



21 February 2019

AUSTRALIAN INSTITUTE OF BUSINESS AND TECHNOLOGY – CANCELLATION OF REGISTRATION

The Australian Embassy Nepal is aware that on 19 February 2019 the Australian Skills Quality Authority (ASQA) notified Brighton Pacific Pty Ltd, trading as the Australia Institute of Business and Technology (AIBT), that it had made the decision to cancel AIBT's Vocational Education and Training registration and Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registration.

In a separate issue, ASQA is also aware that AIBT has been offering a Diploma of Nursing that is not accredited by the Australian Nursing and Midwifery Accreditation Council (ANMAC) and has heard reports that some students did not know the course was not ANMAC-accredited.

The Embassy acknowledges these issues could have significant impacts for the hundreds of students enrolled in the institute, many of whom are Nepalese.

Brighton Pacific Pty Ltd has 28 days from 19 February (the day the provider was notified of ASQA's decision) to seek a review of this decision by the Administrative Appeals Tribunal (AAT). Brighton Pacific Ltd Pty may also seek to have ASQA's cancellation decision stayed while the AAT determines the review.

Unless Brighton Pacific Pty Ltd seeks a review and is granted a stay of ASQA's decision, the cancellation decision will take effect from 26 March 2019.

Brighton Pacific Pty Ltd has indicated to the media that they intend to seek a review.

Until the review is determined, the institute is permitted to continue operating, including conducting classes.

The Embassy advises that any students studying with AIBT should remain enrolled and continue to attend classes, to ensure that the conditions of their visa are met and their recourse to the Tuition Protection Service is assured should the provider cease delivering its courses.

In the event that AIBT does stop operating, it would be their responsibility to find students an alternative course or pay them a refund of their unspent tuition fees. If an alternative placement is not possible, the TPS will seek to place the institute's students with an alternate provider or if that is not possible, consider refund of the students' unspent tuition fees

Australia's Department of Home Affairs would also allow a grace period of at least 28 days and up to three months for students to transfer to alternate providers before it would consider visa cancellation. Further extension may be possible on a case by case basis.

The Australian Embassy Nepal reiterates that prospective students intending to enrol in courses in Australia should do as much research as possible on education institutions, courses of interest, costs,



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lifestyle in Australia and any other relevant factor, including by visiting the website www.studyinaustralia.gov.au.

The Embassy also reiterates that education agents in Nepal should provide services to clients in good faith and provide factual information on the institutions they claim to represent. Costs associated with providing such information should be the responsibility of the institutions and this should not unfairly burden prospective students.

For more information

- Further information on the Tuition Protection Service (TPS) can be found at www.tps.gov.au
- Students can contact the TPS at Administrator@A.TPS.gov.au
- Further information on Australia's Overseas Student Ombudsman and the services it can provide can be found at <http://www.ombudsman.gov.au/How-we-can-help/overseas-students>
- Students can contact ASQA at www.asqa.gov.au/complaints
- Students can find further information about Australian visas at <http://www.homeaffairs.gov.au/>)



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Background

Australian Skills Quality Authority decision to cancel registration

The ASQA notification to AIBT is based on the provider failing to demonstrate that:

- its marketing practices were accurate and factual
- its training and assessment practices enabled each learner to meet all requirements of their course
- it had sufficient resources including qualified staff and facilities
- it had implemented an assessment system to ensure learners had the skills needed.

The provider also did not demonstrate it had undertaken satisfactory remedial action to identify and address the impact caused to students.

Accreditation of nursing courses

Australian Nursing and Midwifery Accreditation Council accreditation of qualifications allows holders of those qualifications to work in particular settings, including Australian public hospitals.

Providers offering the Diploma of Nursing who do not have ANMAC approval must ensure their marketing, including by their Education Agents, does not mislead students in relation to obtaining a licensed or regulated outcome. ASQA has been working with ANMAC to ensure providers are aware of their responsibility to comply with the *National Vocational Education and Training Regulator Act 2011* and *Education Services for Overseas Students Act 2000* requirements, as well as the ANMAC accreditation requirements.