



### Fees paid in advance

Under the changed rules, providers are not allowed to collect more than 50 per cent of the total tuition fees for the whole course before you start, unless your course is 24 weeks or less.

After you start your course, your provider cannot require you to pay any remaining tuition fees until two weeks before your second study period.

**Any money you pay to a provider that is not directly related to your course, such as for homestay accommodation, is not protected under the TPS.**

### Keep your contact details up to date

It is very important that your provider has your correct contact details and we encourage you to update these whenever they change, however these must be updated at least every six months. The details required are a current residential address, and a mobile phone number and email address (if you have one).

Having current contact details will ensure you can be reached in an emergency or if you need to be assisted by the TPS.

### Where can I go if I need help?

The Australian Government is committed to ensuring you have a great education experience here.

If, however, you have a complaint about your education provider you may take the matter to an independent complaints handling body. This will be the relevant State Ombudsman if you are enrolled with a publicly-funded provider or the **Overseas Student Ombudsman** if you are enrolled with a private provider. Visit the relevant state ombudsman's website or [www.oso.gov.au](http://www.oso.gov.au), for more information.

### Your responsibilities – some tips to make sure you're covered

- Read your written agreement carefully before you sign it – it is a legal contract
- Make sure you are clear about the number of study periods in your course, how the fees are distributed throughout the course and the difference between tuition fees and other types of unprotected fees such as accommodation
- Understand the terms of any refund you may be entitled to if you do not meet the conditions of the written agreement or in the situation where your visa is not approved
- Keep a copy of all receipts for money you have paid to a provider
- Make sure your provider gives you (and you keep) a record of all study completed at each stage of your course
- Let your provider know as soon as any of your contact details change.

Visit [www.aei.gov.au](http://www.aei.gov.au) or phone (+61 2) 6240 5069 to find out more about your rights and responsibilities.



Australian Government

## Are you an international student studying in Australia on a student visa?

The Australian Government has brought in new rules to better protect you



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## Studying in Australia

Australia has been providing high quality education to students from around the world for many years.

Over 1200 Australian providers teach international students who are in Australia on a student visa. Before an education provider can enrol any international student they have to meet all the same high quality standards required for Australian students, as well as extra requirements to protect the interests of international students. These requirements are in the ESOS Act, which was reviewed in 2009 and since updated to make it simpler, smarter and stronger.

Both publicly-funded and private education providers must meet the same quality requirements and be registered under the ESOS Act.

Providers who deliver education and training to international students may be large or small, deliver one level of course or a mix of courses from basic English language programs through to higher education awards.

## What is the ESOS Act?

The *Education Services for Overseas Students Act 2000* (the ESOS Act) and related laws set out the requirements for education institutions (providers) who deliver education services to international students on a student visa. These laws are there to protect international students and also help ensure students meet student visa conditions for attending classes and making satisfactory progress in their studies while in Australia.

## What's changed?

For many years Australia has been a world leader in protecting the tuition fees of international students studying in Australia on a student visa.

Changes to the ESOS Act make these protections even stronger. Additionally an Overseas Students Ombudsman was established in 2011 to assist overseas students who have a complaint about a private provider. Students of publicly-funded providers already have access to the relevant State Ombudsman.

Most international students have a positive study experience in Australia and one of the reasons they choose to come to study here is because they are well-protected by providers and the Government. On the rare occasions that a provider is unable to deliver a course you have paid for and does not meet their legal obligations to make alternative course placements or provide you with a refund, it is good to know there is help available.

From 1 July 2012 a Tuition Protection Service (TPS) will operate, backed by all education providers who enrol international students.

Additionally, providers:

- must meet stricter requirements to be registered with the Australian Government
- face tougher penalties if they don't assist or refund students according to the law
- must keep accurate records of student contact details and any units of study completed.

## What is the TPS?

The TPS will help you quickly find another course, if your provider can't deliver the course you have paid for. The TPS will use an online placement service to give you all the information you need so you understand your options and can choose an alternative course that best suits you. Additional assistance will be available if you need it. You will still have to meet all the course entry requirements of another provider and any extra costs if the provider is more expensive than the one you originally enrolled with.

## What if I can't find a course that I like?

If you are unable to find an alternative course after a reasonable period of time set by the TPS, the TPS will refund you the tuition fees you have paid for the part of the course that you haven't yet received. If you do receive a refund, you are still required to meet all the conditions of your student visa in terms of having a current enrolment. For more information on your student visa obligations, please visit the Department of Immigration and Citizenship (DIAC) website: [www.immi.gov.au](http://www.immi.gov.au).

## What if I need a new student visa?

If you require a new student visa as a result of a closure of an education provider, you should contact DIAC immediately. Contact details are available on the DIAC website: [www.immi.gov.au](http://www.immi.gov.au)

## Written agreements

Under Australian law, when you accept an offer of a course, it must be in the form of a written agreement. This is the document that you sign when you enrol with an education provider.

In your written agreement, providers must give you detailed information on:

- the course you are enrolled in
- payment plan for tuition fees including the number and length of each study period
- any non-tuition fees
- refund entitlements in different situations
- course requirements including minimum English language
- requirements on attendance and making satisfactory progress
- any services that can support you or keep you safe.