



Agent Commissions Data Collection

Principal Executive Officer Fact Sheet

Purpose

This fact sheet provides guidance on the requirements of providers for the Department of Education's first education agent commissions data collection, authorised under section 21B of the [Education Services for Overseas Students Act 2000](#) (ESOS Act).

It is intended to help senior officers understand what must be reported, who should be involved, what decisions should be made before submission, and the governance steps that support a complete and accurate submission of information.

The guidance is general in nature and does not constitute legal, accounting or professional advice. Providers should consider their own circumstances and seek professional advice where appropriate.

Background: What is this and why does senior leadership need to be involved?

Section 21B of the ESOS Act allows the Secretary of the Department of Education (the department) to request specified information about education agent commissions given by, or on behalf of, a registered provider over a specified reporting period in connection with the recruitment of accepted students.

The first collection round requires CRICOS registered providers to provide information about commissions for the period 1 January to 30 June 2026 (the reporting period). The opening and closing dates will be specified in the Secretary's written request and displayed in PRISMS.

For each agent business, providers are asked to report:

- number of accepted students: students who require a student visa and for which an agent commission has been paid or given in the reporting period
- direct commissions paid or incurred: monetary amounts attributable to specific student acceptances
- indirect commissions paid or incurred: monetary amounts that are not attributable to specific student acceptances
- non-monetary benefits: a short text description of non-cash benefits provided to an education agent or associate.

Providers are required to submit the requested information within the timeframe specified in the Secretary's request and should ensure that information provided is complete, accurate and supported by appropriate records. Under the ESOS Act, non-compliance with this request for information, including providing false or misleading information, constitutes an offence (see subsection 21B (7) and section 108 of the ESOS Act).

Senior leadership involvement is important because the return may require coordinated input from international recruitment, admissions, finance, legal, governance, records management and PRISMS administration teams.

Why the department is collecting this information

Education agents are an important part of Australia's international education sector. The first agent commissions data collection will help the department build a consistent evidence base about agent commission arrangements across the sector.

The information collected will support policy development, regulatory oversight and future consideration of how aggregate information may be reported back to the sector. As this is the first collection, the department will analyse submissions and seek feedback from the sector before confirming any specific reporting arrangement.

Operational reporting arrangements

The request for information is expected to be emailed to Principal Executive Officers and PRISMS eBusiness contacts. Providers should ensure relevant contact details are up to date in PRISMS.

Operational point	Information for senior leaders
PRISMS reporting function	Reporting will occur through a dedicated PRISMS Commissions Reporting function. Confirm the provider has appropriate access and internal ownership.
CoE Administrator role	CoE Administrators will have the required access in PRISMS to complete the data collection. PEOs generally do not have this access – confirm which users can report in PRISMS.
Mandatory template	The Agent Commissions Reporting Template generated from PRISMS must be used. Changes to the template structure may result in validation errors.
Multiple CRICOS registrations	Providers with multiple CRICOS registrations should generate and submit the relevant provider-specific template for each registration.
Pre-populated agent data	PRISMS will pre-populate agent business data held in PRISMS, but providers may need to add, delete or modify data to reflect the ESOS definition of 'education agent' which may capture more entities than those agents already registered in PRISMS.

Frequently Asked Questions

1. What is the agent commissions data collection?

It is a statutory information collection under section 21B of the ESOS Act. The Secretary may request specified information about education agent commissions given by, or on behalf of, a registered provider over a specified period in connection with recruiting accepted students.

For each relevant agent business, providers are asked to report the number of accepted students for whom a related commission was paid or incurred in the period, direct commissions in Australian dollars, indirect commissions in Australian dollars, and a short description of any non-monetary benefits.

2. Does my provider need to report if we do not use education agents?

Yes. All providers must respond. If your provider has no agents to report, submit a nil declaration through the PRISMS Commissions Reporting screen. The department may validate responses and may follow up where a nil return appears inconsistent with other data.

3. Who is considered an education agent for this collection?

For this collection, an education agent is an entity, whether in Australia or overseas, that undertakes recruitment or related activities in relation to overseas students, or intending overseas students, for the provider and is not a permanent full-time or permanent part-time officer or employee of the provider. Providers should refer to section 6BA of the ESOS Act for the definition of education agent, as well as the [education agent and commissions fact sheet](#) for further guidance.

Providers should assess the substance of the arrangement. Casual employees, contractors, third-party companies and agents not currently listed in PRISMS may still be education agents if they undertake the relevant activities.

Role	Treatment for this collection
Permanent full-time or part-time employee	Not an education agent under the definition.
Casual employee doing recruitment work representing themselves as the provider	Likely to be an education agent. Assess the activity and arrangement, including the nature of the remuneration (e.g. whether it is fixed or outcome-based).
Third-party company or contractor undertaking recruitment or related activities on the provider's behalf	Likely to be an education agent. Report the agent business.
Agent that undertakes recruitment activities but is not listed in PRISMS	Still reportable if the entity meets the definition of education agent in s6BA of the ESOS Act.

4. What is an education agent commission?

An education agent commission is broader than a per-student cash payment. Under section 6BB of the ESOS Act, an education agent commission includes consideration or benefits, whether monetary or non-monetary, given to an education agent or an associate of the agent in connection with recruitment or related activities.

Category	What it covers	How to report
Direct commissions	Cash or cash-like payments attributable to the accepted students.	Report the amount in AUD.

Category	What it covers	How to report
Indirect commissions	Cash or cash-like payments connected with recruitment activity but not attributable to accepted students.	Report the amount in AUD.
Non-monetary benefits	Non-cash benefits such as paid travel, accommodation, merchandise, event support or free services.	Provide a short description of up to 255 characters per agent business or record "nil".

Please see the Agent Commissions Data Collection – Finance Officer Factsheet for more information on agent commissions definitions.

5. Which students are counted as accepted students?

Count a student against an agent only where the student is accepted for enrolment or enrolled in a course, is or will be required to hold a student visa, and has a direct commission reported in the period.

The practical rule is: if no direct commission is reported in the period, do not count the student for this collection, even if the student is currently enrolled with the provider.

6. How should agent businesses be reported?

Report each agent business once by agent business name. If an agent business operates across multiple countries or branches, one entry may cover the whole business. Do not report individual agents separately where they sit under the same agent business.

If an agent had no activity during the period but the relationship is ongoing, report the agent with zero students and zero commissions. If the relationship has ended and there were no reportable commissions or accepted students in the reporting period, the agent may be omitted for this reporting period.

7. How will the department use the data?

The department will use the data to begin building a consistent evidence base on education agent commissions across the sector. Section 175 of the ESOS Act permits publication of agent commissions data. Regulators, including ESOS agencies, may request or access the data as permitted under the ESOS Act.

The department will analyse submissions from the first collection and seek feedback from the sector before confirming any specific reporting arrangements.

8. What should a Principal Executive Officer sign off for publication?

The Principal Executive Officer (PEO) should be responsible for the correctness of the provider's submission. The department acknowledges that this is a complex undertaking. There may be variation in the quality of data that providers can submit in the first collection. Providers should nevertheless take reasonable steps to ensure submissions are complete, accurate and supported by appropriate records. PEOs should ensure:

- the provider has identified all agent businesses in scope, including agents not listed in PRISMS if they meet the definition
- the reporting basis has been agreed and applied consistently and in line with legislative requirements
- finance and recruitment records have been reconciled, including direct and indirect commission classifications, GST-exclusive treatment and foreign currency conversion where relevant
- accepted student counts are linked to related commission amounts reported in the period
- non-monetary benefits have been reviewed and described concisely
- nil returns have been tested against relevant recruitment and finance records
- working papers and decisions are retained to support any departmental or regulatory enquiries.

CoE Administrator users will be submitting the following declaration on behalf of the Principal Executive Officer when completing the agent commission collection:

I confirm that I am authorised to submit the agent commission report on behalf of the organisation, and that the information provided is true, correct, and complete in accordance with the *Education Services for Overseas Students Act 2000*.

9. What is the onshore transfer commission ban and why is it relevant?

The onshore transfer commission ban is a related compliance obligation under Standard 4 of the [*National Code of Practice for Providers of Education and Training to Overseas Students 2018*](#) (National Code). It prohibits providers from paying or giving an education agent commission for recruiting an overseas student who has already commenced study with another provider, subject to limited exceptions.

This data collection does not replace providers' obligations under the ban. Providers should have processes to identify whether a commission payment is permitted before it is paid or reported.

Please see the [onshore agent commissions ban fact sheet](#) for more information.

Quick reference: Governance and submission checklist

- ☑ Nominate an accountable senior officer and a working-level collection owner
- ☑ Confirm who will prepare, review and submit the PRISMS return.
- ☑ Extract all agent commission payments or obligations for 1 January to 30 June 2026.
- ☑ Prepare on an accrual basis where possible. A cash basis may be used where accrual information is unavailable or would not appropriately reflect the provider's records. Apply the selected basis consistently. Identify all agent businesses in scope, including offshore entities and agents not listed in PRISMS where relevant.
- ☑ Classify monetary amounts as direct or indirect using the attribution test (refer to Finance Officer Fact Sheet) and split mixed payments where possible.
- ☑ Prepare accepted student counts only where a direct commission is reported in the period.
- ☑ Record non-monetary benefits in 255 characters or fewer per agent business or record "nil".
- ☑ Perform reasonableness checks against recruitment, admissions, PRISMS, accounts payable and general ledger records.
- ☑ Submit the mandatory provider-specific PRISMS template within the collection window and retain appropriate records supporting the reporting approach.

This fact sheet is intended as a practical guide supporting the agent commissions data collection. It does not constitute accounting or legal advice. Where there is doubt, refer to the ESOS Act, the National Code and guidance published by the Department of Education.

Other support documentation

Providers may wish to refer to the:

- Finance Officer Factsheet
- PRISMS Agent Commissions Reporting Guidance
- [Education agent and commissions fact sheet](#)

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