

CRICOS Education Agents Policy

Provider	The Bright College RTO 45752 CRICOS 03945D
Campus	Level 2, 440 William Street, Perth WA 6000
Policy version	3.1
Regulatory review	15 September 2026
Applies to	Overseas students on student visas / CRICOS operations
Policy owner	CEO / RTO Manager
Next review	15 September 2027 or earlier if legislation, registration conditions or operations change

Regulatory framework

- National Vocational Education and Training Regulator Act 2011 (Cth).
- National Vocational Education and Training Regulator (Outcome Standards for Registered Training Organisations) Instrument 2025 (effective for RTOs from 1 July 2025).
- Education Services for Overseas Students Act 2000 (Cth) (ESOS Act).
- Education Services for Overseas Students Regulations 2019 (current compilation).
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (current compilation F2026C00148, including the 2026 education-agent commission amendment).
- Migration Act 1958 (Cth) and Migration Regulations 1994 (Cth), where student visa or welfare arrangements are relevant.
- Competition and Consumer Act 2010 (Cth), Schedule 2 – Australian Consumer Law.
- Privacy Act 1988 (Cth), including the Australian Privacy Principles and Notifiable Data Breaches scheme.

1. Purpose and scope

This policy governs all education agents, employees and subcontractors acting on behalf of The Bright College in relation to overseas-student recruitment. It replaces the Version 3.0 education-agent policy for publication and operational use.

The Bright College's Management will only enter service arrangements with Education, Migration Agencies or Agents when their service activities have been agreed to and a Memorandum of Understanding (MOU) or contract of service is ratified and signed by the CEO. The details of each Education agent completing this form in agreement with its provisions must be entered into and maintained in PRISMS.

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2. Appointment and written agreement

- An education agent may act for the College only under a current written agreement approved by the CEO or authorised delegate.
- The agreement must specify responsibilities, permitted activities, monitoring, confidentiality and privacy, use of College marketing, conflicts of interest, commission/payment arrangements, corrective action, termination, record keeping and compliance with the ESOS framework.
- Required agent details must be recorded and maintained in PRISMS and the College must maintain and publish the list of its education agents as required by the ESOS Act.

Education Agents Procedure

- In entering a service agreement with an Education, Migration Agent or Agency (Agent), the CEO shall ensure that the **Memorandum of Understanding (MOU)** or contract of agreement includes the requirements for:
 - bi-annual review of the activities of the agent
 - updates of the agency name, name of the principal agent, legal entity and street address/es listed on The Bright College's website.
 - quarterly reports of agent activities
 - corrective action procedures
 - scheduled student enrolment information updates
 - termination conditions (immediate where failures to comply the Education Services for Overseas Students Act 2000 (ESOS Act) and National Code 2018 or migration act 1958 requirements are encountered)

Biannual Review

- Biannual Review by The Bright College's Management of the Agent must include:
 - a. the CEO's review of quarterly reports of Agent activities
 - b. the CEO's review of client satisfaction data 'Student – Agent service survey'
 - c. the CEO's review of current marketing materials in use by the Agent

Quarterly Reports

- A quarterly report must be provided by all Agents acting on behalf of The Bright College that includes:
 - a. advice concerning the number of The Bright College's Student Prospectus's made available to potential students
 - b. advice concerning the number of students that have completed The Bright College's application forms
 - c. advice concerning the number of students that have made application for Visas using the services of the Agent
 - d. advice concerning the number of students that have successfully gained Visas to study at The Bright College through the services of the Agent
- Further to the establishment of the MOU or Contract of Agreement the CEO shall ensure that:
 - Agents are provided with current and up to date information that relates to The Bright College's training and assessment services on offer to overseas students.
 - Agents provide current contact details for inclusion in The Bright College's Website. Contact details will include the agency name, name of the principal agent, legal entity, and street address/es.
 - Agents operating on The Bright College's behalf will be required to produce relevant certifications that relate to their service provision.

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- Agents operating on The Bright College’s behalf are screened (current references) to ensure that their service history is without contravention of the rules of the Migration agent’s code of practice or provisions of the Migration Act 1958.
- Agents will not be engaged in any service delivery where the Agent is known to have engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Transfer between registered providers) or from an education agent if it knows or reasonably suspects the education agent to be:
 - a. providing migration advice, unless that Service provider is authorised to do so under the Migration Act
 - b. engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Overseas student transfers)
 - c. facilitating the enrolment of a student who the Service provider believes will not comply with the conditions of his or her visa
 - d. using PRISMS to create CoE’s for other than bona fide students.
- The cancellation of the service agreement shall take effect immediately from the receipt of the written advice from The Bright College’s CEO.

Education Agent Details on PRISMS

- Registered providers must enter and maintain the details of education agents with whom they have a written agreement in PRISMS.
- A ‘How To’ guide for recording details in PRISMS is available at <https://prisms.education.gov.au/Information/ShowContent.ashx?Doc=How to Manage Agent Details.pdf>.

3. Agent conduct

- Agents must act honestly, in good faith and in the best interests of overseas students; provide accurate and current information; maintain appropriate knowledge of Australian international education; and be transparent about conflicts and relationships.
- Agents must not provide migration assistance unless legally authorised to do so.
- Agents must not engage in false or misleading recruitment, dishonest transfer practices, facilitate enrolment of students they believe will breach visa conditions, or misuse PRISMS/CoE processes.
- Agents must use only approved/current College marketing and must promptly correct any information the College identifies as inaccurate.

4. 2026 education-agent commission restriction

- Unless a National Code exception applies, the College must not pay an education-agent commission in relation to recruitment of an overseas student who has already commenced studying a course with another registered provider.
- Commission may be permitted where the student became an accepted student of The Bright College on or before 31 March 2026; where the relevant College course is specified in the CoEs for which the student’s student visa was granted; or where the College course commences after completion of the student’s principal course with the other registered provider.

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- Before approving commission for an onshore student transfer, Finance and International Admissions must document the factual basis and which National Code exception, if any, applies. If no exception is established, commission must not be paid.
- Agent agreements and commission schedules must expressly reflect this restriction.

5. Monitoring, corrective action and termination

Where The Bright College's Management becomes aware that, or has reason to believe, the education agent or an employee or subcontractor of that education agent has not complied with the education agent's responsibilities under standards 4.2 and 4.3 of the National Code 2018, The Bright College's Management will take immediate corrective action.

- Should evidence of incorrect or misleading information be identified by The Bright College's Management as being supplied by the **SERVICE PROVIDER** an immediate request for a written clarification will be sought by The Bright College's CEO. Should the response identify a misunderstanding or error of Educational services on offer by The Bright College, a request to rectify this immediately will be issued by The Bright College in writing with a written response concerning corrective actions applied to be received by The Bright College from the **SERVICE PROVIDER** within 3 days of the initial request.
- Should service provider or an employee or subcontractor of the service provider be found to be engaging in false or misleading recruitment practices, The Bright College's Management will immediately terminate its relationship with the **SERVICE PROVIDER** or require the **SERVICE PROVIDER** to terminate its relationship with the employee or subcontractor who engaged in those practices.
- Where an Agent refuses to respond to a corrective action enquiry or fails to abide by a corrective action request The Bright College's CEO shall cancel the service agreement immediately of the Agent and confirm the cancellation in writing.
- The cancellation of the service agreement shall take effect immediately from the receipt of the written advice from The Bright College's CEO
- The College will monitor agent performance using application quality, student feedback, visa/enrolment outcomes, marketing checks, complaints, transfer patterns, compliance concerns and other risk indicators.
- Where an agent, employee or subcontractor does not meet required responsibilities, the College will take immediate corrective action.
- All monitoring, corrective action, termination and commission decisions must be recorded.

6. Conflicts, privacy and records

Actual, potential and perceived conflicts of interest must be declared and managed. Student information may only be handled in accordance with the Privacy Act, the written agreement and authorised operational needs. Education-agent records must be retained and made available for regulatory review.

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