International Agent Policy

Section 1 - Purpose

(1) The purpose of this Policy is to set out Australian Catholic University (University) approach to the appointment, management and termination of education agents that recruit international students for the University.

Section 2 - Scope

(2) This Policy applies to staff responsible for appointment of education agents that recruit international student on behalf of the University.

Section 3 - Principles

(3) The University will comply with the following legislation:

a. Education Services for Overseas Students Act 2000 (Cth) (ESOS Act);
b. National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code);
c. Higher Education Standards Framework (Threshold Standards) 2021 (Cth);
d. Higher Education Support Act 2003 (Cth);
e. Migration Act 1958 (Cth);
f. Tertiary Education Quality and Standards Agency (TEQSA) Act 2011 (Cth);
g. National Security Legislation Amendment (Espionage and Foreign Interference) Act 2018 (Cth); and
h. Crimes Legislation Amendment (Combatting Foreign Bribery) Act 2024 (Cth).

(4) In relation to education agents, ACU will:

a. Undertake a rigorous review process when appointing agents to ensure that they can support the achievement of the University's strategic goals and Mission;
b. Provide appropriate training to agents including training that details their obligations under the ESOS Act and National Code;
c. Manage and support agents in the recruitment of appropriately qualified international students including provision of course and study information;
d. Undertake regular reviews of agent performance to ensure they are meeting agreed Key Performance Indicators and complying with all requirements of:
    i. the National Code;
    ii. The Modern Slavery Act 2018 (Cth);
e. The National Security Legislation Amendment (Espionage and Foreign Interference) Act 2018 (Cth) and theCrimes Legislation Amendment (Combatting Foreign Bribery) Act 2024 (Cth) take corrective action with an agent that is not performing satisfactorily or does not comply with the terms of the agent agreement in accordance with the requirements of the National Code.

Section 4 - Definitions

(5) Terms used in this Policy and associated Procedure are consistent with the Glossary of Student and Course Terms. In the context of this Policy the following terms also apply:

Term	Definition
Agent	Means an education agent that recruits international students for study in Australia
Agreement	Means a signed agreement between the University and an education agent for the purposes of recruiting international students
ESOS Act	Means the Education Services for Overseas Students Act 2000 (Cth)
HES Framework	Means the Higher Education Standards Framework (Threshold Standards) 2021 (Cth)
Migration Act	Means the Migration Act 1958 (Cth)
National Code	Means the National Code of Practice for Providers of Education and Training to Overseas Students 2018
TEQSA	Means the Tertiary Education Quality and Standards Agency Act 2011 (Commonwealth)
Threshold Standards	Means the Higher Education Standards Framework (Threshold Standards) 2021 (Cth)

Section 5 - Responsibilities

(6) The Pro Vice-Chancellor (Global) has responsibility for the recruitment, management and terminations of agents including:

a. Recruitment assessment and appointment of agents;
b. Development and issuance of agent agreements;
c. Contract oversight and compliance with agreements by agents;
d. Taking corrective action with an agent that is not performing satisfactorily or does not comply with the terms of the agent agreement;
e. Undertaking performance reviews, agreement renewals and terminations.

(7) The Internationalisation Committee is responsible for monitoring and reporting to Academic Board on areas of risk that may impact on the University's international activities including the activities of agents. This includes reporting to Academic Board on plans and actions aimed at risk minimisation relating to agents and agent activities.

(8) The Audit and Risk Committee is responsible for monitoring the risk management practices of the University in all areas of administration and compliance with legislation including those associated with agents and agent activities.

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Status and Details

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Responsible Executive	Richard Dobek Pro Vice-Chancellor (Global)
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