

CHANGES TO REGISTERED PROVIDER OWNERSHIP OR MANAGEMENT POLICY

Approving authority	Governing Board
Purpose	This policy sets out how the Institute notifies relevant authorities of changes to Institute operations or ownership that impact on the Institute’s capacity to meet requirements of relevant Acts and standards.
Responsible Officer	President and CEO
Next Schedule Review	September 2026
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated documents	Compliance Policy and Procedure Registering Courses on CRICOS Policy and Procedure

1. PRINCIPLES

This policy outlines the processes required by the Ozford Institute of Higher Education (hereafter referred to as ‘the Institute’) to notify relevant authorities about changes to Institute operations or ownership that impact on the Institute’s capacity to meet requirements of relevant Acts and standards.

The Tertiary Education Quality and Standards Agency Act 2011 specifies that the Tertiary Education Quality and Standards Agency (TEQSA) registers providers and accredits courses of study. The Institute is required to notify TEQSA of changes to Institute operations or ownership.

The Education Services for Overseas Students Act (ESOS) sets out the legal framework governing the delivery of education to overseas students studying in Australia on a student visa. The Australian Government administers the ESOS Act and its associated instruments and has delegated oversight of higher education providers registered to deliver courses to overseas students to TEQSA.

2. SCOPE

This policy to all staff and contractors involved in the Institute’s operations.

3. DEFINITIONS

Related person

A related person of the Institute

- an associate of the provider who has been, is or will be, involved in the business of the provision of courses by the provider;
- a high managerial agent of the provider.

High Managerial Agent

A high managerial agent of the Institute is an employee, agent or officer of the provider with duties of such responsibility that his or her conduct may fairly be assumed to represent the Institute in relation to the business of providing courses.

Material change disclosure

A material change disclosure is the disclosure of events that happen or are likely to happen that will significantly affect a provider's ability to comply with the HES Framework or that will require changes to the National Register or as required under the ESOS Act.

- Section 29(1)(a) of the TEQSA Act requires that a registered higher education provider must notify TEQSA if an event happens or is likely to happen that will significantly affect the provider's ability to meet the HES Framework.
- Section 29(1)(b) of the TEQSA Act requires that a registered higher education provider must notify TEQSA an event that will require the Register to be updated in respect of the provider.
- Section 29(2) of the TEQSA Act requires that the notification must be given no later than 14 days after the day the provider would reasonably be expected to have become aware of the event.
- Section 17A of the ESOS Act requires a provider to notify TEQSA of the following:
 - any occurrence of an event that would significantly affect the provider's ability to comply with the Act (subsection 17A(1) within 10 business days after the event occurs (subsection 17A(2)
 - any prospective changes to the ownership of the registered provider as soon as practicable before the changes takes effect (subsection 17A(3)(a)any prospective or actual change in relation to a related person of the provider (subsection 17A(3)(b)
 - if the change cannot be determined until it takes effect, within 10 business days of the change taking effect ((subsection 17A(3)(b)(i) or
as soon as practicable before the change takes effect ((subsection 17A(3)(b)(ii)

4. POLICY

4.1 The Institute will advise TEQSA of any material change that would:

- significantly affect the Institute's ability to meet the HES Threshold Standards;
- require the Register to be updated

4.2 The notification of the material event will be given no later than 14 days after the day the Institute would reasonably be expected to have become aware of the event.

4.3 The Institute will also advise TEQSA of any occurrence that would significantly affect its ability to comply with the ESOS Act or changes to its registration including:

- any prospective changes to the ownership of the Institute, including information on the new owner, as soon as practicable before the change takes effect; or
- any prospective or actual material change in relation to a related person of the Institute, where:
 - if the change cannot be determined until it takes effect—within 10 business days of the change taking effect; or
 - otherwise as soon as practicable before the change takes effect.
- substantial changes to its operation including any changes to its structure which might result in a new legal entity as the new entity.

- 4.4 Where there is any change in ownership, the Institute will assist TEQSA to obtain any information on the new owner or related person for the purpose of making an assessment under the ‘fit and proper person’ test.

5. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meets the requirements of the HES Threshold Standards the policy will be:

- 5.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier).
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

6. FEEDBACK

Feedback or comments on this policy is welcomed by the listed Responsible officers of the Institute.

7. ACKNOWLEDGEMENT

This policy was developed with reference to the following:

- UTS, ESOS Compliance Policy, 2022 ([ESOS Compliance Policy | University of Technology Sydney \(uts.edu.au\)](#))
- Ozford College, Changes to Registered Provider Policy (see Ozford website).
- Australian Government Department of Education, Standard 11: Additional requirements Fact Sheet ([Standard 11: Additional requirements - Department of Education, Australian Government](#))
- TEQSA, Notifications and approvals required of CRICOS registered providers webpage ([Notifications and approvals required of CRICOS registered providers | Tertiary Education Quality and Standards Agency \(teqsa.gov.au\)](#))

8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	June 2014	Initial issue	GB
2.0	March 2016	Internal Review	GB
3.0	September 2018	Internal Review	GB
3.1	September 2023	Internal Review	GB
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021		

	Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018
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Note:

GB = Governing Board