



Australian Government
Tertiary Education Quality and Standards Agency

TEQSA

Education Legislation Amendment (Integrity and Other Measures) Bill 2025

Submission from the Tertiary Education Quality and Standards Agency to the Education and
Employment Legislation Committee

1. Introduction

The Tertiary Education Quality and Standards Agency (TEQSA) welcomes the opportunity to make a submission to the Education and Employment Legislation Committee's inquiry into the Education Legislation Amendment (Integrity and Other Measures) Bill 2025 (Bill).

This submission provides context for part 9 of Schedule 1 to the Bill and information on its intended operation. This submission complements the submission by the Department of Education. TEQSA is available to engage further with the Committee to assist in its consideration of the Bill.

2. Context

The *Tertiary Education Quality and Standards Agency Act 2011* (Act) primarily requires higher education providers (Providers):

- to be registered, and re-registered every 7 years, by TEQSA
- to apply for self-accrediting status to enable them to accredit higher education courses they deliver rather than needing TEQSA to review and accredit the courses they deliver
- who do not have self-accrediting status to apply for course accreditation and re-accreditation of their courses every 7 years.

The Act does not have specific application, approval or reporting requirements for the offshore delivery of Australian courses of study.

Providers have a requirement to notify TEQSA if any events happen or are likely to happen that will significantly affect the provider's ability to meet the Higher Education Standards Framework (Threshold Standards) 2021 or an event that will require the National Register of Higher Education Providers to be updated. However, these notifications are only required 14 days after the day the provider became aware of the event, only cover limited types of events, and do not set specific information provision requirements.

The offshore delivery of Australian courses of study has significantly grown since the commencement of the Act, both in terms of the number of Providers offering Australian courses of study offshore (Offshore Providers), and the number and diversity of courses offered. Poor quality delivery by individual Offshore Providers risks the reputation of all Offshore Providers, and the reputation of Australian Higher Education more broadly. There are also specific risks Offshore Providers need to consider and manage. These range from cyber security and privacy concerns to management of third-party providers/partners and location specific risks to student learning and welfare. Currently TEQSA has limited oversight of these risks and how they are managed.

3. Outline of Part 9 of the Bill

Part 9 of Schedule 1 to the Bill will amend the Act.

3.1 Authorisation of Offshore Providers

The Bill, if passed, will require new Offshore Providers of Australian courses of study to be authorised by TEQSA. This authorisation would be at the Provider level. This means Providers will only need to receive authorisation once. Providers do not need to apply to deliver individual courses.

The Bill contains transitional arrangements for Providers which provided offshore delivered Australian courses of study, or which had an arrangement in place to provide an offshore delivered Australian course of study, before the 9th of October 2025. If these Providers notify TEQSA within 60 days of the commencement of the Bill they will be taken to be an authorised Offshore Provider for the purposes of the new law.

3.2 Applications for authorisation

If passed, the Bill allows Providers who are not eligible for transitional arrangements to apply to TEQSA for authorisation from 1 January 2026. Applications must be made to TEQSA in the approved form, accompanied by relevant information, documents and assistance requested by TEQSA.

3.3 Annual reporting

The Bill, if passed, will require authorised offshore Providers to report to TEQSA by 31 October of each year on each offshore provided Australian course of study provided during the most recently completed academic year (including those provided wholly or partly by another entity). TEQSA will develop reporting requirements in consultation with experienced Offshore Providers in the sector.

3.4 Notifications

The Bill, if passed, will require an offshore Provider to notify TEQSA as soon as it becomes aware of the following events relating to Australian courses of study it delivers offshore, accompanied by relevant information.

- One of the Provider's courses begins to be provided offshore wholly or partly by another entity.
- One of the Provider's courses begins to be provided at a different offshore premises.
- The provider first begins to provide a course offshore.
- The provider ceases providing a course offshore.

These notifications do not require an application to, or permission from, TEQSA. However, they ensure TEQSA is aware of Offshore Providers' activities and enable TEQSA to monitor sector level trends and risks.

4. Consultation

TEQSA participated in targeted industry consultation on part 9 of Schedule 1 to the Bill. Consultation was undertaken with members of the International Education Integrity Committee. Consultation was also undertaken with higher education provider peak bodies: Regional Universities Network, Innovative Research Universities, and Australian Technology Network of Universities, and several individual Providers.

Should the Bill pass, TEQSA intends to work with Offshore Providers in the sector on the design of the annual reporting and other relevant artefacts.