

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 175: Access by TAS to student information

Purpose

This amendment allows the relevant Tuition Assurance Scheme (TAS) access to a student's personal information in the event of the activation of a placement process. This is to facilitate suitable placement for students in alternative courses.

Key requirements

- The provider must take all reasonable steps to ensure that the student providing personal information is aware that personal information about the student may be shared between the provider and the Australian Government and designated authorities ***and, if relevant, the TAS.***

What does this amendment involve?

This amendment allows for the release of personal information to Tuition Assurance Schemes in addition to those organisations already authorised to access such information under the ESOS Act. The amendment is intended to address the problems that have arisen for TASs in fulfilling their placement function due to a lack of access to student information following a provider default.

As of 1 July 2007, written agreements between providers and students will be compulsory and will include the circumstances in which personal information about the student may be shared between the registered provider and the relevant agencies listed in the National Code 2007. Information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach by the student of a student visa condition.

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