

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: 8 June 2017 (administrative amendments only)

Signature:

Name: Prof Stephen Garton (acting Vice-Chancellor)

CONTENTS

1	Name of policy.....	1
2	Commencement.....	1
3	Policy is binding.....	1
4	Statement of intent.....	2
5	Application.....	2
6	Definitions.....	2
7	Third party payment arrangements generally.....	3
8	Arrangements to which the University is not a party.....	4
9	Arrangements to which the University is party.....	4
10	Admission.....	5
11	Enrolment and re-enrolment.....	5
12	Changes to programs of study.....	6
13	Termination of third party payment arrangements.....	6
14	Failure to pay.....	6
15	Privacy – provision of student information to third parties.....	7
16	Recordkeeping.....	7

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 – Administrative Functions) Rule 2016 .
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:
- 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 Office of the Deputy Vice-Chancellor (Registrar) 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 \(Delegations of Authority – Administrative Functions\) Rule 2016](#).

- (3) In relation to international students:
 - (a) The Office of the Deputy Vice-Chancellor (Registrar) 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 Immigration and Border Protection, at: <https://www.border.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 2014](#)
- (4) In relation to domestic students, the Office of the Deputy Vice-Chancellor (Registrar) 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 2014](#); [Coursework Policy 2014](#); [University of Sydney \(Higher Degree by Research\) Rule 2011](#); [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 2014](#); [University of Sydney \(Coursework\) Rule 2014](#); [University of Sydney \(Higher Degree by Research\) Rule 2011](#).

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 Office of the Deputy Vice-Chancellor (Registrar) and the third party of the proposed change.
- (2) The student must provide the Office of the Deputy Vice-Chancellor (Registrar) with evidence of notification to the third party.
- (3) The Office of the Deputy Vice-Chancellor (Registrar) 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 Deputy Vice-Chancellor (Registrar) 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 Office of the Deputy Vice-Chancellor (Registrar) as soon as practicable.

- (3) After receiving such a notification the Office of the Deputy Vice-Chancellor (Registrar) 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 2014](#)

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 Office of the Deputy Vice-Chancellor (Registrar).

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 [University 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: 8 June 2017 (administrative amendments only)

Administrator: Deputy Vice-Chancellor (Registrar)

Review date: 7 July 2019

Related documents: *University of Sydney (Coursework) Rule 2014*

University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016

University of Sydney (Higher Degree by Research) Rule 2011

Coursework Policy 2014

Privacy Policy 2013

Student Debtor Sanctions Policy

University Recordkeeping Policy

Privacy Management Plan

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
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