

Senate Committee: Education and Employment

QUESTION ON NOTICE Budget Estimates 2015 - 2016

Outcome: Higher Education Research and International

Department of Education and Training Question No. SQ15-000278

Senator Carr, Kim asked on 03 June 2015, Proof Hansard page 29

Establishment of new universities (that operate outside state of legislation)

Question

Senator KIM CARR: Can I go back to that other question about the establishment of new universities. Are there any universities that currently operate outside of state legislation?

Prof. Saunders: I would have to check, but we do have two international universities—University College London and Carnegie Mellon—that would be operating. I do not believe they would have state legislation. Torrens University in South Australia certainly was approved by their registration authority, but I do not believe it has state legislation.

Mr Griew: I am not sure, but I think Torrens may.

Senator KIM CARR: I thought they did too.

Mr Griew: You would want to check Notre Dame, Australian Catholic and Bond as well.

Senator KIM CARR: I think they all have state—

Mr Griew: I am not sure, but we could take that on notice.

Senator KIM CARR: Could you, please?

Mr Griew: Certainly.

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Senator KIM CARR: I understand that. You are saying that, to register a university in Australia, under the current legislation there is no requirement for a state to legislate the establishment of a university.

Prof. Saunders: To my knowledge, that is correct.

Senator KIM CARR: That is what I understood you were saying. I take it you will check that if that is incorrect.

Answer

1) Universities operating outside of state legislation

Two of the 43 universities currently operating in Australia are not supported by state, territory or Commonwealth legislation that either establishes or specifically recognises their role. University College London (Australia) and Carnegie Mellon University were established overseas and commenced operating in Australia but with the support of the South Australian Government. Both are registered in the *Overseas University* category of higher education provider.

Three other universities were initially established without legislation – Bond University (Queensland), Australian Catholic University (Victoria, New South Wales and Queensland) and Torrens University (South Australia). However, in each case legislation was subsequently passed by the relevant state governments.

The University of Notre Dame Australia was established by an Act of the Western Australian Parliament in 1989 and is registered in the *Australian University* category.

2) Requirements to become a university in Australia

While paragraph 9(2)(a) of the *Tertiary Education Quality and Standards Agency (TEQSA) Act 2011* allows a state legislature to establish an entity intended to operate as a higher education provider, it is not a requirement. A higher education provider wishing to be classified as a 'university' must satisfy the relevant requirements of the *Higher Education Standards Framework (Threshold Standards) 2011*.

To be registered in the *Australian University* category a higher education provider must demonstrate, among other things, that the application for registration 'has the support of the relevant Commonwealth, State or Territory government' (Provider Category Standard 2.10).

Similar requirements apply in relation to each of the 'university' categories administered by TEQSA.