance Scheme or the fund. I am happy to take the details on notice.

**Answer**

ESOS Assurance Fund

There are three layers to the consumer protection framework established under the Education Services for Overseas Students Act 2000. In the first instance, a defaulting provider has responsibility to offer all students displaced by a provider default the choice of either a full refund of fees paid, or a place in an alternative course. If the provider can not meet this obligation, the next layer is the Tuition Assurance Scheme (TAS) where the scheme operator will attempt to offer each displaced student a place in a suitable alternative course. Where this is not possible, students may at that point be referred to the ESOS Assurance Fund for consideration where the student may be offered a place in a suitable course or receive a refund of fees for which no tuition has been received.

Regarding the cases of the two students from the Czech Republic, each student received an offer of a place under the TAS arrangements. Following consideration of each student's circumstances, they were then referred to the ESOS Assurance Fund for finalisation of their entitlement. The Fund Manager determined that refunds be made. One student was paid their refund on 11 June and the other on 16 July.