



Information for administrators and liquidators representing defaulting CRICOS education providers

Tuition Protection Service

The Tuition Protection Service (TPS) is an Australian Government initiative that assists international students on student visas in the event of an education provider default or a student default.

Managing affected students after a provider default

As the appointed administrator/liquidator representing a defaulting education provider, you play a critical role in protecting students' interests after a provider default. There are specific obligations that the provider is still required to meet in accordance with the *Education Services for Overseas Students Act 2000* (ESOS Act). It is your responsibility to ensure these obligations are understood, prioritised, and fulfilled in a timely and compliant manner.

1. The obligations detailed below are given under Subdivision A of Division 2 of Part 5 of the ESOS Act.
 - a. Following a provider default, a provider must give notices to its ESOS Agency, the TPS Director and its students in accordance with section 46B of the ESOS Act. The notices must comply with the legislative instrument made under subsection 46B(6) of the ESOS Act.
 - b. Under section 46D of the ESOS Act, a defaulted provider must discharge its obligations to the overseas students or intending overseas students in relation to whom the provider has defaulted.
 - c. A provider must discharge its obligations to students within the provider obligation period of 14 days after the default day.
 - d. A provider discharges its obligations to students if:
 - i. the provider arranges for students to be offered a place in a course in accordance with subsection 46D(4) and the student accepts the offer in writing; or
 - ii. the provider provides a refund in accordance with subsection 46D(6). The refund must be of the amount worked out in accordance with the legislative instrument made under subsection 46D(7) of the ESOS Act.
2. Ensure that affected students are provided with clear, accurate, and timely information about their options and that their consent is obtained for any placement decisions. Any communication sent to students referencing the TPS should be approved by the TPS team prior to sending, to ensure the messaging is clear and aligned.
3. It is important that you engage with the TPS and the relevant regulatory bodies including the Australian Skills Quality Authority (ASQA) and/or the Tertiary Education Quality and Standards Agency (TEQSA), all of whom are committed to supporting providers and are happy to offer guidance and assistance as needed throughout the process.
4. You are likely to be approached by one or more education providers offering to take on affected students following a provider default. You are not obligated to select only one provider. Consider multiple providers to ensure the best fit for different student needs and circumstances.

You can contact the TPS by emailing support@tps.gov.au or by calling [1300 131 798](tel:1300131798).