

Education Services for Overseas Students Legislation Amendments 2006

This information sheet is designed to provide an overview of key amendments to the *Education Services for Overseas Students Act 2000* (the ESOS Act) passed by the Australian Parliament in November 2006 and commences 1 January 2007.

Section 18: Receipt of Course Money

Purpose

The amendment to section 18 of the ESOS Act means that where more than one provider is involved in the delivery of a course under an arrangement, course money may be paid to either provider or a component of the total course money to each provider.

Key requirements

- For a provider other than the registered provider to accept course money for enrolment in a course, there must be a written agreement in place between the registered provider and the other provider to this effect.
- Where such an agreement exists, all ESOS obligations, including those relating to refunds, remain with the registered provider.

What does this amendment involve?

When more than one provider is delivering a course the provider registered on CRICOS for that course is responsible for all obligations under the ESOS framework. This includes refund obligations. Prior to this legislative amendment, a provider other than the registered provider could only accept course money as an agent of the registered provider.

As a result of the amendment, from 1 January 2007 each provider involved in the provision of a course to overseas students may accept course money from overseas students should this be the desired arrangement.

For more information about this amendment, your questions may be sent to esosmailbox@dest.gov.au.

Last Updated 23-10-07