

Regulator Statement of Intent

This Statement of Intent (SOI) sets out our intentions as the Accountable Authorities of the Tuition Protection Service (TPS) and how we will meet the expectations outlined by the Minister for Education, the Hon Jason Clare MP, and the Minister for Skills and Training, the Hon Andrew Giles MP, in the joint Ministerial Statement of Expectations (SOE), signed on 4 November 2025.

Overview

The TPS is an Australian Government initiative which safeguards Australia's reputation as an education destination by supporting registered education and training providers to understand and meet their obligations to students, and supporting eligible students whose education provider closes, fails to start a course or unit of study, or stops offering a course or unit of study to enrolled students.

The TPS assists international students, eligible domestic students accessing loans through the VET Student Loans (VSL) program, or the Higher Education Loans Program (HELP) and Higher Education Up-front Fee-paying students. The 3 schemes of the TPS are set out in *the Education Services for Overseas Students Act 2000* (ESOS Act), *the Higher Education Support Act 2003* (Cth) (HESA Act), *the VET Student Loans Act 2016* (Cth) (VSL Act), *the Tertiary Education Quality and Standards Agency Act 2011* (Cth) (TEQSA Act) and relevant subordinate legislation.

The TPS performs key regulatory functions for the Commonwealth, and works in close collaboration with other Commonwealth agencies, as well as state and territory governments and agencies, across both the Education and Skills and Training portfolio.

The TPS is managed by the TPS Director, an independent statutory office holder operating within the Department of Education and appointed by the Minister for Education. To the extent that the TPS' work relates to higher and international education, the Secretary of the Department of Education is the accountable authority. A component of the TPS's work relates to Vocational Education and Training Student Loans, and for this work, the Secretary of the Department of Employment and Workplace Relations is the accountable authority. The TPS Director is responsible for administering and delivering the following regulatory functions:

- determining levy amounts and facilitating levy collections from education and training providers each year, including imposing legislated penalties for non-payment or late payment
- determining whether an education provider has closed, failed to start a course or unit of study, or stopped offering a course or unit of study to enrolled students and has not met obligations to those students under relevant legislation, resulting in a call being made on the relevant fund(s) and
- managing the three funds as distinctly separate special purpose accounts (Overseas Student Tuition Fund, Higher Education Tuition Protection Fund, and VSL Tuition Protection Fund) in a way that ensures funds are available for student placement fees, student refunds and student loan-recredits.

Government policy priorities and objectives

The TPS will support the [APS Regulatory Reform Agenda](#) as well as the Government's [productivity agenda](#) by maintaining effective and fit-for-purpose regulation, to support a well-functioning regulatory framework with improved transparency, productivity and capability.

The TPS will contribute to the regulatory reform process by continuing to:

- streamline regulatory processes and reduce duplication of regulatory functions
- implement the regulator best practice principles in our decision-making, policies, processes and communication practices
- adopt a risk-based approach to regulation that better balances risk mitigation with efficiency, growth and dynamism
- maintain effective and collaborative partnerships with other Commonwealth, state and territory agencies
- enhance regulatory outcomes and compliance by maintaining open working relationships with our regulated entities
- strive for continuous improvement against the principles of regulator best practice as set out in Resource Management Guide 128 (RMG128)

These actions will help improve efficiency, foster economic growth and resilience, and ensure regulatory practices enable innovation while maintaining essential safeguards.

Principles of regulator best practice

Consistent with the [Regulatory Policy, Practice and Performance Framework](#), the TPS supports and embodies the 6 principles of regulatory best practice. These are embedded into the operation of our regulatory functions and related performance reporting processes.

In the implementation of new government policy, the TPS will continue to maintain their strong commitment to regulatory best practice. We will ensure that any work to identify and improve on regulatory processes considers relevant findings and recommendations of key policy reviews, legislative requirements, and other government direction.

The TPS will continue to engage with our regulated entities across VSL, higher education and international education in a range of ways to support compliance and understanding of the regulatory framework. Where possible and appropriate, the TPS uses an educative approach to regulation that is responsive and targeted.

The TPS will apply a proportionate risk-based regulatory approach that targets effort where it is most needed, minimising unnecessary burden on low-risk entities and maintaining essential safeguards for students. This approach is grounded in transparency, evidence and continuous improvement.

As part of this commitment, the TPS will also support the work of the TPS Advisory Board on the 4 annual levy settings to ensure there are sufficient reserves in the relevant funds to meet potential demand, the levy amounts are reasonable for providers, and accumulated reserves are appropriate and sustainable.

Innovation and regulatory change

The TPS operates in a dynamic environment influenced by a range of global and domestic factors that affect how our functions are delivered. The TPS continually monitors this environment to ensure our regulatory approaches keeps pace with changes in technology, industry practices and community expectations. It is therefore important to assess our changing social and economic landscape, improve preparedness, and adapt and respond accordingly.

As part of responding to the global regulatory environment, the TPS will seek opportunities to engage with international regulatory bodies and forums. This engagement will focus on sharing best practices, aligning regulatory approaches where appropriate, and strengthening preparedness for cross-border challenges in the education sector. The TPS will monitor international trends to ensure our regulatory practices remain contemporary and support Australia's reputation as a trusted education destination.

The TPS will also regularly review and, where necessary, adjust policies, protocols and operating procedures, to ensure we can respond to the changing social, technological and commercial context in which we operate.

Relationships with external parties

Relationship with other regulators

The TPS Director is supported by an Advisory Board with representatives from higher education, vocational education, peak bodies and government whose primary purpose is to provide advice on the risk settings for the TPS domestic and international levies.

The TPS will continue to collaborate and work closely with key government departments and sector regulators such as the Australian Skills Quality Authority (ASQA), the Tertiary Education Quality and Standards Agency (TEQSA), the Training Accreditation Council Western Australia (TACWA), the Victorian Registration and Qualifications Authority (VRQA), and the Office of the Commonwealth Ombudsman through formal agreements and ongoing engagement.

Relationship with the Ministers and portfolio

We recognise the significant role the TPS has in supporting Ministers and the government more broadly to ensure effective regulation for the education system. The TPS will continue to foster productive relationships through consistent, timely and transparent engagement, ensuring supporting Ministers and other portfolios are informed on relevant regulatory and policy developments. The TPS will continue to carry out its regulatory functions and exercise its powers to the highest standard.

Reporting and transparency

The TPS are committed to transparency and accountability and will continue to meet our performance and reporting responsibilities as set out in the PGPA Act, including through our corporate plan and annual report. We regularly review our performance measures and key activities to mature our reporting practices, tools and guidance to foster a strong performance culture.

We will publish the SOI and your SOE on our websites as appropriate, and make available through the Department of Finance's Regulator Stocktake website.

Mr Tony Cook PSM
Secretary
Department of Education

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Ms Tania Rishniw
Acting Secretary
Department of Employment and Workplace Relation

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