



**Education Services for Overseas Students (Student default –
discharge of obligations – requirements for a notice)
Specification 2015 (No. 1)**

Education Services for Overseas Students Act 2000

I, RICHARD COLBECK, Minister for Tourism and International Education, make this instrument under subsection 47H(5) of the *Education Services for Overseas Students Act 2000*.

Dated 11 December 2015

RICHARD COLBECK
Minister for Tourism and International Education

1. Name of specification

This specification is the *Education Services for Overseas Students (Student default – discharge of obligations – requirements for a notice) Specification 2015 (No. 1)*.

2. Commencement

This specification commences on the day after the day it is registered.

3. Authority

This specification is made under subsection 47H(5) of the *Education Services for Overseas Students Act 2000*.

4. Revocation

The *Education Services for Overseas Students (Student default – discharge of obligations – requirements for a notice) Determination 2012 (No. 1)* (F2012L01384) is revoked.

5. Definitions

In this specification:

CoE (confirmation of enrolment) means a confirmation of enrolment for a course issued by a provider to an overseas student or an intending overseas student.

default has the same meaning as it has in section 5 of the Act.

PRISMS has the same meaning as Regulation 1.03 of the *Education Services for Overseas Students Regulations 2001*.

the Act means the *Education Services for Overseas Students Act 2000*.

6. Student default - discharge of obligations - requirements for a notice

- (1) For section 47H of the Act, a notice given by a registered provider must include, for each CoE for the student who is in default, the following:
 - (a) if the provider has not provided a refund in accordance with section 47E of the Act — the reason why it has not done so;
 - (b) if the provider has provided a refund in accordance with section 47E of the Act:
 - (i) the date that the refund was paid by the provider to the student;
 - (ii) confirmation that the refund amount was calculated in accordance with subsection 47E(4) of the Act;

- (iii) the date when the student default occurred.

Note The notice must also include the information required by subsection 47H(3) of the Act.

- (2) For section 47H of the Act, a notice given by a registered provider must be given by entering the required information into relevant fields in PRISMS.