

Education Agent Agreement

Education Services for Overseas Students Act 2000 (Cwlth)



Schedule 1: Commission

Commission payable

GETI will pay the Commission, at rates set out in Table 1 below, for each student recruited by the Education Agent during the life of this Agreement (or after the expiry or termination of this Agreement, but only in the circumstances described in clause **Error! Reference source not found.**), provided that GETI is not obligated to pay the Commission with respect to any student recruited:

- (a) from outside the Recruitment Region; or
- (b) in a manner that contravenes the Act or the terms of this Agreement.

The Commission rate for certain students is determined by the Education Agent's rating within GETI's Education Agent Rewards Program (**EARP**) (see Table 2 below). The Education Agent's EARP rating will be determined by the number of applicable students recruited to Tasmanian Government education providers in accordance with this Agreement, including the EARP terms and conditions set out below.

Education Agent Rewards Program terms and conditions

- (a) To qualify for the EARP, the Education Agent must first be registered with GETI. All education agent agreements are reviewed annually as part of GETI's requirements under the Act.
- (b) Once a student has been recruited by the Education Agent under this Agreement, that student is added to the Education Agent's student recruitment tally for the purpose of calculating their EARP rating for the next Western calendar year (1 January to 31 December). See Tables 1 and 2 below.
- (c) The Commission rates vary according to the category of student recruited. The Education Agent's EARP rating is used to calculate the Commission only for those students in category 1A or category 1B of Table 1 below. The Commission for other student categories is paid at fixed rates, as set out in the same table (some of these categories still contribute to the Education Agent's tally for the purpose of calculating their EARP rating).
- (d) The Education Agent's EARP rating each calendar year is based on the number of applicable new students recruited to Tasmanian Government education providers by the Education Agent (in accordance with applicable law and the Education Agent's relevant agreement with GETI) in the preceding calendar year.
- (e) The Commission does not apply to any non-tuition fees paid or payable by a student, such as administration fees or homestay fees.

Calculation of Commission

Commission for each student is a single payment calculated only on the student's tuition fees for the first 12 months (or part thereof) of the student's relevant tuition. However, in the case of a student who continues from a high school program to a TasTAFE program, a further Commission (excluding any bonus) is payable only on the student's tuition fees for the first 12 months (or part thereof) of the student's TasTAFE tuition.

Otherwise, no further commission is payable with respect to a student's subsequent years of study or further courses. The Commission does not apply to any non-tuition fees paid or payable by a student, such as administration fees or homestay fees.

Commission payable with respect to each new student is calculated in accordance with the following formula:

$$C = (CR \times F) + B$$

where:

C is the Commission payable;

CR is the applicable Commission rate, determined in accordance with the tables below;

F is the total tuition fee payable by the student with respect to first 12 months (or part thereof) of the relevant course; and

B is the bonus (if any) determined in accordance with Table 2 below, payable only with respect to the recruitment of new category 1A students (see Table 1 below) and payable no more than once in respect of each individual student.

Table 1 below sets out the different rates of Commission for different categories of students:

Table 1 – rates of Commission

Category		Commission rate *	Recruitments in previous calendar year count toward EARP rating?
Junior, senior high schools, TasTAFE students	1A. Student visa holders, studying two years or longer	Commission rate (including bonus) based on current EARP rating (see Table 2 below)	Yes
	1B. Student visa holders, studying six months or longer, but less than two years	Commission rate (excluding bonus) based on current EARP rating (see Table 2 below)	Yes
	2. Students studying shorter than six months (includes visitor visa holders)	15%	Yes
	3. Other temporary/provisional visa holders (example: 485)	15%	Yes
4. Primary School students		15%	No
5. English language students		15%	Yes
6. Students who are dependents of primary visa holders		No Commission	No

For the purposes of calculating the Commission payable only for new category 1A students and category 1B students (see Table 1 above), including, in the case of category 1A students only, any applicable bonus, the EARP ratings are set out in Table 2 below:

Table 2 – Education Agent Rewards Program ratings

	Silver	Gold	Platinum
Number of applicable students (see column 3 of Table 1 above) recruited in previous calendar year	0-5	6-10	11+
Commission rate on new category 1A or category 1B student recruited during current calendar year	15%	20%	25%
One-time bonus per new category 1A student recruited during current calendar year	Nil	\$2,000	\$2,000

Timing and manner of payment of Commission

The Commission for each student becomes payable only when:

- (a) the student's tuition fees have been paid for the first 12 months (or part thereof);
- (b) those fees have been receipted;
- (c) the student has commenced study at the relevant education institution (i.e. the student has been recruited); and
- (d) GETI has received a correctly rendered invoice from the Education Agent.

The Education Agent is encouraged (but not required) to include Commissions for multiple students on one invoice where reasonably possible. There is no requirement to submit a separate invoice with respect to each student. However, GETI is not bound to accept an invoice or pay the Commission in respect of a student where the invoice is received more than three months after paragraphs (a), (b) and (c) above have been satisfied with respect to that student.

In instances where students change education agent during their enrolment application process, Commission will only be payable once by GETI, and will only be paid to the education agent GETI deems to be the appropriate recipient of the Commission in the circumstances.

Commission invoices

Education Agents must submit a formal tax invoice to GETI with respect to each Commission payment. Tax invoices must include the information set out in Table 3 below:

Table 3 – information to be set out in Commission invoices

Australian based Education Agents	Education Agents Outside Australia
<ul style="list-style-type: none">▪ Company name▪ Education Agent status (Platinum, Gold or Registered)▪ ABN (if applicable)▪ GST - clearly stated▪ Student/s name▪ Date of birth of the student▪ Name of course enrolled in and tuition fees charged in AU\$▪ Commencement date▪ Commission %▪ Bank details	<ul style="list-style-type: none">▪ Company name▪ Education Agent status (Platinum, Gold or Registered)▪ Student name▪ Date of birth of the student▪ Name of course enrolled in and tuition fees charged in AU\$▪ Commencement date▪ Commission %▪ Bank details including SWIFT Code

Unless notified otherwise in writing by GETI, the Education Agent is to post all invoices to:

Government Education & Training International
Department of Education
GPO Box 169
Hobart, Tasmania
AUSTRALIA 7001