



Education Agents

National Code Standard 4

Registered providers take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry and do not use education agents who are dishonest or lack integrity.

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VERSION CONTROL



Agency Agreement	
Version: 2.0 Date: 22 August 2018	Approved By: PEO
Contact Officer: Yogita yogita@australisinstitute.nsw.edu.au	Next Review: August 2025



4.1 Purpose and Scope

4.1.1 AITE Policy and Procedures for Appointing, Monitoring and Terminating Education Agents is designed to ensure that these standards are maintained, and to comply with all legislative and regulatory requirements established under the:

- ESOS ACT 2000
- Education Services for Overseas Student (ESOS) Regulations 2001
- National Code 2018
- National Vocational Education and Training Regulator Act 2011
- Standards for Registered Training Organisations (RTOs) 2015

4.1.2 These requirements are effectively summarised under National Code Standard 4, which aims to strengthen:

The registered provider must enter into a written agreement with each education agent it engages to formally represent it, and enter and maintain the education agent's details in PRISMS.

the ability of providers to manage the activities of their education agents, ensuring providers use only reputable education agents. Intending students will benefit from the monitoring strategies of the provider and from the provider's ability to terminate agreements with education agents who engage in false or misleading recruitment practices.

4.1.3 This document presents AITE's Policy and Procedures relating to the:

- Appointment of its Education Agents;
- Monitoring of its Education Agents; and the
- Termination of Agent Agreements.

4.1.4 The Policy and Procedures apply to:

- all AITE prospective and existing Education Agents; and
- all AITE staff involved in AITE programs and the recruitment and monitoring of AITE Agents

4.2 Policies

The registered provider must enter into a written agreement with each education agent it engages to formally represent it. The agreement must specify the responsibilities of the education agent and the registered provider and the need to comply with the requirements in the National Code. The written agreement must include:

4.2.1 the responsibilities of the registered provider, including that the registered provider is responsible at all times for compliance with the ESOS Act and National Code 2018

4.2.2 the registered provider's requirements of the agent in representing the registered provider as outlined in Standard 4.3

4.2.3 the registered provider's processes for monitoring the activities of the education agent in representing the provider, and ensuring the education agent is giving students accurate and up-to-date information on the registered provider's services

4.2.4 the corrective action that may be taken by the registered provider if the education agent does not comply with its obligations under the written agreement including providing for corrective action outlined in Standard 4.4



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4.2.5 the registered provider's grounds for termination of the registered provider's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5

4.2.6 the circumstances under which information about the education agent may be disclosed by the registered provider and the Commonwealth or state or territory agencies.

4.2.7 a. processes for monitoring the activities of the education agent, including where corrective action may be required; and

b. termination conditions, including providing for termination in the circumstances outlined in Standard 4.4.

The registered provider must ensure that its education agents have access to up-to-date and accurate marketing information as set out in Standard 1 (Marketing information and practices).

4.2.8 Australis Institute of Technology & Education (AITE) has agreements with a number of Australian and internationally based education agents (click here for the current AITE's Agents list).

4.2.9 Prospective Agents must complete and submit the AITE's Education Agent Application Form and submit names and contact details of at least two referees. Applicants' details and the associated referees' reports will be checked and assessed by the AITE's CEO or his nominee.

4.2.10 AITE will enter an Agent Agreement with, and/or accept student referrals from, only reputable organisations (such as education brokerage companies, professional associations, industry bodies, government centres) which meet the established criteria and which have a demonstrated record of fiscal viability, ethical practice and integrity, have an understanding of Australian international education services and of AITE programs, and has a signed Agent Agreement with AITE (maintaining education agent's details in PRISMS).

The registered provider must not accept students from an education agent or enter into an agreement with an education agent if it knows or reasonably suspects the education agent to be:

a. engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (overseas student transfers);

b. facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa

c. using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than bona fide a student; or

d. providing immigration advice where not authorised under the Migration Act 1958 to do so.

Where the registered provider has entered into an agreement with an education agent and subsequently becomes aware of, or reasonably suspects, the engagement by that education agent, or an employee or sub-contractor of that agent, of the conduct set out in Standard 4.3, the registered provider must terminate the agreement with the education agent. This paragraph does not apply where an individual employee or sub-contractor of the education agent was responsible for the conduct set out in Standard 4.3 and the education agent has terminated the relationship with that individual employee or sub-contractor.

The registered provider must take immediate corrective and preventative action upon the registered provider becoming aware of an education agent being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of Australian education and training.



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4.2.11 AITE conducts ongoing monitoring of its education agents: such monitoring includes regular student post-enrolment agent feedback and an annual performance audit.

4.2.12 Ongoing monitoring may result in AITE terminating an Agent's appointment in circumstances where:

- AITE has reasonable grounds for believing that an Agent may have been engaged in unprofessional conduct;
- the Agent has consistently underperformed; in relation to the number of referred enrolments;
- the Agent has misrepresented AITE and the courses and services it offers;
- the Agent has not been compliant with relevant legislation and regulations; and/or
- an Agent has not been compliant with the terms and conditions of their Agent Agreement.

4.2.13 In cases of unambiguous underperformance an Agent Agreement may be terminated, but in cases where there may exist mitigating circumstances the agent may be sent a warning letter itemising AITE concerns and providing a defined period during which the agent may respond. If the responses are sufficient to allay AITE's concerns and reservations, the Agent Agreement will be maintained in PRISMS, but where sufficient assurance is not provided, the Agent Agreement will be terminated.

4.2.14 As one aspect of its policy and procedure for receiving and managing complaints AITE is committed to formally investigating any formal complaint received about the performance of any agent, and to implementing an ethical and professional response to any complaint, depending on the outcome of the formal investigation.

4.2.15 AITE has a policy of ensuring that its students have every opportunity for effective, ethical and professional representation by approved agents, and a parallel commitment to ensuring security of investment for approved agents allocating resources to secure enrolments for AITE.

4.2.16 In practical terms this means AITE recognises the legitimacy of students wanting to change agents in some circumstances, but AITE also seeks to ensure that constraints are placed on this right to provide checks on frivolous, vexatious and/or frequent student initiated changes in agents.

4.2.17 With the exception of situations in which AITE terminates or fails to renew an Agent's Agreement AITE will always request that students seeking to change agents provide a Release Letter from their existing agent. If a Release Letter is not provided, students seeking to change agents will have to provide evidence of their best interests would be served by transferring from their existing agent.

4.2.18 On receiving such an application a check will be undertaken to see if the proposed new agent is one of AITE's authorised Agent. If the preferred new agent is not an AITE's authorised Agent the application will be rejected.

4.2.19 If a student provides a Release Letter from their agent and/or demonstrates, to the satisfaction of the Compliance Manager, that their best interests are not served by their remaining with their existing agent, and the proposed new agent is an AITE's authorised Agent, the Compliance Manager will approve a change, taking effect when the student:

- has made all instalment payments associated with a single course enrolment; or
- has made all the payments for a course package for which CoEs have been issued.

4.2.20 In situations where AITE terminates or fails to renew an Agent's Agreement, the Agent's students will be informed and asked to change their Agent.

4.2.21 In situations where AITE terminates an Agent's Agreement for unethical practice, that Agent will be paid commission arising from all fee payments made prior to the cessation of the Agreement, and will cease to be made in relation to all subsequent fee payments by the students they represented.



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4.2.22 In situations where AITE decides not to renew an Agent's Agreement for reasons other than unethical practice, that Agent will be paid commission arising from all past and future fee payments made in relation to all courses for which current CoEs have been issued.

4.3 Appointment of AITE Agents

Australis Institute of Technology & Education (AITE) require its education agent to:

4.3.1 declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the registered provider

4.3.2 observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students

4.3.3 act honestly and in good faith, and in the best interests of the student

4.3.4 have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.

4.3.5 Australis Institute of Technology & Education (AITE) is committed to appointing a number of professional education agents to represent its interests in defined areas, and to this end may approach prospective agents and will be open to receiving expressions of interest from education agents seeking appointment, by signed agreement, as one of its authorised Agents.

4.3.6 All Agent agreements will be made on a renewable annual basis. All agents interested in gaining appointment must comply with the following procedures:

a. submit a completed Agent Application Form. The form must have all questions honestly answered, provide the contact details of at least two referees (preferably other Australian international education providers) and all requested associated documentation.

b. AITE's CEO (or his/her nominee) will record and evaluate the provided information and performance, and complete the AITE's Agent Checklist, making a provisional assessment of the applicant's suitability for appointment.

c. The first two nominated Referees of those provisionally assessed as suitable will be sent the AITE's Agent Reference Check, and the completed responses will be assessed. If the referee responses are inconsistent and/or not definitive, a third referee will be contacted and asked to complete a Reference Check.

d. AITE's CEO (or his/her nominee) will complete the Agent Checklist and make a final assessment as to the applicant's suitability for Appointment as an AITE's Education Agent, including a supporting statement documenting reasons for the recommended appointment (or non-appointment) as an AITE's Education Agent.

e. AITE's CEO or his nominee will complete the AITE's Agent Agreement, including the Schedule, and send two copies to the agent's head office under an AITE's Agent Agreement.

f. The terms and conditions of the Agreement include the agent accepting responsibility and liability for the actions of its own agents acting in the capacity of AITE's sub-agents.

g. If the agent accepts the terms of the Agreements/he will sign both copies and return them to the AITE's CEO or his nominee.



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h. AITE's CEO or his nominee will sign the two original agent-signed copies of the Agreement, retain one of the two countersigned copies and return the second to the Agent, along with an AITE's Agent Representation Certificate.

i. The Agent's details and details of the Agreement will be entered on AITE's Database, and the Agent's names and relevant details will be published on the AITE's Website (click here for the list of the current Education Agents).

j. The AITE's Education Agent Checklist will be completed and signed.

k. The Education Agent will be sent copies of all AITE related course and marketing materials.

4.4 Training and Monitoring AITE's Education Agents

4.4 Where the registered provider becomes aware that, or has reason to believe, the education agent or an employee or subcontractor of that education agent has not complied with the education agent's responsibilities under standards 4.2 and 4.3, the registered provider must take immediate corrective action.

4.4.1 Authorised Agents will also receive information in the legislative and regulatory requirements relating to international education in Australia, Australian requirements for and conditions of student visas, AITE programs courses, administrative procedures and forms from an AITE marketing manager.

4.4.2 In the event of an Agent making a formal visit to the AITE premises, the CEO (or his/her nominee) will ensure that the opportunity is taken to:

- Refresh the Agent's knowledge and understanding of the legislative and regulatory requirements relating to international education in Australia, and Australian requirements for, and conditions of, student visas;
- Review the Agent's performance against the established performance criteria;
- Refresh the Agent's knowledge and understanding to the range of education and training programs; and
- Refresh the Agent's supply of AITE information packs and promotional materials.

4.4.3 The responsible marketing manager will work with the Agent to address any shortcomings or inefficiencies identified during the visit, with details being placed in the Agents file.

4.4.4 In planning for an overseas trip the CEO and/or a Marketing Manager will identify the Agents to be visited, reviewing their performance against the established performance criteria. When making the Agent visit the CEO/ Marketing Manager will:

- Refresh the Agent's knowledge and understanding of the legislative and regulatory requirements relating to international education in Australia and Australian requirements for, and conditions of, student visas;
- Refresh the Agent's knowledge and understanding to the range of AITE related education and training programs; and
- Refresh the Agent's supply of AITE information packs and promotional materials.

4.4.5 The Marketing Manager will work with the Agent to address any shortcomings or inefficiencies identified during the visit, with details being placed in the Agents file.

4.4.6 All AITE Education Agents will be provided, and required to participate in, at least one information and training session a year. In addition, when there are legislative, regulative and/or administrative changes in policies and procedures pertaining to international students, AITE will



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provide the information and training to ensure that its Agents remain fully compliant and professional.

4.4.7 AITE will use thorough, open and transparent evaluative methodologies to actively monitor all Agent' performance with the objectives of ensuring professional behaviour and positive outcomes as measured by full compliance

4.4.8 The actual methods/procedures for monitoring Agent's performance will include:

a. The Compliance Manager will hold regular Admissions Review Meetings to analyse:

- the number of student applications and their quality and completeness;
- the conversion rate of student Applications to CoEs;
- the incidence of Visa rejection; and
- the conversion rate of CoEs to actual enrolments.

b. Authorised Agents' performance will be reviewed against these criteria to identify:

- policy and/or procedural areas requiring training and/or possible modification; and/or
- Authorised Agents who may require additional training.

c. Where a need is identified, emails, phone calls and Skype conversations are held with Agents to address specific problems and to notify them of any procedural changes.

d. As a part of their Orientation program students will be asked to complete AITE's Agent Feedback survey. The completed survey will be analysed by responsible Marketing Manager and any unusual, critical or negative responses and comments will be referred to the Principle who will decide on subsequent action, including:

- recording the information in AITE's Agent Database (RTO Manager);
- undertaking further investigation of the Agent's conduct; and/or
- reporting the matter to the CEO.

e. The overall performance of each Agent will be audited annually, approximately one month before the expiry/renewal date of the Agent Agreement. Audit dates and outcomes will be entered on the AITE's Education Agent Checklist.

f. The Marketing Manager will evaluate the Agent's performance against the agreed performance criteria as defined in the AITE's Agent Audit form, including:

- the Agent's compliance with the Education Agent Agreement;
- the number of students the Agent has recruited and the conversion rate of student applications to CoEs, the visa rejection rate, and the conversion rate from CoEs to actual enrolments;
- the reasons, where relevant, for applications from potential students not proceeding to final enrolments;
- information from students or third parties regarding the Agent;
- the quality, accuracy and currency of information and advice provided by the Agent to students.

g. The Marketing Manager will make a recommendation relating to the renewal of the agent agreement, and the CEO or his delegated nominee will decide whether to:

- Renew the Agent's appointment;
- Renew the Agent's appointment for a further period subject to certain conditions; or
- Terminate the Agent's appointment in accordance with procedures for terminating an Agent Agreement.



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4.4.9 As an integral part of the AITE's Complaints and Appeals Policies and Procedure complaints made by students (on AITE's Student Complaint Form) and/or other parties about the behaviour and practices of any of its Authorised Agents will be formally investigated and acted upon:

a. Where there appear to be grounds for concern, the Marketing Manager on behalf of CEO will send the Agent Warning Letter to the Education Agent:

- specifying the nature of and grounds for the concern;
- indicating the consequences of failing to satisfy AITE's Agent Agreement that there had been number of examples of unprofessional conduct; and
- requesting a response within 10 business days of receipt of the letter (an extension to the time limit may be granted on application).

b. If the Agent responds to AITE's Agent Warning Letter within the set time frame, the AITE's Marketing Manager will evaluate the responses to the substance of the complaint, taking into account:

- the Agent's actual responses;
- the known performance history of the Agent; and
- other relevant information.

c. Depending on the conclusions drawn from the investigation, the Marketing Manager may:

- maintain the Agent's appointment;
- maintain the Agent's appointment subject to certain conditions;
- suspend the Agent's appointment, making re-appointment subject to training and agreement to comply with certain defined conditions; or
- terminate the Agent's appointment immediately.

4.4.10 The outcome of the formal investigation will be recorded in the AITE's Complaints and Appeals register and in the Agent's File.

4.4.11 If the Marketing Manager should find that a complaint made about an Agent's behaviour was vexatious, and if the complainant was a current AITE student, the Marketing Manager will refer the issue to the Compliance Manager for formal investigation and, depending on the outcome of the investigation:

- a. the student may be placed on probation;
- b. the student's enrolment may be suspended for a set duration; or
- c. the student's CoE may be cancelled and the student may be reported to DOE via PRISMS.

4.4.12 The outcome of the formal investigation will be recorded in the AITE Complaints and Appeals register, and on the student's file.

4.5 Renewing AITE Education Agent Agreements

4.5 Where the registered provider becomes aware, or has reason to believe, that the education agent or an employee or subcontractor of the education agent is engaging in false or misleading recruitment practices, the registered provider must immediately terminate its relationship with the education agent, or require the education agent to terminate its relationship with the employee or subcontractor who engaged in those practices.

4.5.1 If, following completion of the annual Agent Audit, AITE's CEO and the Marketing Manager is satisfied that the Agent has operated professionally and ethically, has effectively represented AITE's interests, and has referred significant numbers of prospective students to AITE's programs and courses, with a high conversion ratio, a renewal of the *Education Agent Agreement* may be offered to the Agent.

4.5.2 Marketing Manager will complete a new Education Agent Agreement, updated to include any new legislative and regulatory requirements, and send two copies to the Agent's head office under the AITE's Education Agent Agreement.

4.5.3 If the Agent accepts the terms of the Agreement s/he will sign both copies and return them to the AITE.

4.5.4 The AITE's CEO will counter-sign the two original Agent signed copies of the Agreement, retain one of the two and return the second to the Agent, along with a new AITE's Agent Representation Certificate.

4.5.5 The new Agreement will be filed on the Agent's file and any necessary changes made to AITE's Agents Database and AITE's website.

4.6 Terminating AITE's Education Agent Agreement

4.6 The Australis Institute of Technology & Education (AITE) will not accept students from an education agent if it knows or reasonably suspects the education agent to be:

4.6.1 Providing migration advice, unless that education agent is authorised to do so under the Migration Act

4.6.2 Should AITE at any time become aware of an Agent being negligent, careless or incompetent or of having engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the reputation of the AITE and/or the integrity of the Australian education and training system, AITE shall take immediate corrective and preventative action, where:

- preventative action could include training sessions for agents and ensuring they have all the material they need to represent the provider accurately and professionally;
- corrective action may include providing additional information/material or targeted training in, for example, the expectations of the provider; and
- Corrective action may also include termination of the agreement with the education Agent.

4.6.3 If, following completion of the final Audit of an existing Education Agent Agreement, the AITE's CEO or his delegated nominee has reasonable grounds for believing or suspecting that an Agent has engaged in unethical, unprofessional and/or criminal conduct, and/or the Agent's student referral and conversion rates are too low to warrant their retention as an Agent, the Marketing Manager may send AITE's Education Agent Warning Letter:

- specifying the grounds for concern;



- indicating the consequences of failing to satisfy AITE that there had been number of examples of unprofessional conduct; and/or
- indicating AITE's concerns about the Agent's referral and conversion rates; and
- requesting a response within 10 business days of receipt of the letter (an extension to the time limit may be granted on application).

4.6.4 engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Overseas student transfers)

4.6.5 facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa

4.6.6 If the Agent responds to AITE's Education Agent Warning Letter within the set time frame, AITE's Marketing Manager will evaluate the performance of the Agent, taking into account:

- the Agent's response to the Warning Letter;
- whether the Agent engaged in Unprofessional Conduct;
- the Agent's referral and conversion rates; and
- other relevant considerations.

4.6.7 Depending on the conclusions drawn from the performance evaluation outlined above, the Marketing Manager (in consultation with CEO) may:

- renew the Agent's appointment;
- renew the Agent's appointment subject to certain conditions such as;
 - a. require the Agent to undertake further training;
 - b. require the Agent to improve their referral and conversion rates.
 - suspend the Agent's appointment, making re-appointment subject to agreement to comply with certain defined conditions; or
 - terminate the Agent's appointment immediately.

4.6.8 Termination of an Agent's Agreement will be automatic if the CEO/Marketing Manager knows, or, based on reasonable grounds, concludes that the Agent has or most probably has engaged in criminal or unprofessional conduct.

4.6.9 If the Agent identifies the cause of a recognized breach as being one of that Agent's employees or sub-agents, provides demonstrable evidence to support this and takes immediate action to dismiss the responsible employee and/or terminate the sub-agent's agreement, the AITE's CEO/Marketing Manager may decide to retain that Agent, but may also require that the Agent undertakes additional training as specified by the AITE's Marketing Manager.

4.6.10 Termination or non-renewal of an Education Agent Agreement will be most probable if:

- the Agent's performance as measured by student referrals and conversion rates is unacceptably low;
- the Agent has misrepresented Australia's legislative and regulatory requirements relating to international students;
- the Agent has misrepresented AITE and the programs, courses and services offered by its associated and Agent providers;
- the Agent has in any other manner been non-compliant with the terms and conditions of their Education Agent Agreement with AITE.



4.6.11 When AITE's CEO/Marketing Manager decides to terminate or not renew an Authorised Agent's appointment:

- the decision and reasons will be conveyed to the Agent in question, using the Education Agent Termination Letter, and the termination will take place when the Agent is formally served that notice;
- DOE and DIBP will be notified of the termination and the grounds for the termination if the termination resulted from suspected unprofessional conduct;
- details relating to the audit and decision will be entered on the Agent's file;
- the Agent's name will be removed from the AITE's Website;
- AITE will ensure that no further referrals and applications will be accepted from the terminated Agent.

4.6.12 On termination of an Education agent Agreement, the agent must:

- submit all applications and fees from prospective students received up to the termination date;
- cease all promotional activity on behalf of AITE, its subsidiary and associated providers;
- submit no further student applications; and
- immediately cease using any advertising, promotional or other material supplied by AITE and return all material to AITE by registered mail or a reputable international courier.

4.6.13 All commission payments owing to an Agent whose Agreement is terminated or not renewed from fee payments made by their clients prior to the expiry date of their Agreement will be honoured.

4.6.14 If an Education Agent Agreement is terminated on the basis demonstrated or reasonable suspected unethical, unprofessional and/or criminal behaviour, the CEO/Marketing Manager will inform the Accounts Department and AITE will immediately cease payment of agent commission fees which would otherwise become payable from the date of termination.

4.6.15 If this Agreement is terminated or not renewed on the basis of inadequate referrals, applications and conversions, the CEO/Marketing Manager will inform the Accounts Department and AITE will pay commission arising from all past and future fee payments made in relation to all courses for which current COEs have been issued.

4.6.16 The termination of this Agreement by either party does not affect any accrued rights or remedies of either party.

4.6.17 Any decision to terminate an Education Agent Agreement and the reasons for it may be disclosed to other parties, but in accordance with privacy legislation and regulations.

4.6.18 using PRISMS to create CoEs for other than bona fide students.

4.7 Change of Agents

4.7.1 In situations where AITE terminates or fails to renew an Education Agent Agreement, the CEO/Marketing Manager will ensure that the students represented by that Agent are sent a letter informing them of the termination/non-renewal of the Agents Agreement, and asking them to complete and submit an AITE's Change of Agent Request Form, identifying a new Agent from the list of Authorised Agents published on the AITE's website.

4.7.2 In situations where AITE terminates an Agent's Agreement for unethical practice, that Agent will be paid commission arising from all fee payments made prior to the cessation of the Agreement, and will cease to be made in relation to all subsequent fee payments by the students they represented.



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4.7.3 In situations where AITE decides not to renew an Agent's Agreement for reasons other than unethical practice, that Agent will be paid commission arising from all past and future fee payments made in relation to all courses for which current CoEs have been issued.

4.7.4 In situations in which a student wants to change their Agent for reasons other than the termination of their Agent's Agreement, the student must complete and submit:

- AITE's Change of Agent Request Form identifying their preferred new Agent, with appropriate documentation; and
- a Release Letter from the student's existing Agent; or, where such a letter is not available,
- a statement identifying how remaining with their existing Agent would not be in their best interests.

4.7.5 On receiving such an application a check will be undertaken to see if the proposed new agent is one of AITE's Authorised Agents. If the preferred new agent is not an AITE's Authorised Agent the application will be rejected.

4.7.6 If a student provides a Release Letter from their agent and/or demonstrates, to the satisfaction of the Compliance Manager, that their best interests are not served by their remaining with their existing agent, and the proposed new agent is an AITE's Authorised Agent, the Compliance Manager will approve the change, with the following conditions:

a. If the student has existing CoEs for study with AITE the change of Agent will not take effect until:

- the student has paid all fees relating to that student's existing CoEs for study with AITE including CoEs for extended course packages, and the payment of the Agent Fees relating to those CoEs; or
- the student discontinues their study with AITE and withdraws, with or without a Release Letter.

4.7.7 In situations where the student has no existing CoEs for study with AITE, AITE will agree with the requested change providing it is in no way detrimental to the student's wellbeing.

4.7.8 Once a change of agent has been approved and is scheduled to be implemented as specified above, the Compliance Manager will:

- write to the existing Agent to inform them of AITE's approval of the student initiated change of agent and informing them of their on-going commission payment entitlements.
- Write to the new Agent inform them of AITE's approval of the student initiated change of agent and informing them of their future commission payment entitlements.
- make the necessary changes to the AITE's Agents Database;
- organize (through the Accounts Department) all commission payments due to the student's existing agent; and
- arrange for commission payments related to subsequently provided CoEs to be made to the student's new agent.



DEFINITIONS:

Agent:	A person or organisation accredited by Australis Institute of Technology & Education with the authority to promote Australis Institute of Technology & Education's programs and services to students or prospective students within agreed terms.
Agent Agreement:	Agreement between Australis Institute of Technology & Education 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:	Regulations made pursuant to the Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.
National Code:	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students.
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 (Commonwealth) The ESOS Regulations 2001 (Commonwealth) Education Services for Overseas Students Legislation Amendment (Tuition Protection and Other Measures) Act 2011 The Migration Act 1958 (Commonwealth) The Migration Regulations 1994 (Commonwealth) The National Code
Student:	A person who holds an Australian Student Visa and is an 'Overseas Student' as defined by the ESOS Act.



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POLICY AND PROCEDURES RESPONSIBILITIES, REVIEW AND LINKAGES

Approved by:	PEO/Principal	Date Effective:	22 August 2019
Date of Next Review:	August 2025	Document No:	Version 2.0
Custodian:	AITE's Compliance Manger		
Responsible Officers:	AITE's CEO/Marketing Manager AITE's Compliance Manager		
Supporting Documents, Procedures & Forms:	AITE's Website AITE's Marketing Policy & Procedures AITE's Student Engagement Before Enrolment Policy and Procedures AITE's Formalisation of Enrolment Policy and Procedures AITE's Complaints and Appeals Policy and Procedures Changes to AITE's Owner and Management Policy and Procedures		
References & Legislation:	Education Services for overseas Students Act 2000 Education Services for Overseas Students Legislation Amendment (Tuition Protection and Other Measures) Act 2011 National Code of Practice for Providers of Education and Training to Overseas Students		