

Module	COMMONWEALTH TERTIARY EDUCATION
Jurisdictions	CTH, NSW, VIC, SA, TAS, WA, NT, QLD, ACT
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Module Scope

Is the tertiary education provider required to apply and maintain its registration as a Higher Education Provider to offer and deliver courses of study and qualifications in accordance with legislation designed to ensure the quality of higher education provided in Australia?

Is the tertiary education provider required to apply and maintain its registration as a Registered Training Organisation to offer and deliver vocational education and training and qualifications in accordance with legislation designed to ensure the quality of VET sector provided in Australia?

Is the tertiary education provider required to be registered on the Commonwealth Register of Institutions and Courses for Overseas Students and comply with the conditions under its registration to offer and deliver courses to overseas students in accordance with legislation designed to protect and enhance Australia's reputation for quality education and training services to overseas students?

Module Application

The TERTIARY EDUCATION module informs tertiary education providers what their legal obligations are and what procedures and processes they should have in place to ensure compliance with national and state tertiary education laws.

The TERTIARY EDUCATION module comprehensively covers the fundamental requirements that tertiary education providers must meet in order to be registered as a:

- › Higher Education Provider (HEP) to offer and deliver higher education courses
- › Registered Training Organisation (RTO) to offer and deliver vocational education and training (VET) courses, and
- › Provider registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) to offer and deliver courses to overseas students

The specific questions and answers covered by the module are:

- What are the legal obligations of tertiary education providers?
- How do the legal obligations apply to different tertiary education providers?
- What processes or procedures should be in place to ensure compliance?
- What are the consequences if the legal obligations are breached?

The obligations covered by the module that apply to HEPs include:

- Applying for initial and ongoing registration as a HEP
- Complying with conditions under its registration
- Applying for course accreditation and meeting the minimum course accreditation standards
- Applying for and maintaining higher education assistance grants and scholarships
- Provision of learning, teaching, welfare and engagement opportunities for students in higher education
- Complying with requirements under university legislation under which the HEP was established

The obligations covered by the module that apply to RTOs include:

- Applying for initial and ongoing registration as a RTO
- Complying with conditions under its registration
- Delivering VET courses and applying for course accreditation
- Complying with requirements under TAFE legislation under which the TAFE institution was established

The obligations covered by the module that apply to providers registered on CRICOS include:

- Applying for registration as a provider on CRICOS
- Complying with conditions under its registration
- Enrolment and recruitment of overseas students
- Complying with student visa requirements
- Delivering Foundation Studies and English Language Intensive Courses to overseas students

The obligations covered by the module that apply to HEPs, RTOs and CRICOS Providers include:

- Financial management and meeting eligibility requirements for receiving Commonwealth funding
- Workforce management and staffing requirements
- Imposition of student contribution amounts and tuition fees
- Issuing Australian Qualifications Framework qualifications, statements and awards
- Providing on-campus accommodation and services

- Applying for research grants and managing research
- Providing library and information services
- Managing and protecting information
- Managing and resolving complaints and requests for review
- Complying with an investigation and/or enforcement action by the regulator

The TERTIARY EDUCATION module covers the role of the tertiary education provider. It does not cover the role or actions to be taken by teaching staff in the event of a breach of regulations or obligations by a tertiary education provider.

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