

THIRD PARTY PAYMENT OF STUDENT FEES POLICY 2014

The Vice-Chancellor and Principal, as delegate of the Senate of the University of Sydney, adopts the following policy.

Dated: 8 July 2014

Date amended: 4 May 2018 (administrative amendments only)

24 March 2019 (administrative amendments only)

1 July 2020

21 July 2023 (administrative amendments only)

16 April 2024 (administrative amendments)

Signature:

Name: Prof Stephen Garton (acting Vice-Chancellor)

Current policy approver: Deputy Vice-Chancellor (Education)

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1 Name of policy

This is the Third Party Payment of Student Fees Policy 2014.

2 Commencement

This policy commences on 7 July 2014.

3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds the University, staff, students and affiliates.

4 Statement of intent

This policy:

- (a) specifies the circumstances in which the University may enter into arrangements with third parties for payment of student fees and expenses; and
- (b) specifies the University's requirements for recording and documenting such arrangements.

5 Application

- (1) This policy applies to:
 - (a) all University staff, students and affiliates; and
 - (b) non-award students as if they were students.
- (2) This policy does not apply to:
 - (a) the administration of memoranda of understanding entered into as part of the University's membership of the Group of Eight (Go8) Universities; or
 - (b) scholarships or prizes administered by the Scholarships Office.

6 Definitions

delegate	means a person or persons holding delegated authority from the Senate to undertake a particular action, as set out in the University of Sydney (Delegations of Authority) Rule .
domestic student	means any student who is an Australian or New Zealand citizen or a holder of an Australian permanent visa.
international student	means any student who is not an Australian or New Zealand citizen or a holder of an Australian permanent visa. An international student is required to hold a visa that allows study in Australia, and may be liable for international tuition fees.
program of study	means a course at the University, whether leading to the attainment of a recognised award (award course) or not (non-award course).
non-award student	means a person who is currently undertaking a program of study at the University which will not lead to the attainment of a recognised award (i.e. a non-award course).

relevant faculty officer	means the more senior of the Finance Manager or Associate Director Finance responsible for a particular faculty.
SRA	means the Student Centre, Student Recruitment and Admissions Group.
student	means a person who is currently admitted to candidature in an award course at the University. In this policy and any associated procedures, references to students include references to non-award students.
student fees and expenses	means including but not limited to all or any of the following: <ul style="list-style-type: none">• tuition fees• student services and amenities fees• preliminary course costs• incidental course fees• additional tutorial assistance costs• health cover costs• establishment allowance• other living expenses• travel expenses
student services and amenities fee	means the fee levied on students by the University to cover services and amenities of a non-academic nature.
third party	means an individual or entity, other than a student, who has agreed to bear costs associated with full or partial payment of student fees and expenses for a specified unit or units of study or for a specified period of time.
unit of study	means the smallest stand alone component of a program of study.

7 Third party payment arrangements generally

- (1) The University may enter into arrangements with third parties for the payment of student fees and expenses before the relevant student commences a program of study or part way through such a program.
- (2) Such arrangements may involve:
 - (a) a funding agreement between the University and the third party; or
 - (b) the provision of a financial guarantee to the University by the third party.
- (3) A funding agreement between the University and a third party must be recorded in writing in a form approved by the Office of General Counsel. This may be done by:
 - (a) use of a pre-approved template agreement, to which no substantial amendment is made; or
 - (b) preparation of a transaction specific document.

- (4) Third party payment arrangements may relate to individual students or to multiple students.
- (5) A third party may co-ordinate communications and provision of relevant information on behalf of a student or proposed student but is not permitted to accept any offer on that person's behalf.
- (6) A third party is not permitted to enrol or re-enrol on behalf of a student.

8 Arrangements to which the University is not a party

- (1) Where an arrangement exists between a student and a third party for payment of student fees and expenses and the University is not a party to that arrangement, the University will regard the student as liable for payment of all student fees and expenses owed to the University, unless the third party has provided a financial guarantee to the University.
- (2) The financial guarantee must:
 - (a) be recorded in writing, on the third party's official letterhead;
 - (b) be signed by the third party (if an individual) or by the third party's chief executive officer or equivalent (if an organisation); and
 - (c) specify:
 - (i) the full name(s) of the student(s) to which it applies;
 - (ii) the full and correct name of the third party, including any applicable company or business registration number;
 - (iii) the name(s) of the program(s) of study to be undertaken by the student(s);
 - (iv) the duration of the agreement, expressed in either years or semesters;
 - (v) a list of all student fees and expenses for which the third party is liable; and
 - (vi) the full name, position description and contact details of the individual responsible for dealing with the University on behalf of the third party.

9 Arrangements to which the University is party

- (1) The Executive Director, Student Administrative Services, is responsible for negotiating and managing all third party payment arrangements.
- (2) Agreements establishing such arrangements must be approved and executed by the relevant delegate.

Note: See [University of Sydney \(Delegations of Authority\) Rule](#).
- (3) In relation to international students:
 - (a) The Vice-President (External Engagement) must:
 - (i) ensure that the agreed arrangements are consistent with all applicable requirements imposed by the Australian government for the issue of the student(s) visas; and



- (ii) inform the relevant faculty officer of all such arrangements relating to students enrolled in each faculty.

Note: As at the date of this policy, information about visas is available from the Department of Home Affairs, at:
<https://www.homeaffairs.gov.au/Trav/Stud/More/Visa-conditions/visa-conditions-students>

- (b) The SRA must ensure that:
 - (i) information provided to prospective third party payers informs them of the key issues impacting student visas on or before the issue of offer letters to the relevant students;
 - (ii) offer letters inform the prospective students of such issues; and
 - (iii) the online enrolment process informs students of the current consequences of non-payment of student fees and expenses.

Note: See [Student Debtor Sanctions Policy](#)

- (4) In relation to domestic students, the Executive Director, Student Administrative Services, must:
 - (a) ensure that agreements for third party payment of domestic student fees and expenses specify:
 - (i) an initial term of no more than five years;
 - (ii) a maximum of one renewal of no more than five years;
 - (iii) the full and correct name of the third party, including any applicable company or business registration number;
 - (iv) the full name(s) of the student(s) the subject of the agreement, or (where applicable) the mechanism by which the student(s) subject to the agreement will be identified after enrolment;
 - (v) a list of all the student fees and expenses for which the third party is liable; and
 - (vi) the full name, position description and contact details of the individual responsible for dealing with the University on behalf of the third party;
 - and
 - (b) inform the relevant faculty officer of all such arrangements relating to students enrolled in each faculty.

10 Admission

Prospective students subject to third party payment arrangements must meet all applicable University admission requirements.

Note: See: [University of Sydney \(Coursework\) Rule; Coursework Policy; University of Sydney \(Higher Degree by Research\) Rule; Visa and Work Rights Policy](#).

11 Enrolment and re-enrolment

- (1) The student is responsible for his or her own enrolment or re-enrolment.
- (2) Enrolment may be cancelled or re-enrolment restricted, in certain circumstances. These may include failure to make required payments or to comply with the terms of a third party payment agreement.

Note: See clause 14 of this policy. See also: [Student Debtor Sanctions Policy](#); [University of Sydney \(Coursework\) Rule](#); [University of Sydney \(Higher Degree by Research\) Rule](#).

12 Changes to programs of study

- (1) A student who is subject to a third party payment arrangement who wishes to vary their program of study must notify the Executive Director, Student Administrative Services, and the third party of the proposed change.
- (2) The student must provide the Executive Director, Student Administrative Services, with evidence of notification to the third party.
- (3) The Executive Director, Student Administrative Services, will check that the proposed variation is consistent with the terms of the arrangement and will inform the student if it is not.
- (4) If the proposed variation would involve:
 - (a) the student exceeding the credit points required for an undergraduate award;
 - (b) extending the duration of a higher degree by research; or
 - (c) an inconsistency with the terms of the applicable third party payment arrangement;

the variation will not be accepted unless the Executive Director, Student Administrative Services, is satisfied that:

- (d) the third party will continue the arrangement consistently with the terms of the variation; or
- (e) the student will accept responsibility for payment of any applicable student fees and expenses.

13 Termination of third party payment arrangements

- (1) Any unpaid fees (including overdue amounts) will become immediately payable upon termination of the third party payment arrangement.
- (2) If, before a student has completed his or her program of study:
 - (a) a third party payment arrangement ceases; or
 - (b) the relationship between the student and the third party alters in a manner which may impact on the third party's continued payment of the agreed student fees and expenses

the student must notify the Executive Director, Student Administrative Services, as soon as practicable.

- (3) After receiving such a notification the Executive Director, Student Administrative Services, will consult with the student before determining the course of action to be taken in relation to any money owed to the University.

14 Failure to pay

If money owed to the University on account of student fees and expenses is not paid by the due date, the University may do either or both of:

- (a) impose sanctions on the student, in accordance with University policy; or
- (b) commence debt recovery action against the person liable for the outstanding amount(s).

Note: See [Student Debtor Sanctions Policy](#)

15 Privacy – provision of student information to third parties

- (1) The University will not provide student information, including information about a student's results, to a third party without the student's consent.
- (2) The student may provide such consent at the time the third party payment arrangement is established or subsequently.
- (3) The student may revoke any such consent by written notice to the Executive Director, Student Administrative Services.

16 Recordkeeping

The officer responsible for managing a third party payment arrangement is responsible for ensuring that appropriate records are created and maintained.

Note: See [Recordkeeping Policy](#) and [Recordkeeping Manual](#).

NOTES

Third Party Payment of Student Fees Policy 2014

Date adopted: 8 July 2014

Date registered:

Date commenced: 7 July 2014

Date amended: 24 April 2018 (administrative amendments only)

24 March 2019 (administrative amendments only)

1 July 2020

21 July 2023 (administrative amendments only)

16 April 2024 (administrative amendments)

Administrator: Executive Director, Student Administrative Services

Review date: 7 July 2019

Related documents: *University of Sydney (Coursework) Rule*
University of Sydney (Delegations of Authority) Rule
University of Sydney (Higher Degree by Research) Rule
Coursework Policy
Privacy Policy
Student Debtor Sanctions Policy
Recordkeeping Policy
Privacy Procedures
Recordkeeping Manual
Student Debtor Sanctions Procedures

AMENDMENT HISTORY

Provision	Amendment	Commencing
9(3)(b)(iii), 11(2) and 14	Link added in note.	27 October 2014
Various	Amendments to hyperlinks and references to other documents (administrative changes only)	17 February 2015
6; 9(2); Notes	Updated references to <i>University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016</i>	8 June 2017



Provision	Amendment	Commencing
6	Amended definition of SRA to Student Centre, Student Recruitment and Admissions Group	8 June 2017
9(3)(a)(ii) note	Updated external hyperlink and reference to Dept. of Immigration and Border Control	8 June 2017
9(3)(a)(ii) note	Remove external hyperlink and reference to Dept. of Immigration and Border Control and replace with hyperlink and reference to Department of Home Affairs.	4 May 2018
Notes	Replace Student Debtor Sanctions Policy with Student Debtor Sanctions Policy 2014	4 May 2018
Notes	Replace University Recordkeeping Policy with Recordkeeping Policy 2017	4 May 2018
Notes	Replace Student Debtor Sanctions Procedures with Student Debtor Sanctions Procedures 2014	4 May 2018
9(1)	Remove reference to Deputy Vice-Chancellor (Registrar) and replace with reference to Executive Director, Student Administration Services	24 March 2019
9(3)(a)	Remove reference to Deputy Vice-Chancellor (Registrar) and replace with reference to Vice-Principal (External Relations)	24 March 2019
9(4); 12(1)-(4); 13(2)-(3); 15(3)	Remove references to Deputy Vice-Chancellor (Registrar) and replace with references to Executive Director, Student Administration Services	24 March 2019
Notes	Replace Deputy Vice-Chancellor (Registrar) with Executive Director, Student Administration Services	24 March 2019
6 Delegate definition; 9(2) Note	Administrative amendments for new delegations	1 July 2020
9(3)	replace 'Vice-Principal (External Relations)' with 'Vice-President (External Engagement)	21 July 2023
10 note; related records	replace 'Coursework Policy 2014' with 'Coursework Policy 2021'	21 July 2023
16 note	replace 'University Recordkeeping Policy' with 'Recordkeeping Policy 2017'	21 July 2023

Provision	Amendment	Commencing
related records	replace 'Privacy Management Plan' with 'Privacy Procedures 2018'	21 July 2023
Throughout	Administrative amendments to remove the year in policy references.	16 April 2024