

Education Legislation Amendment (Integrity and Other Measures) Bill 2025

ATN Universities

14 November 2025

The Australian Technology Network of Universities (ATN Universities) appreciates the opportunity to provide comment on the *Education Legislation Amendment (Integrity and Other Measures) Bill 2025*. This submission builds on ATN Universities' previous submission regarding the ESOS amendment bill in June 2024.

1. The definition of 'education agent' in the Bill is too broad and needs replacement

The definition of 'education agent' proposed in the Bill is unchanged from the previous ESOS Amendment Bill. In its current form, it risks capturing entities and individuals not operating as agents in any meaningful or contractual sense, such as pathway providers or education service partners that do not receive commissions.

We support the revised definition proposed by the Innovative Research Universities (IRU):

An education agent is an entity that is contracted by a provider to undertake any one or more of the following activities in exchange for a commission:

- (i) *the recruitment of overseas students, or intending overseas students;*
- (ii) *providing information, advice or assistance to overseas students, or intending overseas students, in relation to enrolment;*
- (iii) *otherwise dealing with overseas students, or intending overseas students.*

The definition of an education agent does not include government agencies, or permanent or contracted employees of the provider (including those engaged through a third party) receiving ongoing salary and employment benefits.

This definition strikes a clearer balance between regulatory integrity and operational clarity, and would support better enforcement, transparency, and accountability in the sector.

2. ATN Universities supports TEQSA's expanded offshore regulatory function

We support amendments to the Tertiary Education Quality and Standards Agency (TEQSA) Act 2011 that authorise TEQSA to regulate offshore delivery of Australian higher education. These changes are timely and necessary, reflecting the growing significance of transnational education (TNE) to the sector.

ATN Universities has already provided detailed operational feedback directly to TEQSA on implementation, stressing the importance of a clear, principle-based definition of transnational education, proportionate, risk-based regulation that recognises the maturity of established providers and clear transition arrangements for existing offshore programs.

ATN Universities supports the intent of the Bill and welcomes strengthened integrity and enhanced oversight of offshore delivery. We encourage continued consultation with the sector to ensure smooth implementation of both the ESOS and TEQSA elements. ATN Universities and our members stand ready to assist the Government and regulators in delivering a strong, high-integrity international education system.

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