



## **Association of Australian Education Representatives in India** **Code of Conduct & Code of Ethical Practice (Interim) April 2022**

The **Association of Australian Education Representative in India (AAERI)** is the professional body and is registered under societies Act 1880, Registration No. S-31213 of 1997.

This interim Code of Conduct & Code of Ethical Practices, adopted by the society is a tool to support members in their work and articulates a set of standards for the International students recruited in Australia.

AAERI's Code of Ethics draws from and is consistent with, the objectives outlined by its Mission Statement:

**The aims and objects for which Society is established are as under :-.**

1.1.1- To provide a forum whereby authorised representatives / agents of Australian education institutions can meet to discuss and exchange ideas and information on studying in Australia for the betterment of Australia's international students / education industry and the interests of all members.

1.1.2- To promote and foster cooperation among all members of the group to ensure that the Australia's international student / education industry is not brought into disrepute due to the actions of any member.

1.1.3- To develop, revise and monitor adherence to a code of ethical practices for all members to follow and to take punitive action against all and any member who breaches the code of ethical practices.

1.1.4- To cooperate and coordinate efforts with the Australian High Commission and its various departments (Education, Home Affairs and Trade) in the promotion of study opportunities in Australia for Indian students to ensure that a good standard of services is maintained.

1.1.5- To conduct business activities ie., conducting educational fairs etc. that will raise revenue for the Association to achieve its objects

1.1.6- To cooperate with all Government and all official parties concerned with maintaining a good standard of services in promoting overseas education opportunities for Indian citizens.

1.1.7- To lobby to Australian education institutions in the interest of the members of the Association.

1.1.8- To enter into collaborative arrangements with National and International Organisations and Government Bodies, to further the activities of the Association.

All AAERI members and their staff must have a strong working knowledge of the education system in Australia, as well as of the specific institutional clients they serve. They must also update themselves regularly with all relevant legislation, regulations and information.

All AAERI member must provide accurate information to students concerning the requirements of the course they are intending to study, as well as the specific nature of the institution to which a student is being recruited – such as whether study will be at the main university; a branch campus in; or a franchised /partnership campus or a study center.

**The Code of Ethics reflects its members' collective commitment to the principles of professional competence, integrity, professional responsibility, respect for people's rights, dignity and diversity, and social responsibility.**

**AAERI Members also abide to the following:**

- ESOS Act, 2000
- London Statement, 2012 - Ethical Statement and Principles (Annexure 1)
- National Code Part D, Standard 4
- Australian International Education and Training - Agent Code of Ethics

AAERI members should strive to “live by the Code”, not simply look at it. The subscription to AAERI Code of Ethics by its membership will strengthen the association's identity, in turn further strengthening the effectiveness of the Code. It is anticipated that the Code will be reviewed and updated at regular intervals, in order to continually reflect the identity and values of the membership, the dynamic nature of AAERI, and its relevance in the international education sector.

When ethical values conflict, AAERI members have a responsibility to decide which will take priority. In this process of decision making, the following Ethical Frame work and principles should be incorporated (source - Australian International Education and Training - Agent

### **Ethical Framework**

- **Integrity** – being straightforward and honest in all professional and business dealings;
- **Objectivity** – not allowing professional judgment to be compromised by bias or conflict of interest;
- **Professional** competence and due care – maintaining professional knowledge and professional service, and acting diligently;
- **Transparency** – declaring conflicts of interest to all clients, especially when service fees are charged to both the education provider and the prospective student.
- **Confidentiality** – respecting and preserving the confidentiality of personal information acquired and not releasing such information to third parties without proper authority;

•Professional behavior – acting in accordance with relevant laws and regulations and dealing with clients competently, diligently and fairly;

•Professionalism and purpose – acting in a manner that will serve the interests of clients and the wider society even at the expense of self-interest; recognising that dedication to these principles is the means by which the profession can earn the trust and confidence of stakeholder groups (individual clients, the public, business and government).

### **London Statement 2012, Principles**

- **Principle 1:** AAERI member practise responsible business ethics.
- **Principle 2:** AAERI member provide current, accurate and honest information in an ethical manner.
- **Principle 3:** AAERI member develop transparent business relationships with students and providers through the use of written agreements.
- **Principle 4:** AAERI member protect the interests of minors.
- **Principle 5:** AAERI member current and up-to-date information that enables international students to make informed choices when selecting which agent or consultant to employ.
- **Principle 6:** AAERI member act professionally.
- **Principle 7:** AAERI member work with destination countries and providers to raise ethical standards and best practice.

### **Conflicts of Interest**

Conflicts of interest may arise when an AAERI member's dealings with an international student result in, or may influence, or be perceived to result in, influence over the member's capacity to work in an impartial manner. When a conflict of interest is foreseeable, or actually occurs, members must identify the conflict of interest, declare it to the relevant authority and take appropriate action (e.g. referral to another party, record keeping, mediation, or follow up).

### **Compliance & Verification of the applicant and documents**

As a member of AAERI you will:

1. At all times work to uphold the StudyAustralia brand and represent applicants with a genuine intention to undertake study in Australia.
2. Demonstrate due diligence has been undertaken by providing full supporting evidence with every application at time of lodgement, irrespective of evidence level.

3. Not be involved in arranging any finance or funds for the International Student for the purposes of their student visa processing or their study in Australia
4. Avoid providing false or misleading information in relation to a visa application and correct any such statements where you become aware of them. To that end, you are responsible for ensuring that false or misleading information is not provided as part of visa applications by taking all reasonable steps to verify that supporting documents submitted as part of a visa application are genuine.
5. Disclose as soon as practicable to the Department of Home Affairs via email at ***integrity.newdelhi@dfat.gov.au*** where you hold a reasonable suspicion suspect that a document is false or misleading and you have been unable to verify through reasonable measures the genuineness of the document
6. Notify the Department of Home Affairs via email at ***integrity.newdelhi@dfat.gov.au*** where a student approaches you seeking assistance to study in Australia and you hold a reasonable suspicion the applicant is not a genuine student.
7. Not assist a client to obtain a false or misleading document in support of a visa application or misrepresent a client's true circumstances (for example but not limited to: identity, academic history, employment history, financial circumstances, English level).
8. Agree that where false or misleading information has been found to have been provided in an application this information can be shared by Home Affairs to the AAERI visa sub-committee in a manner that does not breach the Privacy Act 1988.
9. Keep the Immi account always updated with the latest contact details.

### **Code of Conduct - Sub-agents - Third parties**

1. The Principal agency (AAERI member having head & branch office - owned or franchised) is the one who has a direct contractual relationship with the Australian Education providers & they are listed on the Australian Education provider's website.
2. The Principal agency should interact directly with the potential student, apply for admission, carry out GTE assessment and lodge the appropriate Student visa to the Australian Govt.
3. The Principal agency must lodge all visa applications within one Immi account belonging to the principal agency.
4. The Principal agency consents to AAERI disclosing the Agency's Immi account details to the Department of Home Affairs.
5. AAERI directs that Principal agencies (AAERI member) abide by the clauses in their contract with the Universities and recommends that if the contract allows use of "**sub-agents**", the list of "**engaged sub-agents**" be declared to the Universities. If the arrangement with the third party is solely of generating leads and the third party may be an education agent or otherwise, the third

must not go beyond making a referral and the full process applications and visa must be handled by the Principal agency. If the third party is handling a part of the process such as lodging the visa, it must be declared to the Universities by the Principal agents and the third party should ideally be listed on the University website.

6. From the leads generated from sub agents, the Principal agency must remain responsible for admissions processing, GTE assessment and lodgement of appropriate student visas. The Principal agents are the agents of the University and that is a responsibility that should not be outsourced.

7. While AAERI understands that the Principal agent details will be entered into PRISMS, and that the visa is lodged only by Principal agent. If the agent differs then it is evident that the GTE checks and other compliance checks carried out by the Principal agent (on behalf of the University) listed as the primary agent in the PRISMS is not valid and violates the code of conduct.

8. In case the AAERI member charges a fee for their services from the student they must have a refund policy which is clear and publicly posted and visible to all students/clients. The schedule of fees must not exceed the maximum limit prescribed by AAERI.

9. The AAERI member should advertise in an ethical manner and follow the "AAERI Advertising Policy" set by the AAERI

10. The AAERI member must use only authorized material (including logos) from education institutes they represent and with only whom they have concluded a written agreement.

11. The AAERI member must have a counsellor who has completed the PIER certification.

**AAERI Members agree to the MOA of the association and also these following clauses mentioned in the MOA**

#### **CESSATION OF MEMBERSHIP:**

Any member of the Association shall cease to be a member of the Association and shall be removed or expelled by the Executive Committee on the following grounds.

- 2.3.1-Failure to meet or abide by any of the rules and regulations of the Association at any time.
- 2.3.2-On his / her being found involved in subversive, communal or any other activity which is against the laws of the land. This includes a police investigation is on for a AAERI member or contracted licensee/franchisee/partner/associate operating and using the brand of the principal agent. The act of contracted licensee/franchisee/partner/associate operating and using the brand of the principal agent is considered an act by the principle agent. For example: if there is a police action against the franchisee of a principle agent pertaining to the line of the business, the principle agent will also be suspended from the membership immediately till the police completes the investigation and issues a confirmation clearing the agency.

- 2.3.3-Repeated instances of failure to comply with the clauses within the code of [1]conduct, particularly those pertaining to 'Compliance & Verification of the applicant and documents' and 'Code of Conduct - Sub agents - Third parties' above will result in a suspension of AAERI membership.
- 2.3.4-Repeated instances of conduct that is found to have damaged the Study Australia brand or brings the reputation of AAERI into disrepute.
- 2.3.5-Failure to pay subscription for membership for three months from the due date. In case of members having more than one office branch, the failure to pay subscription for membership for even one office will render them liable to be removed from the membership of the Association. However before the member is removed for non-payment of subscription, notice / opportunity would be given to the member to pay the subscription.
- 2.3.6-If the conduct of the member is such as to bring disrepute to the Association or his act of mission and commission is unworthy of being an office bearer or member.
- 2.3.7-Due to insanity, resignation or death / dissolution of the member.

The AAERI member and/or their sub-agents/partners/franchisees/third parties must notify clients and remove AAERI branding from their website and promotional material in the event that their AAERI membership suspended or ceased.

## **2.4-APPEAL AND READMISSION OF MEMBERS:**

- 2.4.1-A person who ceases to be member of the society may apply to the Executive Committee in writing for readmission and the decision of the Executive Committee shall be final. The fee for renewal of cancelled membership shall be determined by the Executive Committee shall be final.
- 2.4.2-Where a breach of the code of ethical practices is reported in writing the alleged breacher will be given 15 days to defend / comment on the report. The Executive Committee at their regular or a specially convened meeting will consider the alleged breach and the reply of the alleged breacher and if found proven have the powers to suspend / cancel the guilty member's membership.

The AAERI member agrees that all information & documents supplied on to the Education Provider & the Australian Government is true and complete. The member will abide by the rules and regulation set by AAERI and will follow the Code of Ethics and Code of Conduct and other norms as formalised and announced. The member also agrees to the use and disclosure of information to the Australian and Indian government agencies if required vice - versa.

**Name of the Agency :**

**Name of Owner / Director :**

**IMMI Account Login Name:**

**E-mail id :**

**E-mail linked to the student applications : ( +)**

**Address**

**Date**

**Sign :**