

**SENATE STANDING COMMITTEE ON
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE
BUDGET ESTIMATES 2009-10**

Outcome **3**

DEEWR Question No. EW0146_10

Senator Hanson –Young asked on 17/6/2009 informally at Senate Estimates

Question

Guidelines for Higher Education providers

Could you please ask the Department to table the guidelines that Higher Education Providers are to abide by?

Answer

General requirements on Higher Education Providers

All higher education providers (HEPs) are required under the *Higher Education Support Act 2003* to comply with Guidelines that contain administrative matters or details relating to particular higher education funding programmes. Where appropriate, HEPs are required to comply with Determinations. A list of HESA Guidelines and Determinations can be found at: http://www.dest.gov.au/sectors/higher_education/programmes_funding/forms_guidelines/hesa_guidelines/legislation_guidelines_determinations.htm#Guidelines.

Eligibility for HEP status is dependent (amongst other requirements) upon a higher education institution being recognised under the Australian Qualifications Framework as able to offer recognised higher education awards. This recognition has its status either enacted by legislation (i.e. the Australian universities and the self accrediting institutions) or through an approval process in line with the National Protocols for Higher Education Approval Processes (non self accrediting institutions). All institutions able to offer recognised higher education awards are listed in the AQF Register at www.aqf.edu.au.

Higher Education institutions must operate, and continue to operate at an appropriate level of quality for an Australia higher education provider. This level of quality is in line with the requirements of the National Protocols.

http://www.mceecdya.edu.au/mceecdya/national_protocols_for_higher_education_mainpage_15212.html

(The home page of the HEP Guidelines on Comlaw)

<http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200510176?OpenDocument>.

(Current guidelines with a range of different formats to open them)

<http://www.comlaw.gov.au/comlaw/Legislation/LegislativeInstrumentCompilation1.nsf/0/82E0A033A73E1CCFCA2573DA0018AE36?OpenDocument>.

(Guidelines in pdf)

[http://www.comlaw.gov.au/ComLaw/Legislation/LegislativeInstrumentCompilation1.nsf/0/46B98EE0BB072499CA2573E7000797C8/\\$file/HEPGuidelinesCompilation_14Jan.pdf](http://www.comlaw.gov.au/ComLaw/Legislation/LegislativeInstrumentCompilation1.nsf/0/46B98EE0BB072499CA2573E7000797C8/$file/HEPGuidelinesCompilation_14Jan.pdf).

Additional requirements of providers teaching international students

There are additional requirements for institutions teaching international students. These are set out in the *Education Services for Overseas Students Act 2000* (the ESOS Act), which can be found through the website <http://www.aei.gov.au/AEI/ESOS>.

In particular, Part D of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code 2007), which is established under the ESOS Act, sets out fifteen nationally consistent standards that govern the protection of overseas students and delivery of courses to those students by providers registered on CRICOS - the Commonwealth Register of Institutions and Courses for Overseas Students. Only CRICOS courses can be offered to international students studying in Australia on a student visa.

Part D of the National Code can be found at http://www.aei.gov.au/AEI/ESOS/NationalCodeOfPractice2007/NC_Part_D.htm.