



GUIDE

Guide to reporting obligations for CRICOS providers

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Introduction—why is reporting important?

CRICOS providers play an essential role in the regulation of well-functioning Vocational Education and Training (VET) and ELICOS sectors. This role is achieved primarily through accurate reporting of any changes to a student's enrolment. Reporting by CRICOS providers is a requirement under Section 19 of the [Education Services for Overseas Students \(ESOS\) Act 2001](#).

When CRICOS providers fail to meet their reporting obligations, this undermines the Department of Home Affairs' ability to maintain integrity in the simplified student visa framework (SSVF). In turn, this undermines public confidence in the VET and ELICOS sectors.

A strong international reputation underpins SSVF in Australia. However, this reputation has been damaged in the past by CRICOS providers who have failed to meet their obligations. For the continued strength of the SSVF, and to maintain Australia's international reputation in this area, CRICOS providers must meet their reporting obligations.

ASQA takes intentional and unintentional reporting breaches very seriously and will take swift and decisive action to rectify any violations we become aware of. This action is undertaken to protect Australia's international reputation as a provider of quality vocational education.

How to report

CRICOS providers must provide their reporting information through the [Provider Registration and International Student Management System \(PRISMS\)](#).

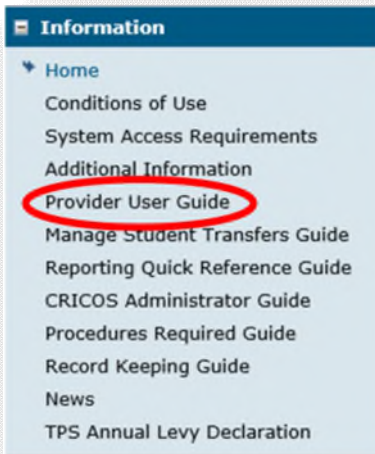
What is PRISMS?

PRISMS is a secure database developed jointly by the Department of Education, Skills and Employment and the Department of Home Affairs. PRISMS is used to administer the [ESOS Act](#) and provides a means for education and training providers to comply with legislative requirements by:

- a) issuing authentic confirmations of enrolments (CoE) as 'evidence of enrolment' in a registered full-time course, as required for the issue of a student visa by the Department of Home Affairs
- b) reporting changes in course enrolment, particularly where study ceases (non-compliance), or the duration of the study changes.

PRISMS also facilitates the monitoring of student compliance with visa conditions, as well as provider compliance with the [ESOS Act](#).

Please note: all reporting obligations must be made via [PRISMS](#).



The Department of Education, Skills and Employment has created a detailed [Provider User Guide](#) for CRICOS providers. The [Provider User Guide](#) can be found by clicking on the above link, or by going to the PRISMS homepage and selecting 'Provider User Guide' under the Information section on the left side of the screen.

Timeframe for entering the information into PRISMS

If a student is under 18, the information must be communicated through PRISMS within 14 days. For all other students, information must be provided within 31 days.

For further information around time periods see Section 36 of the [Acts Interpretation Act 1901](#).

What information do you need to report?

As a CRICOS provider, you are required to report information on the areas detailed in the following pages.

Student information

The following student information must be provided (via [PRISMS](#)) to the Australian Government for all accepted students:

- the student's full name
- the student's gender
- the student's date of birth
- the student's country of birth
- the student's nationality
- if the student is under 18 years old
- the current residential address, mobile phone number (if any) and email address (if any) of a person other than the provider who has the legal authority to act on behalf of the student
- the relationship of the person to the student (i.e. a parent or guardian)
- the unique identifier of the student's course and its location (the CRICOS course code)
- the agreed starting date of the course;
- the date when the student is expected to complete the course
- the dollar amount of tuition fees that the provider received from the student for the course, before confirming the student's enrolment using PRISMS



- if the provider is not a public provider—the start and end dates of the period to which the amount mentioned in paragraph (i) relates
- the dollar amount of non-tuition fees that the provider received for the student for the course, before confirming the student’s enrolment using PRISMS
- the total dollar amount of tuition fees that the student is required to pay to the provider to undertake the full course, in line with the written agreement entered into with the student
- if the student has undertaken a test to determine their level of comprehension of English, the name of the test and the score the student received (see: [476.213\(a\)](#) or [485.212\(a\)](#) of Schedule 2 of the [Migration Regulations 1994](#))
- if the student was in Australia when he or she became an accepted student, the number of the student’s passport
- if the student holds an Australian visa, the number of the visa.

Why is this information important?

Making sure an overseas student is who they say they are is crucial to the success of the visa system. This information is used to maintain integrity in the program.

It is also important that the Department of Home Affairs and the Department of Education, Skills and Employment know:

- where a student is
- when and where they are studying
- if the student ceases their studies.

Overseas students can be vulnerable to exploitation and trafficking. Education providers play a crucial role in supporting and protecting overseas students while they are in Australia. ASQA’s recent Strategic Review, *Protecting the quality of international VET and English language education*, found that CRICOS providers are vital in regulating and protecting overseas students during their stay in Australia.

Accepted students

A CRICOS provider must provide information to the Australian Government about any overseas student who becomes an accepted student. An accepted student is a student that a CRICOS provider has accepted onto their course role, and who has, or will require, a student visa to study in the course. Details of the student’s name, starting date and the expected duration of the course for which the student is enrolled must be provided.



Why is this information important?

It is a condition of an overseas student visa, and the criteria applicable to the grant of a visa that the student holds enrolment in a registered course of study. The Department of Home Affairs requires information about this enrolment for the assessment of student visa applications and the monitoring of visa condition 8202.

Non-commencement by students

CRICOS providers must inform the Department of Education, Skills and Employment (DESE) if a student does not commence their course. Providers are also obliged to give DESE the following information about the student:

- the current residential address
- mobile phone number (if any)
- email address (if any)
- all the information listed under [student information](#), if not already provided.

Why is this information important?

All overseas students are subject to condition [8202\(2\)\(a\)](#) as part of their student visa approval. This condition states that an overseas student must be enrolled in a full-time registered course. When a CRICOS provider reports a student for non-commencement of studies and the student does not hold any other enrolment, that student will be liable for cancellation of their visa.

If the student holds another enrolment, this information still may indicate that the primary purpose for the overseas student holding a student visa may not be for study. That student may then be liable for the Department of Home Affairs cancelling their visa as a non-genuine student. CRICOS providers form a vital component in maintaining the integrity of the student visa framework.

Termination of studies

As for [non-commencement](#), a CRICOS provider must notify DESE each time an accepted student terminates their enrolment before the completion of their course. The information that the CRICOS provider must supply when this occurs is the:

- the reason for termination
- the date the student's studies are terminated (whether or not the termination takes effect on that day)
- the last date of the student's studies
- the student's residential address, phone number and email address.



Changes of duration and identity

When a change to an overseas student's identity or the duration of a course occurs, CRICOS providers must inform DESE of this via PRISMS. This is important to ensure that the visa granted to the student, for a specific course with a specific duration, remains valid and the duration of that visa remains appropriate.

Where several CoEs are issued for the same course, CRICOS providers must create a Student Course Variation (SCV) in PRISMS. This SCV must be appropriate to the circumstances that have occurred to lengthen the course, such as 'implementing an intervention strategy' or 'unsatisfactory course progress'.

Instances where students have completed their studies early also require a SCV to be generated. In this situation it is important to issue an SCV that reflect that the student is no longer studying that course.

Please note: Failure to provide an SCV is a breach of Section 19(1)(e) of the [ESOS Act](#).

It is also important to remember that a CoE cannot be issued for a period longer than the registered length of the course. This is specified under Standard 8.2 of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (the National Code 2018).

When a report about duration changes occurs, CRICOS providers must also report:

- the date the change takes effect
- the student's residential address, phone number and email address.

The following are circumstances where an extension to a registered course can occur if an overseas student is unable to complete the course in the registered duration.

1. There are compassionate or compelling circumstances, as assessed by the registered provider on the basis of demonstrable evidence.
2. The CRICOS provider has implemented, or is in the process of implementing, an intervention strategy for the overseas student because the overseas student is at risk of not meeting course progress requirements
3. An approved deferral or suspension of the overseas student's enrolment has occurred under Standard 9 of the [National Code 2018](#).

If a CRICOS provider extends the duration of an overseas student's enrolment, they must advise the overseas student to contact the Department of Home Affairs and to seek advice on the potential impacts of the extension on their visa, including the need to obtain a new visa.



Why is this information important?

Any changes to the length of a CoE indicates an occurrence with a student that a CRICOS provider is obliged to report to Department of Education, Skills and Employment. There are SCVs available in PRISMS for each of these circumstances.

SCV reporting is central to the integrity of the overseas student visa framework. If a CRICOS provider shortens or lengthens a CoE without an SCV, then this undermines the Department of Education, Skills and Employment and the Department of Home Affairs ability to monitor and address issues within the framework.

Failure to create an SCV may allow an overseas student to circumvent their responsibilities under the [Migration Act 1958](#). Therefore, this reporting must occur to ensure appropriate regulation of the overseas student market.

Other circumstances

The following instances are the other circumstances where CRICOS providers are obligated to provide information to the Australian Government. In each of these instances, the CRICOS provider is also required to supply the information detailed under [Student information](#), if they have not already done so.

Providers must also send the overseas student's current residential address, mobile phone number (if any) and email address (if any), if not previously provided.

Education agent information

If an overseas student becomes an accepted student via an education agent, the CRICOS provider must provide the following information:

- (a) agent's name
- (b) address of the agent's principal place of business
- (c) if the agent is a body corporate, the address of the body corporate's registered office
- (d) agent's postal address (if different from the address mentioned in paragraph (b) or (c))
- (e) agent's phone number, email address and website address (if any)
- (f) agent's ABN or ACN (if any)
- (g) agent's trading name or names (if any)
- (h) if the agent is a body corporate, the names of the body corporate's directors
- (i) if the agent is a registered migration agent, the agent's Migration Agents Registration Number
- (j) the following information about each of the agent's employees (if any) who are involved in the agent facilitating the enrolment:
 - (i) employee's name
 - (ii) employee's email address
 - (iii) if the employee is a registered migration agent, the employee's Migration Agents Registration Number.



Already accepted students

Sometimes a student already accepted for a course by a provider may seek to enrol in a different course with the same provider. In this case, the CRICOS provider must notify the Australian Government of the information requirements specified in the following:

- [Student information](#)
- [Termination of studies](#)
- [Education agent information for accepted students](#) (if applicable).

Deferrals and suspensions

When a CRICOS provider gives an overseas student a deferral, then the following information must be provided:

- (a) date the deferment or suspension starts
- (b) expected duration of the deferment or suspension
- (c) student's residential address, phone number and email address
- (d) change to the end date of the course (if applicable)

If the CRICOS provider becomes aware that any of the above information changes, they must provide the updated information.

Course does not start when expected

If a course does not start when expected, and it was not due to an overseas student failing to commence, an education provider must notify the Australian Government and supply the affected student's residential address, phone number and email address. It should be noted that if the course did not start on the agreed starting day because the provider failed to start delivering the course on that day (and the overseas student had not previously withdrawn) then the provider has defaulted in respect of the student and the course at the location. If this is the case, that provider has further obligations to the student, and reporting obligations in PRISMS. These obligations are detailed further in ASQA's Guide to provider default obligations under the ESOS Act, which can be found at <https://www.asqa.gov.au/resources/guides/guide-provider-default-obligations-under-esos-act>.

Change to a course

CRICOS providers must report any changes to a student's course. This includes:

- date the change occurred
- whether the change will take effect on that day or not
- student's residential address, phone number and email address.

Providers must also notify any changes to the location of a course, including the date the change takes effect, and the student's residential address, phone number and email address.



Tuition fees

After each calendar month ends, CRICOS providers must give information to the Australian Government about course tuition fees received during that month. This information must state:

- amount of each payment made
- day the payment was made
- period to which the payment relates.

Breach of condition 8202(2)(c)

Visa condition 8202(2)(c) states:

- (c) must ensure that neither of the following subparagraphs applies in respect of a registered course undertaken by the holder:*
- (i) the education provider has certified the holder, for a registered course undertaken by the holder, as not achieving satisfactory course progress for section 19 of the Education Services for Overseas Students Act 2000 and the relevant standard of the national code made by the Education Minister under section 33 of that Act;*
- (ii) the education provider has certified the holder, for a registered course undertaken by the holder, as not achieving satisfactory course attendance for section 19 of the Education Services for Overseas Students Act 2000 and the relevant standard of the national code made by the Education Minister under section 33 of that Act.*

CRICOS providers must inform the Australian Government of any overseas student who demonstrates unsatisfactory course progress or unsatisfactory course attendance, as prescribed under Standard 8 of the [National Code 2018](#).

Reporting a breach of condition 8202(2)(c)

Before a student can be reported for breaching condition 8202(2)(c), CRICOS providers must attempt several preventative steps:

1. Providers must monitor their students' course progress and, where applicable, the attendance for each course in which they are enrolled.
2. Providers must identify if a student is at risk of presenting unsatisfactory course progress or attendance, **before** either situation occurs.
3. Providers must have a documented intervention strategy, and implement that strategy, before an overseas student demonstrates unsatisfactory course progress or attendance. They must also have a process in place for identifying the point at which an overseas student failed to meet their course progress or attendance requirements.
4. Any student who continues to demonstrate unsatisfactory course progress or attendance, regardless of intervention attempts, must be served with a notice of the provider's intention to report them to the Australian Government. This notice must specify the reason the provider intends to report the student, and advise the student of their right to access the provider's complaints and appeals process within 20 working days of receiving the notice. This is a requirement under Standard 10 of the [National Code 2018](#).



Once the above steps have been completed, CRICOS providers must meet one of the following requirements, specified under Standard 8 of the [National Code 2018](#), to report a breach of condition 8202(2)(c):

- 8.14.1 the internal and external complaints processes have been completed and the decision or recommendation supports the registered provider, or*
- 8.14.2 The overseas student has chosen not to access the internal complaints and appeals process within the 20 working day period, or*
- 8.14.3 The overseas student has chosen not to access the external complaints and appeals process, or*
- 8.14.4 The overseas student withdraws from the internal or external appeals processes by notifying the registered provider in writing.*

Please note: If an overseas student has sought review of a decision by a CRICOS provider with an external appeals process, the CRICOS provider must await the outcome of that process before they report the overseas student to the Australian Government.

Reporting of a breach of condition 8202(2)(c) must occur as soon as practicable after all criteria have been met to be able to report an overseas student for unsatisfactory course progress or course attendance.

CRICOS providers must also provide the following information when they report a breach of condition 8202(2)(c):

- student's residential address in Australia
- student's residential address overseas
- student's phone number and email address.

Please note: A CRICOS provider must still report an overseas student for unsatisfactory course progress or unsatisfactory course attendance even if they cease to be an accepted student.

Why is this information important?

CRICOS providers form a vital component in maintaining the integrity of the student visa framework, by ensuring students are meeting their visa requirements.

All overseas students have condition 8202(2)(c) imposed on their visa. This condition states that an overseas student must not have their registered CRICOS provider report that they have not met satisfactory course progress or course attendance requirements.

A student who is reported for breaching condition 8202(2)(c) is liable to have their student visa cancelled. If they do not have their visa cancelled, they will have to respond to this breach when they next apply for a student visa.

This reporting may also indicate that a student is not a genuine student, resulting in grounds for visa cancellation under Section 116(1)(fa)(i) of the [Migration Act 1958](#).