Tertiary Education Quality and Standards Agency (Register) Guidelines 2016

The Tertiary Education Quality and Standards Agency hereby:

(i) revokes the Tertiary Education Quality and Standards Agency (Register) Guidelines 2015, made on 15 January 2015 under section 204 of the Tertiary Education Quality and Standards Agency Act 2011 (the Act); and

(ii) makes these Guidelines under section 204 of the Tertiary Education Quality and Standards Agency Act 2011.

This legislative instrument commences on 1 February 2016.

Dated: this 28 January 2016

Signed

Professor Nicholas Saunders AO
Chief Commissioner

Emeritus Professor Cliff Walsh
Commissioner

Ms Linley Martin
Commissioner
1 Name of Guidelines

These Guidelines are the Tertiary Education Quality and Standards Agency (Register) Guidelines 2016.

2 Objects

These Guidelines set out the information that the Tertiary Education Quality and Standards Agency (TEQSA) must include on the National Register of Higher Education Providers (National Register).

3 Interpretation

In these Guidelines:

Accreditation renewal date means the date on which TEQSA’s accreditation of a course of study is set to end.

Act means the Tertiary Education Quality and Standards Agency Act 2011.

Course of study has the same meaning as it has in the Act.

Higher education provider has the same meaning as it has in the Act.

Higher education provider with self-accrediting authority means a higher education provider authorised to self-accredit one or more courses of study under the Act.

National Register means the Register established pursuant to section 198 of the Act.

Provider category has the same meaning as in the Act.

Registered higher education provider has the same meaning as in the Act.

Registration renewal date means the date on which a registered higher education provider’s registration under the Act is set to end.

Regulated entity has the same meaning as in the Act.

Reviewable decision has the same meaning as in the Act.

Tertiary Education Quality and Standards Agency or TEQSA has the same meaning as in the Act.
4 Information on registered higher education providers to be included on the National Register

TEQSA will set out the following details on the National Register for each registered higher education provider:

(a) legal entity name
(b) trading name/s used for the provider’s higher education operations
(c) Australian Business Number (ABN) used for the provider’s higher education operations
(d) provider category
(e) registration renewal date and, for decisions made on or after 5 February 2015, the period for which the registration was renewed, granted or extended
(f) head office address
(g) website nominated by the provider for the provider’s higher education operations
(h) self-accrediting authority status

5 Previously registered higher education providers whose registration has expired, been withdrawn, or been cancelled

TEQSA will set out the following details on the National Register for each previously registered higher education provider, whose registration has expired, been withdrawn or been cancelled on or after 1 July 2013:

(a) legal entity name
(b) trading name/s used for the provider’s higher education operations
(c) the date on which the registered higher education provider’s registration expired, was withdrawn or was cancelled
(d) the name of each course of study of the provider that was accredited by TEQSA at the date on which the provider’s registration expired, was withdrawn or was cancelled.

6 Higher education providers with self-accrediting authority

(a) Each registered higher education provider with self-accrediting authority will have the following statement on their entry on the National Register:

The National Register does not include details of courses of study accredited within the scope of a higher education provider’s self-accrediting authority.
7 Details on courses of study accredited by TEQSA

TEQSA will set out the following details on the National Register for each course of study accredited by TEQSA:

(a) name of the course of study
(b) accreditation renewal date and, for decisions made on or after 5 February 2015, the period for which the accreditation was renewed, granted or extended

8 Details on courses of study previously accredited by TEQSA where the accreditation has expired or been cancelled

TEQSA will set out the following details on the National Register for each course of study previously accredited by TEQSA where the accreditation has expired or been cancelled on or after 1 July 2013:

(a) name of the course of study
(b) the date on which the accreditation of the course of study expired or was cancelled

9 Regulatory decisions

(a) Where TEQSA, or a delegate of TEQSA has made one of the following regulatory decisions on or after 1 July 2013:

(i) a decision under section 21 to grant an application for registration
(ii) a decision under section 32 to impose or vary a condition on a registration
(iii) a decision under section 36 on an application for renewal of registration
(iv) a decision under section 38 to change the category in which a provider is registered
(v) a decision under section 41 on an application to self-accredit one or more courses of study
(vi) a decision under section 49 to grant an application for a course of study to be accredited
(vii) a decision under section 53 to impose or vary a condition on an accreditation of a course of study
(viii) a decision under section 56 on an application for renewal of accreditation of a course of study
(ix) a decision under section 99 to shorten the period of an accreditation of a course of study
(x) a decision under section 99 to cancel the accreditation of a course of study
(xi) a decision under section 100 to shorten the period of a registration
(xii) a decision under section 101 to cancel a registration
(xiii) a decision under section 37A to extend a period of registration
(xiv) a decision under section 57A to extend a period of accreditation of a course of study

(b) TEQSA will include the following information about the decision on the National Register:
   (i) the name of the regulated entity to which the decision relates
   (ii) the decision that has been made

(ba) If TEQSA or a delegate of TEQSA decides to vary a condition under section 32 or 53, TEQSA is only required to include the varied condition on the National Register.

(bb) If TEQSA or a delegate of TEQSA decides to revoke a condition under section 32 or 53, TEQSA is not required to include the revoked condition on the National Register.

(c) TEQSA will include the information at paragraph (b) in relation to a decision specified at paragraph (a):
   (i) where the decision is a reviewable decision, either at the end of the period within which an application may be made for the review of the decision or at the end of the review process, whichever is the later;
   (ii) where the decision is not a reviewable decision, after the provider has been notified of the decision.

(d) Paragraphs (b) and (c) do not apply where, on review, TEQSA’s decision is varied or substituted with another decision of a kind listed in paragraph (a). In such cases, TEQSA will include the information in paragraph (b) in relation to the varied or substituted decision at the end of the review process.