

Suggested wording change from Universities Australia in relation to pre-payments to effect a change so that providers could not require continuing students to pay more than two weeks ahead of the next study period, but would not have to return fees to students if they elect to pay more than two weeks ahead of time.

This could be effected by the following legislative change to **section 27(3)**:

Replace:

“A registered provider must not receive, in respect of an overseas student or intending overseas student, tuition fees for a course more than 2 weeks before the beginning of a study period for the course.”

with:

“A registered provider must not **require an overseas student or intending overseas student to make payments of tuition fees** for a course more than 2 weeks before the beginning of a study period for the course.”

This is consistent with DEEWR's submission which states that the restriction on pre-paid fees is to “prevent providers from undermining the policy objectives of the measure by demanding the rest of the fees *as soon as the student commences study*”.

We support this policy rationale as to have no restriction could result in some providers demanding the balance of the fees from a student once he/she commences study.

Our proposal is a more practical way to achieve the objective by clarifying that the harm to be avoided is providers ‘requiring payments of fees’ from students more than 2 weeks before the next study period, rather than ‘accepting’ payments made voluntarily in advance.