



Education Agent Management Policy

1. Purpose and Scope

The purpose of this policy is to ensure the consistent and effective appointment, management, training and termination of Education Agents engaged by KOI, in accordance with the ESOS Act, the National Code and KOI's internal governance framework.

This Policy ensures KOI complies with the following legislation when appointing, managing and reviewing suitable Agents to represent KOI locally and internationally:

- [Education Services for Overseas Students Act 2000](#);
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#);
- [Higher Education Standards Framework \(Threshold Standards\) 2021](#);
- [Higher Education Support Act 2003](#);
- [Migration Act 1958](#);
- [Tertiary Education Quality and Standards Agency Act 2011](#).

This Policy applies to all KOI staff, Education Agents, and other persons engaged by KOI to recruit or represent KOI in relation to overseas or intending overseas students. This policy includes:

- education agents appointed by KOI to represent the institute and its courses;
- education agents representing prospective or enrolled students of KOI;
- education agents seeking to become registered agents for KOI;
- contracted or non-contracted education agents who engage in activities connected to KOI's recruitment, enrolment, or dealings with overseas or intending overseas students.

2. Related Documents

This Policy is to be read in conjunction with KOI's:

- Education Agent Agreement
- Privacy Policy

3. Definitions

Term	Definition
Cross-Ownership	Any ownership, financial interest or governance connection between KOI and an education agent, relevant under the Fit and Proper Provider Test.



Education Agent	Education Agent means any entity (whether in or outside Australia) that: • recruits overseas students or intending overseas students on behalf of KOI; or • provides information, advice, or assistance relating to enrolment; or • otherwise deals with overseas or intending overseas students in relation to KOI and is not a permanent full-time or part-time KOI employee. This includes contractors, casual staff, marketing promoters, digital/social media contractors, sub-agents, and any third parties engaged by the primary agent to perform agent-related activities.
Education Agent Agreement	Education Agent Agreement means the written agreement between KOI and an Education Agent governing the recruitment and referral of overseas students on behalf of KOI, including the obligations of both parties under the ESOS Act, the National Code and this Policy.
Education Agent Commission	Any monetary or non-monetary benefit provided by KOI (or on KOI's behalf) to an education agent or an associate of the agent in connection with student recruitment or enrolment activities. This includes fees, bonuses, discounts, gifts, subsidised travel, or indirect payments.
Intending Overseas Student	Intending Overseas Student means a person who intends to become, or who has taken steps towards becoming, an overseas student.
Sub-Agent	Any individual or entity engaged by an Education Agent or its representatives who undertakes education agent activities under the new statutory definition. Sub-agents must be declared, monitored, and reported.

4. Policy Principles

KOI appoints high quality Education Agents to represent it and its courses for the purpose of recruiting international students to study at KOI. KOI recognises that the conduct, ownership structures, commission arrangements, and transparency of its Education Agents may be relevant to KOI's ongoing compliance with the fit and proper provider requirements under the ESOS Act.



KOI engages Education Agents to support the recruitment of international students while retaining full responsibility for compliance with the HESF 2021, ESOS Act 2000 and the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

KOI requires that all Education Agents must:

- act honestly, ethically, and in the best interests of students;
- provide accurate, current and complete information regarding KOI, its courses, fees, and living in Australia;
- not engage in misleading or deceptive conduct; and
- comply with all applicable legislative and regulatory requirements.

KOI maintains oversight of all Education Agent activities and implements appropriate monitoring and corrective actions where required. KOI may suspend, terminate, or decline to appoint an Education Agent where the Education Agent's conduct, relationships, or financial arrangements give rise to integrity, transparency, or reputational risks that may adversely affect KOI's regulatory standing or CRICOS registration.

4.1 Expression of interest

Education Agents may seek to become a KOI contracted Education Agent by submitting an expression of interest on the KOI Education Agent Application Form. The Education Agent Application form is available on the KOI website. Click [here](#)

4.2 Due diligence

All prospective Education Agents will be subject to a due diligence process. KOI Education Agents must:

- provide copies of their business registration certificates;
- provide a list of company directors and authorised signatories;
- provide copies of any accreditation certificates such as a Qualified Education Agent Counsellor (QEAC) certificate, Migration Agent Registration Authority (MARA) certificate, and other certificates where applicable;
- declare conflicts of interest and potential use of sub-agents;
- attend an interview, which may take place via phone or videoconference;
- commit to complying with the Australian regulations on education to overseas students and the relevant policies and procedures of KOI on marketing and Education Agent management;
- provide details of office locations and recruitment territories;
- provide details of the Education Agent structure, including whether it operates as a company or individual;
- provide at least two professional referees with contact details;
- provide evidence of previous student recruitment performance, where available.



- disclose all sub-agents and contracted third parties who engage in any education agent activities;
- declare any cross-ownership or related-party arrangements relevant to KOI's fit and proper provider obligations;
- acknowledge that KOI must publish the Education Agent's details publicly and report agent information in PRISMS under the amended ESOS Act;
- agree to provide information relating to commissions or benefits received, when required for reporting to the Secretary of the Department of Education.

4.3 Discretion not to appoint an Education Agent

KOI is under no obligation to appoint an Education Agent to be its representative. All appointments will be at the sole discretion of KOI. KOI will not appoint, or will discontinue engagement with, an Education Agent where transparency concerns are identified, including but not limited to excessive student transfers, use of undisclosed sub-agents, or unexplained or opaque commission arrangements. KOI will not appoint an Education Agent to act as its representative where it knows or reasonably suspects that the Education Agent is:

- involved in unethical recruitment practices by providing migration advice, unless that Education Agent is authorised to do so under the Migration Act 1958;
- engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Overseas student transfers) in the National Code;
- facilitating the enrolment of a student who the Education Agent believes will not comply with the conditions of his or her visa; and/or
- using PRISMS to create CoEs for Overseas Students that are not genuine students.

4.4 Appointment

If, after completion of the due diligence process, KOI decides to appoint an Education Agent, the Education Agent will be required to enter into KOI's standard Education Agent Agreement.

No Education Agent may represent KOI or its courses without having entered into a written Education Agent Agreement with KOI.

4.5 Induction and training

KOI expects all contracted Education Agencies and their agents to understand and comply with the [ESOS Act](#), the [National Code](#), and the [Education Agent Code of Conduct](#).

KOI will provide induction and ongoing training to Education Agents as part of its Education Agent management framework. Induction training will be delivered in two stages: initial induction conducted by the Marketing Director, followed by ongoing training delivered by KOI Marketing Officers after the end of each trimester, or at such other times as determined by KOI. The Marketing Director may delegate the Marketing Manager to conduct the initial induction training in the Marketing Director's absence or where appropriate.



Ongoing training may be delivered online and/or through in-country or onsite visits, as determined by KOI. All training activities and agent visits will be recorded in the Education Agent's file and maintained by the KOI Marketing Team.

Induction and ongoing training will include, but is not limited to:

- obligations under the ESOS Act and the National Code, including an overview of compliance requirements;
- the role and expectations of the Tertiary Education Quality and Standards Agency (TEQSA) in relation to providers and education agents;
- KOI's strategic vision, mission, goals and values;
- KOI's admissions, enrolment, and administrative processes;
- KOI's student support services; and
- expectations relating to ethical conduct, integrity, and transparency in all recruitment and enrolment activities.

Training will also include briefings on the amended ESOS Act requirements, including enhanced transparency obligations, commission reporting requirements, and the expanded statutory definition of Education Agent.

4.6 Performance Management

In relation to its contracted Education Agents, KOI will:

- monitor compliance with the ESOS Act, the National Code, the Agent Code of Conduct and the terms of the written Education Agent's Agreement with KOI, on an ongoing basis;
- conduct agent performance reviews in accordance with the [KOI Agent Performance and Risk Assessment Framework](#), which should be read in conjunction with this Policy.

KOI will undertake a Formal Education Agent Review, an annual, comprehensive performance review conducted in alignment with KOI's Education [Agent Performance and Risk Assessment Framework](#). The outcome of this review determines whether the Education Agent's Agreement will be renewed or discontinued, based on their risk profile and overall performance.

KOI will undertake an Informal / Mid-year Education Agent Review, following a six-month period, and will be initiated if an agent fails to meet one or more criteria outlined in the Agent Performance and Risk Assessment Framework. Should an agent be classified as medium or high risk during this assessment, corrective actions will be considered.

KOI will take any action it deems necessary in relation to non-compliance with this policy and related documents or to poor performance by a contracted Education Agent. This may take the form of requesting the Education Agent to take corrective action, or of suspension or termination of the Education Agent in accordance with the Education Agent's Agreement with KOI.

KOI will monitor Education Agent behaviour using PRISMS transparency data, including student transfers, course changes, and other agent-linked patterns. Monitoring activities include, but are



not limited to, application audits, student feedback in Student's Agent Experience Survey, office visits, review of visa outcomes, academic progress, and compliance with the Education Agent Agreement. Education Agent performance reviews will incorporate compliance with commission reporting obligations and disclosure of sub-agents. Education Agent performance reviews will include analysis of student outcomes and, where applicable, student feedback to inform continuous improvement and risk monitoring.

KOI will maintain records relating to Education Agents, including Education Agent Agreements, disclosed sub-agents, commission arrangements, monitoring outcomes, and performance reviews, for the purposes of compliance and regulatory reporting under the ESOS Act and National Code. Education Agents must promptly notify KOI in writing of any material changes, including but not limited to:

- changes in ownership, control, or governance;
- appointment or use of new sub-agents or third parties engaging in education agent activities; changes to commission structures or benefits received; and
- any circumstance that may give rise to a conflict of interest or integrity concern.

Failure to provide timely and accurate disclosures may constitute grounds for corrective action, suspension, or termination.

Education Agent performance reviews will be conducted by the KOI Marketing team and signed off by the KOI Marketing Director. Results of the performance review and any proposed actions or recommendations will be reported in writing by the Marketing Director to KOI's CEO and President, and subsequently to the Audit and Risk Committee and AIBM Council as per the reporting cycle. Academic related outcomes will be reported to the Academic Board. Upon completion of a performance review, the KOI Marketing Director, as sanctioned by the CEO and President, will recommend to the CEO one of the following:

- maintain the Agent's current appointment (this may require a new Education Agent Agreement to be issued);
- maintain the Agent's current appointment, subject to certain conditions (for example, no offshore recruitment for a defined period of time); or
- suspend or terminate the Agent's appointment in accordance with the relevant termination clauses of the Education Agent Agreement.

4.7 Suspension or termination

If an Education Agent is suspended or terminated by KOI, it must immediately cease representing KOI and its courses to overseas students.

KOI will suspend or terminate an Education Agent if:

- the Education Agent fails to provide required commission data for reporting to the Secretary;
- the Education Agent attempts to obscure or disguise commissions through inflated service fees or third-party payments;



- the Education Agent fails to declare sub-agents who perform recruitment or enrolment activities;
- PRISMS data indicates integrity concerns or abnormal transfer activity linked to the Education Agent.

The Education Agent's obligations relating to transparency, disclosure, cooperation with regulatory reporting, and provision of commission information survive termination of the Education Agent Agreement to the extent required by law.

KOI will take immediate and proportionate action where an Education Agent:

- engages in misleading or deceptive conduct; or
- provides false or incomplete information; or
- breaches the ESOS Act, National Code or Education Agent Agreement; or
- encourages non-compliance with visa conditions; or
- submits fraudulent documentation.

Where monitoring, a performance review, or an investigation identifies non-compliance with this Policy, the Education Agent Agreement, or applicable legislation, KOI may take one or more of the following corrective actions, depending on the nature and severity of the non-compliance:

- formal warning;
- mandatory retraining;
- suspension of recruitment activities;
- termination of the Education Agent Agreement;
- notification to relevant authorities, including updates to PRISMS where required.

4.8 Transparency and Reporting

KOI will comply with its statutory obligations to:

- Maintain and publish an up-to-date list of all Education Agents (including sub-agents who meet the activity-based definition).
- Report Education Agent details in PRISMS whenever the Education Agent facilitates enrolment.
- Maintain records of commissions paid to each Education Agent, including monetary and non-monetary benefits.
- Provide commission information to the Secretary of the Department of Education upon request.

KOI will maintain records relating to Education Agents, including the Education Agent Agreements, disclosed sub-agents, commission arrangements, monitoring outcomes, and performance reviews, for the purposes of compliance, audit, and regulatory reporting under the ESOS Act and National Code. Education Agents must cooperate fully with these obligations and provide information when requested by KOI. Education Agents must ensure that any information it provides to KOI that is used for PRISMS reporting is complete, accurate, and not misleading. Provision of false or incomplete information constitutes a serious breach of the Education Agent Agreement.

The Education Agent warrants that:



- it and its staff, contractors, and sub-agents comply with the ESOS Act, National Code, and the Education Agent Agreement;
- all commissions, benefits, incentives, or advantages received in connection with KOI recruitment activities are fully disclosed and not disguised through indirect or third-party arrangements; and
- no undisclosed sub-agents or third parties perform education agent activities on behalf of the Education Agent.

KOI relies on these warranties in entering into and continuing the Education Agent Agreement.

4.9 Marketing and Promotional Materials

Education agents may only use marketing and promotional materials that have been approved by KOI.

Agents must:

- Provide accurate, complete and current information about courses, fees, entry requirements and living in Australia;
- Not make false or misleading claims regarding migration outcomes, employment opportunities or course recognition;
- Not engage in high-pressure or unethical recruitment practices.

KOI periodically reviews agent-generated materials to ensure ongoing compliance.

4.10 Commissions and Prohibited Payments

KOI recognises that commission arrangements with Education Agents are subject to heightened regulatory scrutiny under the Education Services for Overseas Students Act 2000, the National Code of Practice for Providers of Education and Training to Overseas Students 2018, and amendments introduced through the Education Legislation Amendment (Integrity and Other Measures) Act 2025.

Accordingly,

- Permitted commissions: KOI may pay commissions only for genuine recruitment services resulting in the enrolment of a new overseas student, in accordance with a written Education Agent Agreement.
- Prohibition on onshore transfer commissions: KOI strictly prohibits the payment of commissions, incentives, or any benefit (monetary or non-monetary) in connection with:
 - the transfer of an overseas student between registered providers within Australia; or
 - any activity intended to induce or facilitate a student to transfer from another provider, contrary to Standard 7 of the National Code.
- No circumvention: Education Agents must not structure or disguise commissions (including through marketing fees, service charges, sub-agents, or third-party arrangements) to avoid regulatory requirements.
- Transparency: All commissions and benefits must be fully disclosed, documented, and capable of being reported in accordance with KOI's regulatory obligations.



- Breach: Non-compliance with this section constitutes a material breach and may result in immediate suspension or termination of the Education Agent, and notification to relevant authorities.

5. Roles and Responsibilities

CEO and President

The CEO and President is responsible for:

- providing executive oversight of KOI's Education Agent management framework to ensure compliance with the ESOS Act, the National Code, and KOI's governance and risk appetite;
- approving significant actions relating to Education Agents, including suspension, termination, or conditional continuation of Education Agent appointments;
- considering reports on agent performance, integrity risks, and compliance outcomes; and
- escalating material agent-related risks or systemic issues to the Audit and Risk Committee and AIBM Council, where appropriate.

Marketing Director

The Marketing Director is responsible for:

- implementing, disseminating, and periodically reviewing this policy;
- ensuring KOI's education agent operations comply with applicable legal, transparency, and reporting requirements;
- overseeing the day-to-day operation of this policy and acting as the primary point of contact for education agent-related enquiries;
- monitoring the performance and compliance of KOI's Education Agencies and their agents in accordance with the Agent Performance and Risk Assessment Framework; and
- reporting agent performance outcomes, integrity issues, and recommended actions to the CEO and in accordance with KOI's governance and reporting framework.

Director, Governance, Risk and Compliance

The Director, Governance, Risk and Compliance is responsible for ensuring compliance with the HESF 2021, ESOS Act, National Code and regulatory requirements.

Education Agents

Education Agents are responsible for compliance with all contractual, legal and ethical obligations under the Education Agent Agreement and applicable legislation.



6. Associated Information

Relevant legislation:

- Education Services for Overseas Students Act 2000 (Cth)
- Education Services for Overseas Students Regulations 2019 (Cth)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Education Legislation Amendment (Integrity and Other Measures) Act 2025 (Cth)
- Migration Act 1958 (Cth)
- Migration Regulations 1994 (Cth)
- Tertiary Education Quality and Standards Agency Act 2011 (Cth)
- Higher Education Standards Framework (Threshold Standards) 2021



Document Control

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*****END OF POLICY*****