



Australian Vice-Chancellors' Committee

the council of Australia's university presidents

(ACN 008 502 930 - ABN 53 008 502 930)

President:
Professor Gerard Sutton
Vice-Chancellor
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Our Ref: L-01-008

12 April 2007

Secretary
Senate Employment, Workplace Relations and Education Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Mr Carter

RE: Inquiry into the provisions of the *Higher Education Legislation Amendment (2007 Measures No. 1) Bill 2007*

On behalf of the Australian Vice-Chancellors' Committee (AVCC) I wish to provide feedback and comment on the *Higher Education Legislation Amendment (2007 Measures No. 1) Bill 2007*, particularly to Schedule 1 of that Bill, which deals with the National Protocols for Higher Education Approval Processes.

The AVCC continues to support the new Protocols. However, the AVCC does have concerns regarding the legislative and regulatory processes in place for their implementation. These concerns relate specifically to the provision of the Protocol Guidelines which detail how new and existing higher education entities will demonstrate their accordance with the Protocols.

Earlier in 2007 the Joint Committee on Higher Education (JCHE) provided stakeholders with the draft Guidelines and called for comments. These comments were to be considered for the creation of a second draft, which JCHE would consider at a meeting on 30 March 2007. The AVCC understands that JCHE will present a revised draft of the guidelines to peak bodies in April 2007 for further comment, with a final draft to be presented to MCEETYA for adoption before the new Protocols become operational in 2008.

In its submission to the JCHE, the AVCC highlighted its concerns over the lack of detail provided in the Guidelines regarding how the Protocols would be applied to existing higher education providers. The draft Guidelines were very underdeveloped regarding the application of the Protocols to existing providers. The AVCC strongly indicated the need for major revisions to the draft Guidelines to clarify the differences in application processes for new and existing entities.

Without stakeholder input about the full impact of the Guidelines on new and existing entities, the new Higher Education Approvals Processes would risk being flawed, leading to suboptimal outcomes for the higher education sector, the need for further amendment at a later date, and additional unnecessary

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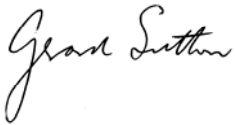
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burdens on institutions which already operate under an excessive regulatory regime. The AVCC looks forward to working with JCHE to produce suitable Guidelines through which the new Protocols will be applied.

Please feel free to contact the AVCC's Chief Executive Officer, Mr David Rome, on (02) 6285 8204 if you wish to discuss this matter further.

Yours sincerely

A handwritten signature in cursive script that reads "Gerard Sutton". The signature is written in black ink and is positioned to the left of the typed name.

Professor Gerard Sutton
President