Agent Appointment Monitoring and Termination Policy

Policy Code: CG887

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Purpose

Federation University Australia’s agents are often the first point of contact between prospective students and the Australian international education industry. Their activities and ethics are important to Australia’s reputation as a desirable destination for students. The University is therefore committed to ensuring its agents act ethically and appropriately.

To this end, the University requires its agents to have an appropriate knowledge and understanding of the Australian international education industry and to act honestly and with integrity.

This policy aims to ensure that the actions of its appointed agents are ethical and comply with the University’s obligations under the:

• ESOS ACT;
• ESOS Regulations;
• National Code;
• Migration Act; and
• Migration Regulations.

Scope

This Policy applies to:

• Agents of the University; and
• Staff of the University and at partner providers involved in the recruitment, and monitoring of agents for the University.

Definitions
| **Agent:** | An accredited person or organisation with the authority to promote the University’s programs and services to students or intending students in nominated regions. |
| **Agent Agreement:** | Agreement between the University and the agent including the schedules. |
| **CRICOS:** | Commonwealth Register of Institutions and Courses for Overseas Students. |
| **ESOS Act:** | Education Services for Overseas Students Act 2000 of the Commonwealth of Australia. |
| **ESOS Regulations:** | Education Services for Overseas Students Act 2000 of the Commonwealth of Australia. |
| **Partner Provider:** | Educational institution providing programs and courses of the University through an approved Education Agreement. |
| **Prospective Student:** | A person who intends to become, or who has taken any steps towards becoming, a student an 'overseas student' or 'intending overseas student' as defined by the ESOS Act. |
| **Relevant Legislation:** | The ESOS Act 2000 (Cth); The ESOS Regulations 2001 (Cth); The Migration Act 1958 (Cth); The Migration Regulations 1994 (Cth); The National Code (2018); and Any other legislation or regulations relevant to governing the provision of education to overseas Students in Australia. |
| **Student:** | A person who holds an Australian Student Visa and is an 'overseas student' as defined by the ESOS Act. |

**Policy Statement**

The University will only appoint agents whose company is registered in the relevant country, state or province and, if relevant, in Australia. All appointed agents must have completed the Approved Agent Application Form to become an official agent for the University and had a referee check completed by the Director, Partnerships and Commercial Engagements or nominee.

The University will conduct an annual audit including ongoing reviews and offer students the opportunity to complete a Student Post Arrival Appraisal of Agent form.

The University may terminate an agent’s appointment where the University knows or has a reasonable suspicion that an agent may have been engaged in unprofessional conduct.

The University retains the right to veto any agent activity that in the University’s opinion is not compliant with:

- The Agent Agreement; or
- Any relevant legislation; or
- Any information provided to the agent by the University.

**Responsibility**

- Pro Vice-Chancellor, International
Legislative Context

- Education Services for Overseas Students Act 2000.
- The ESOS (Registration Charges) Act 1997.
- Federation University Australia Act (2010).

Associated Documents

- Agent Appointment Procedure.
- Agent Monitoring and Termination Procedure.

Implementation

The Agent Appointment Monitoring and Termination Policy will be implemented throughout the University via:

1. An announcement notice under ‘FedNews’ on the ‘FedUni’ website and through the University Policy - ‘Recently Approved Documents’ webpage to alert the University-wide community of the approved Policy;
2. Inclusion on the University's online Policy Library; and
3. An email alert to all agents to inform them of the update.