



Enabling CRICOS registration charges to be refunded

The Department of Education, Skills and Employment is proposing to amend the *Education Services for Overseas Students Act 2000* (ESOS Act) to allow for charges paid by providers on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) to be refunded in special circumstances. Adding a refund power into the ESOS Act will enable more flexible sector responses in the future.

The intention of this amendment is to enable the provision of rapid and sector-wide support to CRICOS providers in special circumstances, such as the current COVID-19 pandemic. This amendment will not apply to administrative errors, like returning overpayments, as that power already exists. Similarly, this amendment will not apply to waiving charges as there are existing powers under the *Education Services for Overseas Students (Registration Charges) Regulations 2011* to exempt new and existing providers from the requirement to pay CRICOS charges.

To be registered on CRICOS, providers must pay an Annual Registration Charge (ARC) and Entry to Market Charges (EMCs) to fund regulatory activities which support the integrity and reputation of the Australia's international education and training sector.

As part of the [Higher Education Relief Package](#), CRICOS providers are not required to pay any ARCs or EMCs for the period from 1 January 2020 to 30 June 2021. CRICOS providers who already paid a 2020 ARC or EMC were refunded in June 2020. As there is currently no legislative power under the ESOS Act to provide refunds, act of grace provisions in the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) were used to reimburse providers.

I am a CRICOS provider, how will this affect me?

This will have no effect on existing or new CRICOS providers and their registration. The purpose of this amendment is to allow refunds of charges to be made in special circumstances, if required in the future.

Providing comments on enabling CRICOS registration charges to be refunded.

Comments can be provided to the department until 5:00pm AEST on Friday 9 October 2020. Please send your comments to ESOS-PolicyTeam@dese.gov.au.