

H ESOS REPORTING

Legislation

EDUCATION SERVICES FOR OVERSEAS STUDENTS ACT 2000 - SECT 19

Giving information about accepted students

- (1) A [registered provider](#) must give the [Secretary](#) the following information within 14 days after the event specified below occurs:
- (a) the name and any other prescribed details of each [person](#) who becomes an [accepted student](#) of that [provider](#);
 - (b) for each [person](#) who becomes an [accepted student](#)—the name, starting day and expected duration of the [course](#) for which the student is accepted;
 - (c) the prescribed information about an [accepted student](#) who does not begin his or her [course](#) when expected;
 - (d) any termination of studies by an [accepted student](#) before the student's [course](#) is completed;
 - (e) any [change](#) in the identity or duration of an [accepted student's](#) [course](#);
 - (f) any other prescribed matter relating to [accepted students](#).
- (2) A [registered provider](#) must give the [Secretary](#) particulars of any breach by an [accepted student](#) of a [student visa](#) condition relating to attendance or satisfactory academic performance as soon as practicable after the breach occurs.
- (3) Information required under this section must be given in a form approved by the [Secretary](#). The approved form may be electronic.

Note 1: The Minister may take action under Division 1 of Part 6 against a [registered provider](#) that has breached this section. A breach of this section is also an offence: see section 104.

Note 2: It is an offence to [provide](#) false or misleading information in complying or purporting to comply with this section: see section 108.

Unincorporated registered providers

- (4) If the [registered provider](#) is an unincorporated body, then it is instead the [principal executive officer](#) of the [provider](#) who must give the [Secretary](#) the information as required under this section.

EDUCATION SERVICES FOR OVERSEAS STUDENTS ACT 2000 - SECT 20

Sending students notice of visa breaches

- (1) A [registered provider](#) must send an [accepted student](#) of the [provider](#) a written notice if the student has breached a [student visa](#) condition relating to attendance or satisfactory academic performance.

Note 1: The Minister may take action under Division 1 of Part 6 against a [registered provider](#) that has breached this section. A breach of this section is also an offence: see section 104.

Note 2: It is an offence to [provide](#) false or misleading information in complying or purporting to comply with this section: see section 108.

- (2) The [registered provider](#) must send the notice as soon as practicable after the breach.
- (3) The notice must be in a form approved by the [Secretary](#) of the [Immigration Minister's](#) Department.

EDUCATION SERVICES FOR OVERSEAS STUDENTS ACT 2000 - SECT 20

(continued)

(4) The notice must:

- (a) contain particulars of the breach; and
- (b) [state](#) that the student is required to attend in [person](#) before an officer (within the meaning of the *Migration Act 1958*) at a specified place within 28 days after the day specified in the notice as the date of the notice, for the purpose of explaining the breach; and
- (c) [state](#) that the student must present photographic identification when so attending; and
- (d) set out the effect of sections 137J and 137K of that Act.

Unincorporated [registered providers](#)

(5) If the [registered provider](#) is an unincorporated body, then it is instead the [principal executive officer](#) of the [provider](#) who must send the notice as required under this section.

Compliance requirements

Sections 19 and 20 of the ESOS Act place two key obligations on providers. These are 1) to ensure all 'accepted' students are issued with a electronic Confirmation of Enrolment form (CoE) within 14 days of being accepted for enrolment and to notify DEEWR of prescribed changes to a student's course also within 14 days of the event happening. 2) To notify DEEWR of breach of visa condition 8202 (visa condition relating to attendance and unsatisfactory academic progress). Section 20 imposes an obligation to advise students of any report for course progress or attendance (known as a section 20 notice).

Responsibility for issuing CoE's is shared across Monash between Enrolments (ESOS Reporting Officer), International Recruitment Services (issue CoE's for all commencing students), Campus Hubs (issue CoE's for continuing students) and Monash College Pty Ltd. To ensure that there are agreed processes concerning issuing of CoE's and student reporting, a [PRISMS manual](#) has been developed.

Compliance Obligations

Monash College Pty Ltd

- Advise ESOS reporting officer of any reports for unsatisfactory academic progress or attendance (MUELC only), discontinuation, failed to re enrol, suspensions, fee invalidation, early course completions
- Process reports for students taking intermission.

Enrolments

- Through the ESOS Reporting Officer notify DEEWR of any reports for discontinuation, intermissions, suspensions, unsatisfactory academic progress, fee invalidation, students granted permanent residency (students no longer ESOS), early course completions and students granted credit (longer or shorter course duration).

Campus Hub

- Notify DEEWR of returning students from suspensions or intermission,
- Notify DEEWR of any student that have had their enrolment reinstated for payment of fees and extensions to students course duration.
- Notify DEEWR of welfare changes for Under 18 students.

International Recruitment Services (IRS)

- Report pre enrolment changes to a students enrolment
- Process deferment of study for newly accepted students
- Process new acceptances
- Process welfare form 'Confirmation of Appropriate Accommodation and Welfare' (CAAW) for newly accepted Under 18 students
- Report non commencements to study for newly accepted students.