

# MANAGING EDUCATION AGENT KIT



Australian  
School of  
Commerce

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## ABOUT EDUCATION MANAGING EDUCATION AGENT KIT

M.S Aviation Pty Ltd, trading as Australian School of Commerce (ASOC), will use only education agents who have been vetted through a thorough reference check to recruit overseas students. ASOC will regularly monitor the activities of these education agents to ensure they maintain the reputation and integrity of Australian education.

This Education Managing Education Agent Kit has been drafted to ensure that ASOC's marketing staff and education agents adhere to all necessary marketing and advertising procedures and also comply with the standards outlined in Standard 1, 2 & 4 of the National Code 2018.

The Kit will assist ASOC's marketing staff in tracking the processes and practices of education agents involved in recruiting overseas students, ensuring that these agents do not engage in any unethical practices.

## LEGISLATION ON EDUCATION AGENTS

### National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)

#### Standard 4

##### Education agents

- 4.1. The registered provider must enter into a written agreement with each education agent it engages to formally represent it and enter and maintain the education agent's details in PRISMS.
- 4.2. The written agreement must outline:
  - 4.2.1 the responsibilities of the registered provider, including that the registered provider is always responsible for compliance with the ESOS Act and National Code 2018.
  - 4.2.2 the registered provider's requirements of the agent in representing the registered provider as outlined in Standard 4.3
  - 4.2.3 the registered provider's processes for monitoring the activities of the education agent in representing the provider and ensuring the education agent is giving students accurate and up-to-date information on the registered provider's services.
  - 4.2.4 the corrective action that may be taken by the registered provider if the education agent does not comply with its obligations under the written agreement including providing for corrective action outlined in Standard 4.4
  - 4.2.5 the registered provider's grounds for termination of the registered provider's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5
  - 4.2.6 the circumstances under which information about the education agent may be disclosed by the registered provider and the Commonwealth or state or territory agencies.
- 4.3. A registered provider must require its education agent to:
  - 4.3.1. declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the registered provider
  - 4.3.2. observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students
  - 4.3.3. act honestly and in good faith, and in the best interests of the student
  - 4.3.4. have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
- 4.4. Where the registered provider becomes aware that, or has reason to believe, the education agent or an employee or subcontractor of that education agent has not complied with the education agent's responsibilities under standards 4.2 and 4.3, the registered provider must take immediate corrective action.

- 4.5. Where the registered provider becomes aware, or has reason to believe, that the education agent or an employee or subcontractor of the education agent is engaging in false or misleading recruitment practices, the registered provider must immediately terminate its relationship with the education agent or require the education agent to terminate its relationship with the employee or subcontractor who engaged in those practices.
- 4.6. The registered provider must not accept students from an education agent if it knows or reasonably suspects the education agent to be:
  - 4.6.1 providing migration advice, unless that education agent is authorised to do so under the Migration Act
  - 4.6.2 engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Overseas student transfers)
  - 4.6.3 facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa
  - 4.6.4 using PRISMS to create CoEs for other than bona fide students.

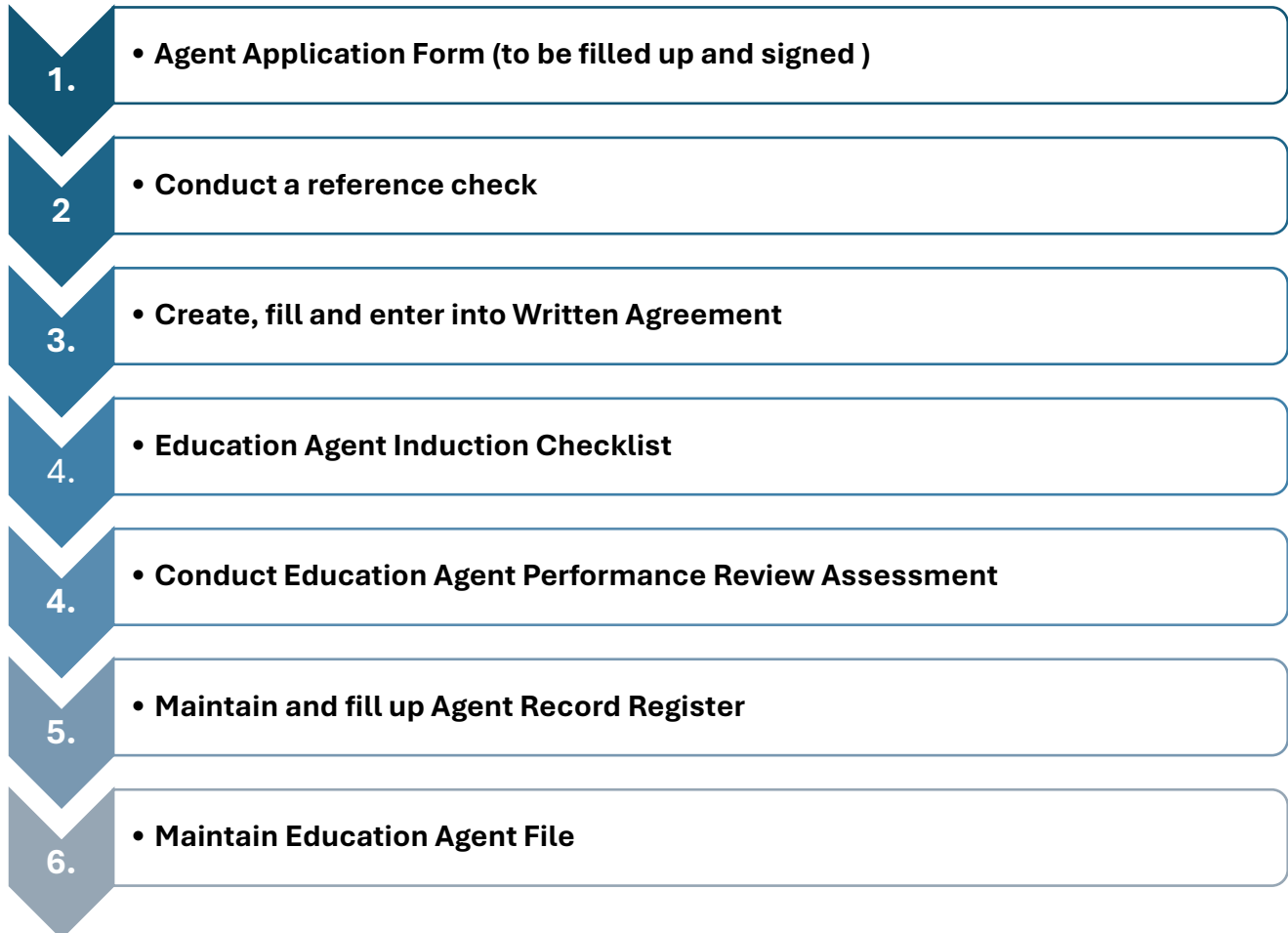
## **National Vocational Education and Training Regulator (Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements) Instrument 2025**

### **Division 3 – Accountability**

#### **17. Third party arrangements**

- (1) An NVR registered training organisation must ensure that where services are delivered by a third party on the organisation's behalf, the provision of the services is governed by a written agreement that:
  - a) is entered into by the organisation and third party as soon as reasonably practicable prior to the third party delivering any of the services set out in the agreement;
  - b) requires the third party to cooperate with the National VET Regulator where the Regulator conducts any audit of the NVR registered training organisation's operations;
  - c) requires the third party to provide accurate responses to requests for information from the Regulator relevant to the third party's delivery of the services;
  - d) prohibits the third party from:
    - i. using the NRT logo;
    - ii. using the organisation's branding;
    - iii. issuing any AQF certification documentation; and
  - e) contains the following particulars:
    - i. the business or trading names of the parties to the agreement;
    - ii. the dates on which the agreement will commence and end;
    - iii. all the parties' obligations concerning the delivery of the services; and
    - iv. an entitlement for the organisation to regularly monitor the quality of the services being delivered by the third party.
- (2) An NVR registered training organisation must notify the National VET Regulator of any written agreement made pursuant to subsection (1) within:
  - a) 30 calendar days of the agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first; and
  - b) 30 calendar days of the agreement ending.

## Education Agent Engagement Process\*



\*Detailed process of engagement with education agent has been provided in the policy and procedures. Refer to section 3 of the Engaging and Monitoring Education Agents policy specified below in this Education Managing Education Agent Kit.

## Engaging and Monitoring Education Agents policy

### 1. Purpose

Australian School of Commerce (ASOC) has implemented an “Engaging and Monitoring Education Agents” policy to ensure that education agents act ethically, honestly, and in the best interests of overseas students while upholding the reputation of Australia’s international education sector.

The purpose of this policy is to manage and monitor the activities of education agents to ensure they maintain the reputation and integrity of Australian education and possess appropriate knowledge and understanding of the international education system in Australia.

### 2. Policy

- Australian School of Commerce will only engage with those education agents who will provide true information and provide correct and current supporting documents.
- ASOC will formalise its relationship with each education agent through a written agreement as soon as reasonably practicable, and prior to the agent commencing any recruitment of prospective students on behalf of ASOC, as outlined in the agreement.
- ASOC will ensure that all education agents are aware of the following:
  - Their obligation is to cooperate with the National VET Regulator (NVR) if the Regulator conducts any audit of ASOC’s operations.
  - Their responsibility to provide accurate and timely responses to requests for information from the Regulator relevant to their services.

These obligations will be clearly outlined in the written agreement with each education agent and reinforced during the agent’s induction and ongoing training.

- ASOC will maintain the agent’s details on PRISMS, ASQAnet and Australian School of Commerce’s website.
- Australian School of Commerce will not enter into an agreement with any Education Agent or potential Education Agent if it knows or reasonably suspects the Education Agent of following unethical practices while recruiting students.
- Education agents engaged by Australian School of Commerce are required to be familiar with the Agent’s Code of Conduct. They must understand that providing incorrect or incomplete information, or withholding information, may result in the termination of their agreement with ASOC.
- Australian School of Commerce will notify the National VET regulator (ASQA) of any Written Agreements made with the education agent within:
  - 30 calendar days of the agreement being entered into, and
  - 30 calendar days of the agreement ending

In addition to this, ASOC will maintain the education agent’s details in PRISMS and will updated education agent’s list on Australian School of Commerce’s website accordingly whenever changes occur within 30 calendar days.

- Australian School of Commerce will always be responsible for complying with the ESOS Act 2000, the National Code 2018, and the 2025 Standards for RTOs comprising of National Vocational Education and Training Regulator (Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements) Instrument 2025 and National Vocational Education and Training Regulator (Outcome Standards for Registered Training Organisations) Instrument 2025.
- Australian School of Commerce will outline the circumstances under which information about the education agent may be disclosed to the Commonwealth or state or territory agencies in the Education Agent Agreement.

### 3. Procedures

#### 3.1. Education Agent Application Form

- Any education agent wishing to enter into an agreement to promote Australian School of Commerce will be required to complete an 'Education Agent Application Form', which will be available upon request.
- Australian School of Commerce will ensure that the Education Agent's application form is read and understood by education agents before it is duly signed. Education agents engaged by Australian School of Commerce must be aware of the Education Agent's Code of Conduct and understand that providing incorrect or incomplete information, or withholding information, may result in the rejection of their application.
- Appropriate levels of confidentiality and transparency shall be maintained when dealing with overseas students or prospective students, and education agents must act with honesty, good faith, and in the best interests of students.
- The completion of the Education Agent Application form does not provide permission or a guarantee that the education agent is able to act on behalf of Australian School of Commerce. The application will be reviewed and if successful, shall be required to sign a copy of 'Education Agent Agreement'.
- The application form will be considered by the Marketing Officer or representative from the marketing team and notification of the outcome of application will be provided in writing.

#### 3.2. Education Agent Reference Check

Reference checks will be conducted using an "Education Agent Reference Check Form" to assess the performance of education agents Australian School of Commerce wishes to engage with. This process ensures that claims made by education agents are genuine and accurate. It allows Australian School of Commerce to partner with Education Agents who are honest, truthful, and adhere to standards, such as not providing false information to overseas students or engaging in dishonest recruitment practices, as outlined in Standard 7 (Overseas student transfers).

The marketing officer or representative will complete the reference check using the Education Agent Reference Check Form. A minimum of two references shall be requested, with at least one reference check being mandatory.

Australian School of Commerce will review the responses from referees to see if the Education Agents' meet expectations. This evaluation will guide whether Australian School of Commerce proceeds to formally engage with the Education Agent.

- **\*Exceeds Expectations:** The Education Agent performs exceptionally well in all areas assessed. They have worked with the institution for a substantial time, submitted high-quality applications, support students very well during and after they enroll, give accurate information, and are highly recommended by the institution.
- **\*Meets Expectations:** The Education Agent meets the institute's standard requirements. They perform well in most areas, ensuring that applications are of good quality, cooperation is effective, and student support is adequate.

*\*Education Agents who exceed or meet Australian School of Commerce's expectations will be approved and will receive a formal agreement.*

- **\*Does Not Meet Expectations:** The Education Agent fails to meet the institute's expectations in one or more key areas, such as submitting low-quality applications, lacking cooperation or support for students, providing inaccurate information, or demonstrating questionable intentions in student referrals. If an Education Agent does not meet expectations and their performance falls below the



expected standard, their application may be rejected, and they will not proceed to a formal agreement.

- Any concerning factors will be discussed with the education agents, and a negative outcome may result in the rejection of the application.

### **3.3. Education Agent Agreements**

The Education Agent Agreement is a formal written contract between the Australian School of Commerce (ASOC) and its education agents, ensuring that both parties comply with their obligations and responsibilities in a fair and transparent manner. The written agreement primarily aligns with the requirements set out in the National Code 2018 under the ESOS Act 2000, which governs education and training providers for overseas students and their agents. It also ensures compliance with the responsibilities of education agents as outlined in Division 3 – Accountability – Third Party Arrangements of the National Vocational Education and Training Regulator (Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements) Instrument 2025.

Upon approval, each Education Agent must sign and return the Written Agreement before commencing recruitment services and promotional activities on behalf of Australian School of Commerce. Agents who are approved and have a signed Agreement will receive an Education Agent's fee as specified in their individual Agreement.

The agreement specifies that promotion of Australian School of Commerce is authorised only for the named Education Agent, and any subcontractors or employees must be authorised separately by Australian School of Commerce.

The original signed Education Agent agreement shall be kept in the Education Agent's file and the Education Agent shall receive a copy. The signed Education Agent agreement will be kept in the Education Agent file for at least 2 years after the education agent ceases to be an accepted agent.

Australian School of Commerce requires its education agents to:

- Declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the Australian School of Commerce. This will ensure that Education Agents prioritise the interests of the students and the provider without being influenced by personal or conflicting interests.
- Maintain appropriate levels of confidentiality and transparency in their dealings with overseas students and/or intending overseas students.
- Act honestly, in good faith and in the best interests of the student.
- Have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.
- These requirements uphold ethical standards, safeguard student interests, and preserve the integrity of education agents in facilitating international educational opportunities.

### **3.4. Agent Marketing Materials**

Once an Education Agent has been approved and registered with Australian School of Commerce, they will be given access to digital, hard copies of the most current and up-to-date marketing materials such as Student Handbook. A meeting will be conducted with the education agent, either face-to-face or via phone, to discuss course information. Any changes to the marketing materials will be communicated and provided to the education agent in accordance with the 'Australian School of Commerce Marketing Policy and Procedures' (available in the Marketing Kit). If needed, training opportunities will be identified during the meeting, and education agents will be provided with the necessary information.

Education Agents are required to ensure that students are informed of ASOC's commitment to inclusion and diversity. ASOC is dedicated to providing a safe, inclusive, and culturally respectful learning



environment that supports all students, including those from First Nations communities and diverse backgrounds.

This process also ensures that education agents are able to inform students about the range of support services available, including academic support, wellbeing services, reasonable adjustments, and the flexibility offered to help students meet cultural obligations within ASOC's inclusive and supportive learning environment.

### 3.5. Education Agent Induction Checklist

As part of the induction process, an Education Agent Induction Checklist (Appendix 1) will be authorized to ensure that all education agents who have signed the Education Agent agreement receive comprehensive training and are informed about Australian School of Commerce's policies and procedures. The checklist includes the following key components:

- **Marketing Materials:** Ensuring the Education Agent uses only accurate and current marketing materials.
- **Course Information:** Detailed briefing on course content, entry requirements, mode of study, duration and breaks, prerequisites, and English language proficiency.
- **Educational and Support Services:** Overview of the services available to students.
- **Agent Code of Conduct:** Review of the ethical standards and professional conduct expected of Education Agents. Education agents will be informed and made aware of their requirement to Have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics and comply with it at all times.
- **Communication Protocols:** Guidelines for effective communication with prospective students and Australian School of Commerce's staff.
- **Training and Support:** Information on available training opportunities and ongoing support resources.

Education agents will be clearly advised that they are strictly prohibited from using the Nationally Recognised Training (NRT) logo, ASOC's official branding, or issuing any AQF certification documents under any circumstances. These functions are the sole responsibility of ASOC as the Registered Training Organisation (RTO) and will not be performed by any third party or representative.

The checklist will ensure that education agents are equipped with the necessary information and materials to effectively represent Australian School of Commerce and provide accurate information to prospective students.

### 3.6. Agent Performance Review Assessment and Renewal

- Australian School of Commerce will conduct Performance review of the education agent using the "Education Agent Performance Review Assessment" form. This assessment review will be conducted annually to ensure that Australian School of Commerce's partner education agents act ethically, honestly, and in best interest of students' while providing accurate and sufficient information in accordance with the 2025 Standards for RTOs, the National code 2018 and other Australian laws. This assessment will aim to ensure that all Education Agents uphold Australian School of Commerce's reputation in the international education sector.
- The Marketing Officer or representative will assess the Education Agent's performance using the "Education Agent Performance Review Assessment" form.
- If an Education Agent fails to meet the duties and responsibilities outlined in the Education Agent Agreement, the Marketing Officer or representative will review the criteria where expectations were not met, discuss the Education Agent's performance, and determine appropriate actions. Training initiatives will be identified to address performance gaps, and specific criteria will be discussed to help Education Agents meet expectations.
- For example, if an Education Agent does not meet expectations in customer service, Australian School

of Commerce will notify the Education Agent, schedule a meeting to provide training, and clarify the institute's expectations.

- Renewal of the Education Agent agreement will be based on the performance review. If the Education Agent continues to fail in meeting their duties or responsibilities, even after receiving training, Australian School of Commerce will not grant a renewal, and the Education Agent agreement will be terminated.

Performance review outlines performance criteria which include, but is not limited to:

- Compliance with Education Services for Overseas Students Act 2000 (ESOS Act) and the National Code 2018 Standard 4-Education Agents:** If Education Agent has been handling its duties and responsibilities as per the Standard 4 of the National Code 2018 and as per their written agreement.
- Maintains appropriate level of confidentiality and transparency in dealings with overseas students or intending overseas students.
- Act honestly and in good faith, and in the best interests of the student.
- Application Processing:** Time taken by Education Agents to 10authoriz documents from students in support of the application.
- Response to enquiries:** If Education Agents are responding to enquiries made by students regarding their course and/or Australian School of Commerce . These enquiries also include the enquiries made by Australian School of Commerce 's staff about students enrolled with Australian School of Commerce through the Education Agent.
- Student satisfaction:** Students are required to fill out a survey form through which student's satisfaction level is decided. Any negative response in the feedback survey will initiate monitoring and corrective action process as described in this policy and in the written agreement.
- Use of marketing material:** Education Agent must use current marketing materials to promote courses at Australian School of Commerce for accurate and up-to-date information.
- Outcome of promotional activities:** Attending promotional activities conducted by Australian School of Commerce.
- Participation in any events/Course Information session/Workshops/Seminars:** Attending and completing the training conducted by Australian School of Commerce, e.g. course information sessions, workshops, seminars etc.

Education Agent's performance will be marked as meeting expectations, not meeting expectations and exceeds in meeting expectations based on above performance criteria.

- **\*Exceeds Expectations;** An Education Agent who performs all duties and responsibilities as outlined in the written agreement, and who demonstrates exceptional performance beyond the standard requirements, will be considered exceeding expectations.
- **\*Met Expectations:** An Education Agent who fulfills all duties and responsibilities as specified in the written agreement, even if they fail to attend workshops or have infrequent communication, will be considered as meeting expectations. This will indicate that the Education Agent meets expectations.

*\*Education Agents who exceed or meet Australian School of Commerce 's expectations will continue with their engagement under the current terms and will be eligible for renewal of the agreement.*

- **Did not meet expectations:** An Education Agent who fails to perform their duties and responsibilities, or who receives negative feedback from students, will be considered as not meeting expectations. In such cases, Australian School of Commerce will take corrective action as outlined in the written agreement, such as providing additional training. If the Education Agent does not engage in corrective actions, their agreement may be terminated, and renewal may be denied.

During the Education Agent performance review assessment process, if an Education Agent does not participate in corrective action, the institute will send warning letters to the Education Agent. If the Education Agent fails to respond to these letters or notifications, it will result in the termination of the written agreement.

### 3.7. Education Agents Monitoring Register

The Education Agent Monitoring register will be used to keep a record of education agent's performance and monitor education agents' activities in line with this policy. Australian School of Commerce will ensure that the Education Agent monitoring register has details about all the Education Agents who have recruited overseas students on behalf of Australian School of Commerce. This will help in monitoring the performance of the Education Agent from the recruitment stage until the last stage.

Details of corrective action taken if the Education Agent has not complied with the education agent's responsibilities as mentioned in standard 4 of the National code 2018 will be recorded in the Education Agent register.

The Education Agent monitoring register will record the following details:

- Education Agent Details: Name, Family Name, Business Name, Trading Name
- Adherence to Recruitment and Engagement Procedures: Ensuring the Education Agent Application Form is signed, conducting Reference Checks, and confirming completion of the Education Agent Agreement.
- PRISMS, ASQAnet and Website Compliance: Ensuring Education Agent details are added to PRISMS, ASQAnet and website within 30 calendar days of recruitment/ termination or if Education Agent ceased to operate.
- Supply of Marketing Materials: Ensuring agents receive essential items like the student handbook.
- Activity Monitoring: Recording the review of Education Agent performance and tracking completion of required training.
- Corrective Actions: Documenting responses to breaches of the Education Agent Agreement or National Code 2018/ESOS Act 2000.
- \*Maintenance of Education Agent Files: Ensuring the accuracy and completeness of Education Agent files.

\*Education Agent File will include:

- Completed Education Agent application form
- Completed Education Agent reference check form
- Signed Education Agent written agreement
- Education Agent company's profile
- Company Business Registration Certificate
- Certifications such as Qualified Education Agent Counsellor (QEAC), Migration Agents Registration Authority (MARA), ISANA Memberships.
- Education Agent Performance Review Assessment.

The Australian School of Commerce's Marketing Officer or a representative from the marketing staff will maintain this Register for each Education Agent throughout their recruitment, monitoring, performance review, and renewal processes. The Marketing Officer will also use this tool to verify whether agents' details have been entered into PRISMS, ASQAnet and ASOC's website.

Note: Australian School of Commerce will regularly undertake training for Education Agents.'

### 4. Monitoring Education Agents

As an Education Agent representing Australian School of Commerce, the Education Agent's activities in relation to promoting Australian School of Commerce will be monitored throughout the year to ensure that the Education Agent is acting in the best interests of Australian School of Commerce, the student, and the Australian education system. These monitoring activities will be conducted regularly, and it will require the Education Agent's participation and contribution. These activities include, but are not limited to:

- Documented face to face meetings and/or teleconferences with Education Agents.
- Document instances on the Education Agent's file where students claim to have been misinformed about their studies at Australian School of Commerce. All such instances will be reviewed by the Education Agent. Repeated instances of misinformation on the same issues may lead to a warning and/or termination of the Education Agent's written agreement.
- Surveying current and prospective students about the information provided to them by the education agent and the level of assistance given to the student to assist them in travelling to Australia.
- Spot checks to be undertaken by representatives of Australian School of Commerce both at the Education Agent's premises and at promotional events. This will be done to check if Education Agents have attended the events or if they are providing true and current information to students.
- **The above activities will form part of determining performance review of the education agents.**

Monitoring Education Agent's activity will help Australian School of Commerce to ensure that:

- Current marketing materials are being used
- Accurate and up-to-date information is given to the students
- Education Agents are acting in good faith and in the best interests of the student.
- Education Agents understands the Australian International Education and Training Agent Code of Ethics
- Education Agents maintain an appropriate level of confidentiality and transparency in dealings with overseas students or intending overseas students.
- Feedback will be discussed verbally and documented in the Education Agent's file and where corrective or preventative action is required, the Education Agent will be informed in writing.
- Where corrective and/or preventative action is required, the Education Agent will be required to demonstrate that action has been implemented within 2 weeks of receiving the notice. If the Education Agent does not implement the action required, their agreement will be terminated.
- Australian School of Commerce will monitor Education Agent's performance on annual basis and ensure Education Agent is using approved marketing material for promoting Australian School of Commerce courses and providing accurate information to prospective students about the course requirements and expectations.
- The monitoring of the Education Agent's activity will be conducted throughout the year, including documented face-to-face meetings and/or teleconferences with Education Agents. Australian School of Commerce will perform an internal review of the Education Agent's activities as outlined in the written agreement. The Marketing Officer or representative will review the Education Agent's performance annually using the "Education Agent Performance Review Assessment."
- The review will be undertaken by the Marketing Officer or a representative of the marketing staff.
- Further monitoring of Education Agents' activities and conduct with prospective students may be gained (if required) through feedback collected from students upon enrolment or during Induction.
- Where Australian School of Commerce becomes aware or has a reason to believe that the education agent or any other related party has not complied with Australian School of Commerce's student recruitment processes, CEO will determine the level of risk and either:
  - Determine that no further action is required except for monitoring future evaluations, or
  - Instruct Marketing Officer or representative from the marketing staff to discuss the alleged issue with the Education Agent, and if necessary, re-induct the Education Agent, or
  - Advise the Education Agent that their duties are suspended, pending a formal investigation, OR
  - Cancel the Education Agent's contract

- Australian School of Commerce will not accept students from the Education Agent if it knows or reasonably suspects the Education Agent to be:
  - Providing migration advice, unless the Education Agent is authorized to do so under the Migration Act.
  - Engaged in or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of Australian School of Commerce under Standard 7 of National Code 2018.
  - Facilitating the enrolment of the student who the Education Agent believes will not comply with his/her visa conditions.
  - Using PRISMS to create CoEs for other than bona fide students.
  - Australian School of Commerce will report back to Education Agents during the period of the written agreement to provide feedback on the Education Agent's performance if it is not up to mark as per the responsibilities of the Education Agents.
  - Any issues that are identified will be discussed in the Senior Management Meetings and if required, discussed with the Education Agent. This meeting/discussion will be documented and kept in the Education Agents file.
  - Where corrective and/or preventative action is required, the Education Agent will be required to demonstrate that this action has been implemented within 2 weeks of receiving the notice.
  - If the Education Agent does not implement the action required, their agreement will be terminated.

## 5. Corrective Action

If at any point during the term specified in the written Agreement, Australian School of Commerce believes or reasonably suspects that the Education Agent is negligent, careless or incompetent or is engaged in false misleading or unethical advertising or recruitment practices, or has reason to believe, the Education Agent or an employee or subcontractor of that Education Agent has not complied with the Education Agent's responsibilities, the Agreement will be immediately terminated. Alternatively, Australian School of Commerce may decide at its discretion to engage in corrective action with the Education Agent.

These activities may include but are not limited to:

- Targeted training on expectations of the Education Agent.
- Providing additional information

## 6. Subcontracting

- The Education Agent must not assign the Agreement or any rights under the Agreement without the prior written consent of Australian School of Commerce (which may be withheld at its discretion).
- The Education Agent must not subcontract to any person the performance of any of its obligations under this Agreement without the prior written consent of Australian School of Commerce (which may be withheld at its discretion).
- Despite any subcontract, the Education Agent remains liable for performing its obligations under the Agreement.
- The Education Agent must terminate any agreement with its staff and a sub-contractor if they become aware of, or reasonably suspect, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under National Code 2018 Standard 7 (Overseas student transfers), whereby Australian School of Commerce must not knowingly enrol the student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study) or any of the other dishonest practices outlined above.

## 7. Termination



- Either party may terminate the Education Agent Agreement at any time by giving the other party 30 days prior written notice.
- If the Education Agent breaches any provision of the Agreement, Australian School of Commerce may terminate the Agreement at any time and with immediate effect by giving written notice to the Education Agent.
- Where Australian School of Commerce becomes aware that, or has reason to believe, the Education Agent or any employee or subcontractor of the Education Agent has not complied with the Education Agent's responsibilities stated in the agreement under standard 4.2 and 4.3 of National Code 2018, Australian School of Commerce will take immediate corrective action or may terminate the Education Agent agreement with immediate effect.
- Where Australian School of Commerce becomes aware that, or has reason to believe, the Education Agent or any employee or subcontractor of the Education Agent is engaging in false or misleading recruiting practices, Australian School of Commerce will immediately terminate the agreement and relationship with the Education Agent or may ask the Education Agent to terminate its relationship with the employee or the subcontractor who engaged in those practices.
- On termination of this Agreement, the Education Agent must submit all applications and fees from prospective students received up to the termination date; and immediately cease using any advertising, promotional or other material supplied by Australian School of Commerce and return all material to Australian School of Commerce.

#### **Related documents:**

Education Agent Application form  
Education Agent Reference Check Form  
Education Agent Agreement  
Education Agent Performance Review Assessment  
Education Agent Monitoring register  
Appendix1- Education Agent Induction Checklist  
(Appendix 1)

## Appendix 1: Education Agent Induction Checklist

<b>Agent's Details:</b>				
<b>Agent Name:</b>				
<b>Agent Address:</b>				
<b>Contact Number:</b>		<b>Email:</b>		
<b>Induction checklist:</b>		<b>Yes</b>	<b>No</b>	<b>Comments (if any)</b>
<b>Marketing Materials</b>				
The Education Agent has been informed that all marketing materials used by them and provided to students must be current and up to date.				
The Education Agent has been made aware that any marketing and promotion of Australian School of Commerce (ASOC)'s courses and education services performed by The Education Agent (in accordance with Standard 4, NC 18) must not be false or misleading and should be consistent with Australian Consumer Law.				
The Education Agent has been briefed on how updates to marketing materials will be communicated and the importance of using current marketing materials.				
The Education Agent has been made aware of the ASOC's commitment to inclusion and diversity and understands available support services, including academic, wellbeing, reasonable adjustments, and cultural flexibility, as outlined in ASOC's materials and policies.				
<b>Course Information</b>				
The Education Agent has been provided with a detailed briefing on course content, including units, course duration, holiday breaks, and learning outcomes.				
The Education Agent is aware of the required English language proficiency levels and acceptable tests or qualifications.				
The Education Agent is aware of the specific entry requirements, including academic qualifications, computer literacy, Language Literacy and Numeracy, materials and equipment required etc.				
The Education Agent understands the prerequisites or prior knowledge required for the course.				
The Education Agent has been explained of the modes of study for the courses being delivered at ASOC.				
The Education Agent is aware of the campus locations and facilities, indicative tuition and non-tuition fees, including advice on the potential for changes to fees over the duration of a course and ASOC's				



cancellation and refund policies through the marketing material supplied by ASOC.			
The Education Agent is aware of the grounds on which the overseas student's enrolment may be deferred, suspended or cancelled.			
<b>Educational and Support Services</b>			
The Education Agent has been given an overview of the educational support services available to students, including counselling, intervention strategy, accommodation advice, and support.			
The Education Agent has been informed about the counselling services and support available for student wellbeing.			
The Education Agent understands that information on student support services is available in the student handbook and the student support policy accessible on ASOC's website <a href="https://asoc.edu.au/">https://asoc.edu.au/</a>			
The Education Agent has been briefed on the procedures for accessing emergency support services and provided information on availability of Student Safety and Security Kit, critical incident policy on ASOC's website <a href="https://asoc.edu.au/">https://asoc.edu.au/</a>			
<b>Agent Code of Conduct</b>			
The Education Agent has been made aware on the ethical standards expected, including acting honestly and in good faith, and in the best interests of the student.			
The Education Agent has been made aware of the need to observe appropriate levels of confidentiality and transparency in dealings with overseas students or intending overseas students.			
The Education Agent has been made aware of their requirements to undertake services in accordance with the ESOS Act, the National Code 2018, and the National Vocational Education and Training Regulator (Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements) Instrument 2025.			
The Education Agent has been made aware of their obligations and responsibilities as outlined in The Education Agent agreement.			
The Education Agent is aware that they are required to participate in activities that allow ASOC to monitor, evaluate, and review the services provided by the education agent to ensure compliance with the written agreement.			
The Education Agent is aware that ASOC's will assess education agents' performance annually to monitor their performance.			
The Education Agent has been informed that they need to act ethically, honestly, and in best interest of students' while providing accurate and sufficient information in accordance with the National Vocational Education and Training Regulator (Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person			

Requirements) Instrument 2025, the National code 2018 and other Australian laws.			
The Education Agent has appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.			
The Education Agent understands that he must declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of ASOC.			
The Education Agent understand the grounds on which the "Education Agent Witten Agreement" may be terminated.			
The Education Agent understands that ASOC won't accept students from education agent if they are engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Overseas student transfers)			
The Education Agents has been made aware that ASOC will not accept students from education agents who are providing migration advice, unless that education agent is authorised to do so under the Migration Act.			
The Education Agents has been made aware that ASOC will not accept students from education agents who are facilitating the enrolment of a student whom they believe will not comply with the conditions of their visa.			
The Education Agent has been made aware that ASOC will not accept students from education agents who are providing migration advice, unless that education agent is authorised to do so under the Migration Act.			
Education agents are aware that they must not use PRISMS to create CoEs for other than bona fide students.			
Education Agents have been advised that they are strictly prohibited from using the Nationally Recognised Training (NRT) logo, ASOC's official branding, or issuing any AQF certification documents under any circumstances.			
<b>Communication Protocols</b>			
The Education Agent has been provided with guidelines for effective communication with prospective students, including tone and clarity.			
The Education Agent is aware of the expected response times for inquiries and follow-up communications.			
The Education Agent understands the importance of documenting communication with students and staff.			
The Education Agent has been informed about the process for escalating issues or concerns that cannot be resolved directly.			
The education agent has been informed of their obligation to			

cooperate with the National VET Regulator where the Regulator conducts any audit of ASOC's operation			
The education agent is aware that they must provide accurate and timely responses to requests for information from the Regulator relevant to the education agent's services.			
<b>Training and Support</b>			
The Education Agent has been informed about available training initiative and workshops/seminars.			
The Education Agent understands the ongoing support resources available.			
The Education Agent has been briefed on opportunities for professional development and staying updated with industry trends.			
The Education Agent is aware of the process for providing and receiving feedback on performance and training.			
<b>Privacy</b>			
The Education Agent is aware of the circumstances under which information about the education agent may be disclosed to the Commonwealth or state or territory agencies. These circumstances are clearly outline in the signed agent agreement.			
<b>Any Additional Comments:</b>			
<b>Marketing representative Signature:</b>		<b>Date:</b>	