



August 2019

# Education provider default

We have special arrangements in place to help you if you are affected by an education provider default.

Education provider default occurs when a registered provider in Australia has closed or is not able to deliver your course because of a sanction imposed on them.

If you would like information about your right to a refund of your course fees or placement in an alternative course you should refer to the Tuition Protection Service website at: <https://tps.gov.au/Home/NotLoggedIn>

## Students studying at the time of default

If you are affected by an education provider default while you are studying, your education provider should offer you a place in an alternative course that is acceptable to you at no additional expense, or pay you a refund of any unspent pre-paid tuition fees you have paid to them. We encourage you to work with your education provider to ensure you find a suitable alternative enrolment.

You should obtain a letter of offer or a Confirmation of Enrolment (CoE) for alternative studies within three months from the date your education provider defaulted. It is important you read information on the TPS website before seeking alternative enrolment.

If you hold a Student visa (subclass 500), you must enrol in a course that is at the same or higher Australian Qualification Framework (AQF) level. If you enrol in a lower AQF level course, you must apply for a new Student visa (subclass 500). The only exception is if you are changing from an AQF level 10 course (doctoral degree) to an AQF 9 course (masters degree), you will not need to apply for a new visa. If you hold a Student Visa (subclass 570 – 575), you will need to enrol in a course in the same sector or apply for a new Student visa (subclass 500).

You can travel outside Australia while waiting to be placed with a new education provider as long as you return while your visa is valid.

You are reminded to check your visa expiry date to see whether your new course can be completed before the expiry of your current visa. Your visa expiry date is listed on your visa grant notice or you can use Visa Entitlement Verification Online (VEVO).

If your new course will finish after the expiry date of your current visa, you will need to apply for a new Student visa (subclass 500) before your current visa expires. You may be eligible for a Visa Application Charge (VAC) waiver.

## Visa Application Charge exemption

If you need to apply for a new Student visa (subclass 500) due to an education provider default, you may be eligible for a VAC exemption. You must hold a student visa or your last substantive visa must have been a student visa.

You will need to indicate on your student visa application that you are affected by an education provider default and attach evidence of your enrolment with the new education provider, such as your CoE.

Your family members will only be eligible for a VAC exemption if they are included in your application, not if they apply separately.

Student Guardian visa (subclass 580 or 590) holders might also be eligible for a VAC exemption where the nominating student has been affected by an education provider default.

## **Provider default day**

To be eligible for a VAC exemption, you must apply for a further student visa no more than 12 months after the education provider default day.

If you have commenced studying with the education provider, the education provider default day is the day on which the course officially ceased to be provided by the education provider.

If you have not yet commenced studying with the education provider, the education provider default day is the 'agreed starting day' of the course. The agreed starting day will be the commencement date on your CoE.

## **More information**

More information about education provider default, including students not yet studying, pending student visa applications and students under the age of 18 affected by education provider default, is available at: <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500/education-provider-default>.

The Department of Education and Training also has a fact sheet with information for international students available at: <https://internationaleducation.gov.au/regulatory-information/pages/regulatoryinformation.aspx>.