

Document current as at 17 December 2018. Updates to content may have been made since this date. Refer to your Fundamentals site for the latest version.

[Kambala > Overseas Students Program > An Overview of the ESOS Framework > Administration of the ESOS Framework](#)

## **Administration of the ESOS Framework**

The ESOS Framework is administered by several agencies across the Commonwealth, states and territories.

### **Australian Government**

#### **The Department of Education and Training (Cth DET)**

The Cth DET is responsible for:

- administering the ESOS Act and associated ESOS Framework instruments
- managing CRICOS
- managing and administering the Provider Registration and International Student Management System (PRISMS)
- overarching policy development
- monitoring compliance with the ESOS Act and the National Code
- final registration or renewal, compliance monitoring and enforcement decisions as the national ESOS agency for schools.

#### **The Tuition Protection Service (TPS)**

The TPS is a placement and refund service to assist full fee paying overseas students whose registered providers are unable to complete their course of study. The TPS ensures that full fee paying overseas students can either:

- complete their studies in another course or with another registered provider; or
- receive a refund for unspent tuition fees.

The School is required to pay a TPS levy each year. The School has notification requirements regarding the amount of the TPS levy under section 26 of the ESOS Act. Under section 108 of the ESOS Act, it is a criminal offence, with a penalty of imprisonment for 12 months, for a person to provide false or misleading information under the notification requirements of section 26.

#### **Department of Home Affairs**

The Department of Home Affairs manages the administration of the student visa program under the Migration Act and the Migration Regulations.

The National Code sets out course attendance, progress and completion requirements for full fee paying overseas students that registered providers must monitor and report on, when

necessary, for the purposes of student visa administration.

## **State and Territory**

Under the ESOS Framework, the designated state authority (DSA) plays a role in administering ESOS-related functions for:

- school education programs
- English Language Intensive Courses for Overseas Students (ELICOS)
- Foundation Programs provided by the School
- school education courses delivered by other registered providers.

The DSA is given authority under the relevant state or territory legislation. The DSA makes recommendations to the Cth DET and assesses the School's suitability for CRICOS registration and re-registration, including imposing any conditions on the School's CRICOS registration.

The School's DSA is NESAs.

For more information on NESAs requirements please refer to **Additional Resources**.