



# University Policy

## ESOS Compliance Framework

### 1. Purpose

The Commonwealth legislative regulatory framework which establishes the minimum requirements for education programs delivered to On Shore International Students consists of the ESOS Act 2000, the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code 2007), the ESOS Regulations 2001 and the ESOS (Registration Charges) Act 1997.

The purpose of this Policy is to describe how the University of Ballarat will meet these legislative requirements.

### 2. Scope

The ESOS Act 2000 and associated Acts, apply to all **International Students** studying **On Shore** holding a **Student Visa** as a **student** of the **University of Ballarat**. This is irrespective of where the course is delivered (teaching location) or if the course is delivered via a third party provider.

The ESOS Act does **NOT** apply to:

- University of Ballarat courses taught off shore. These are regulated via University Legislation, Contractual and where applicable, AQTF requirements.
- International Students holding anything other than a student visa, i.e. temporary residency, visitor, or other visa.
- Students studying entirely online or by distance learning outside of Australia.
- AusAID / Defence student visa holders.

These documented procedures provide instructions on how to apply ESOS policies are available for application to all students at the University of Ballarat and its Third Party Providers.

### 3. Definitions

DEEWR	<a href="#">Department of Education, Employment and Workplace Relations (Commonwealth)</a>
DIAC	<a href="#">Department of Immigration and Citizenship (Commonwealth)</a> .
ESOSMG	ESOS Management Group of the University of Ballarat.
ESOS Act 2000	<a href="#">Education Services for Overseas Students Act 2000</a> .
On shore International Student	The term 'On shore International Student' is used in this guide to refer to students studying in Australia on a student visa. The ESOS legislation applies to these students. <i>Note that the term used in the ESOS legislation to refer to on shore International Students is 'overseas students'.</i>
ISP	International Student Programs.
MIP	Manager, International Providers.
National Code 2007	<a href="#">The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007</a> .

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## ESOS Compliance Framework continued..../

**Third Party Provider** Education provider contracted to provide services on behalf of the University of Ballarat.

### 4. Policy Statement

The [ESOS Compliance Framework Manual](#) has been created to articulate all policy statements as made by the University of Ballarat.

Procedures have been documented to provide clear instruction on how these policies are to be implemented at the University of Ballarat and at its Third Party Providers.

### 5. Responsibility

ESOS Compliance is a University wide effort, commitment and responsibility. This effort is lead by the ESOS Management Group with the endorsement of the Vice Chancellor.

The Vice Chancellor or nominee of the Vice Chancellor has the responsibility for ensuring this Policy is implemented.

The Vice President, Corporate Services has the responsibility of the maintenance and review of this Policy.

### 6. Legislative Context

- [ESOS ACT 2000](#)
- [ESOS Regulations 2001.](#)
- [The ESOS \(Registration Charges\) Act 1997.](#)
- [The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 \(The National Code\).](#)
- [University of Ballarat Act 1993.](#)

### 7. Associated Documents

- [ESOS Compliance Framework Manual.](#)
- [ESOS Procedures](#) located on the [University of Ballarat Policies Website.](#)

### 8. Implementation

This Policy will be implemented using the following strategies:

1. An Announcement Notice under '*UB Communicate*' on the '*myUB Gateway*' website and on the '*What's New*' page on the '*Policies and Procedures @ UB*' website to alert the University-wide community of the approved Policy.
2. Correspondence to all Heads of Schools from the Vice Chancellor, Deputy Vice Chancellor (HE) and Deputy Vice Chancellor (TAFE) endorsing the implementation of the ESOS Framework (dated 2 June 2008).
3. Internal training sessions conducted by the Acting Manager, Quality Services and Quality Officer, ESOS Compliance to all Heads of Schools and Departments involved in providing education services for overseas students.
4. Documentation distribution, eg. posters, brochures, ESOS Policy and Procedure Folder.

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