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President Gerardine (Ged) Kearney
Secretary Dave Oliver

October 30, 2015

Committee Secretary

PO Box 6100

Senate Education and Employment Legislation Committee

Parliament House

Canberra ACT 2600

Via email: eec.sen@aph.gov.au

Dear Secretary

Thank you for the invitation to make a submission to this Inquiry into the Education Services for Overseas Students Amendment (Streamlining Regulations) Bill 2015 and Education Services for Overseas Students (Registration Charges) Amendment (Streamlining Regulation) Bill 2015 ('The Bill')

The ACTU notes first that the submission by our affiliated union, the National Tertiary Education Union, has dealt with the Bill in greater detail than we do here. We rely on and endorse their submission.

The ACTU recommends the Committee not proceed with the Bill in its current form.

Significant improvements and safeguards were introduced into the ESOS legislation in 2012 in the wake of over 30 private tertiary providers falling over and leaving more than 13 000 international students either unable to complete their courses and/or out of pocket due to inadequate tuition assurance arrangements

It is critical that these safety net protections not be watered down or removed in the ideological pursuit of 'cutting red tape'.

In particular, we are concerned with provisions in the Bill that would remove current requirements for providers keep to keep prepaid fees in a designated account until the course starts, that providers not be allowed to charge more

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than 50% of tuition fees upfront for longer courses, and that providers enter into agreements with their overseas students specifying their study periods and tuition fees.

We oppose the removal of these provisions because they unnecessarily weaken protections for overseas students studying in Australia and threaten to undermine the international reputation of Australia's tertiary education sector.

In light of the continuing evidence of predatory behaviour and exploitation of vulnerable students in the private for-profit vocational training sector, as documented in the recent Senate Committee report into this subject, now is not the time to be complacent about the need for such protections.

We urge the Committee to ensure that the interests of students and the reputation of Australian tertiary education are given absolute priority over any vague notions of reducing so-called 'red tape'.

Yours sincerely,

Ged Kearney
President
ACTU