



Guide to Education Agent Ownership and Control Notification

Guide

Introduction

This guide has been created for providers who are registered under the *Education Services for Overseas Students Act 2000*. The guide explains how to notify ASQA if:

- you or an associate begin to own or control an education agent
- you or an associate change your ownership or control of an education agent
- an education agent or their associate begins to own or control your registered provider;
- an education agent or their associate changes their ownership or control of your registered provider.

Definition of an Education Agent entity

An education agent is defined as an entity (whether within or outside Australia) that is not a permanent full time or part time officer or employee of a provider and who engages in one or more of the following activities for a provider:

- recruiting overseas students or intending overseas students
- providing enrolment information, advice or assistance to overseas students or intending overseas students
- otherwise dealing with overseas students, or intending overseas students.

Definition of Associate

An associate is defined as:

- Your spouse or de facto partner
- Your child, or a child of your spouse or de facto partner
- Your parent, or the parent of your spouse or de facto partner
- Your sibling
- An officer of a company that is related to the provider
- A person who owns 15% or more of the provider
- A person entitled to receive 15% or more of dividends from the provider
- An administrator, receiver and manager, or liquidator of the provider (other than one appointed by a court)
- A trustee or person administering a compromise or arrangement involving the provider

- A principal executive officer or member of the governing body of an association, co-operative, or public body that is the provider
- A partner or officer of a partnership that is the provider.

Notifying ASQA

You can meet your obligation to notify ASQA by completing a Material Change notification using the [asqanet](#) portal. The below template is provided to ensure you record the relevant details. The details you record in the template should be entered under the 'Other Significant Event' option of the notification form.

The notification must be submitted no later than 10 business days after the event occurs.

Providing false or misleading information or failing to notify ASQA within the required timeframe may result in regulatory action under the ESOS Act. Please ensure all information is accurate and complete.

Education Agent Entity Ownership or Control Notification Template

Enter the below information under the 'Other Significant Event' option of the Material Change notification form. Complete all relevant sections before submitting. Delete any options that do not apply.

Type of change

I am notifying ASQA that: **(delete options that don't apply)**

- I or my associate have begun to own or control an education agent;
- I or my associate have changed the ownership or control an education agent;
- an education agent or their associate has begun to own or control my registered entity;
- an education agent or their associate has changed their ownership or control of my registered entity.

Education agent entity details

- Legal name:
- Alternate or trading names:
- Country of incorporation or registration:
- Company registration number in home jurisdiction (e.g. ABN/ACN in Australia):
- Head office address:
- Website URL or professional online presence (e.g. Facebook or LinkedIn):
- Contact phone number (this must be a contact number of the agent):
- The education agent undertakes the following activities: **(delete options that don't apply)**
 - Recruits overseas students
 - Provides advice or assistance to overseas students regarding my provider
 - Receives commissions or benefits for these activities
 - Other (please specify)

Ownership and control of an education agent **(delete option if it does not apply)**

- Full name of individual/entity with ownership/control:
- Relationship to you (e.g. self, spouse, business partner):
- Position or role in the Education agent business:
- Value or extent of ownership or control arrangement:
- Date ownership/control commenced or changed (DD/MM/YYYY):

Ownership and control by an education agent or their associate **(delete option if it does not apply)**

- Full name of education agent entity or their associate:
- Associate's relationship to education agent (e.g. spouse, business partner):
- Position or role in your registered entity:
- Value or extent of ownership or control arrangement:
- Date ownership/control commenced or changed (DD/MM/YYYY):