



Mr Alberto Tassone
President
Stanley International College Pty Ltd
Via email: alberto@stanleycollege.edu.au

Dear Mr Tassone,

Notice of decision: Provider category change to Institute of Higher Education

As I mentioned in my letter of 8 June 2021, the Tertiary Education Quality and Standards Agency (TEQSA) is implementing the Provider Category Standard reforms after the Australian Parliament passed the *Higher Education Legislation Amendment (Provider Category Standards and Other Measures) Bill 2020*. These reforms are reflected in the updated [Higher Education Standards Framework \(Threshold Standards\) 2021](#) legislative instrument, which commenced on 1 July 2021.

As foreshadowed in my letter, I am writing to advise that, on 1 July 2021, TEQSA made a decision to change the provider category in which Stanley International College Pty Ltd (Stanley) is registered from Higher Education Provider to **Institute of Higher Education** under the new *Higher Education Standards Framework (Threshold Standards) 2021* (2021 Threshold Standards).

Reasons and publication of decision

This decision was made under section 38 of the *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act), on the basis that Stanley was classified as a Higher Education Provider under the 2015 Threshold Standards, and does not have the self-accrediting authority required for consideration against the other categories under the 2021 Threshold Standards. TEQSA has made this decision in order to register Stanley in one of the four categories available under the 2021 Threshold Standards.

As with this decision for Stanley, all category change decisions for providers entering a new category under the 2021 Threshold Standards will be published by TEQSA on the National Register (<https://www.teqsa.gov.au/national-register>) from 1 July 2021. The information published will include your institution's name and TEQSA's decision.

Further information about TEQSA's approach to public reporting, including information about the timing of publication and the content of reports, is available at <https://www.teqsa.gov.au/for-providers/resources/policy-public-reporting-regulatory-decisions>.

OFFICIAL

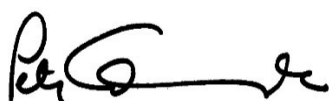
Please note that the decision to change provider category is a reviewable decision under section 183 of the TEQSA Act. More information about applying for a review of TEQSA decisions is available at <https://www.aat.gov.au/applying-for-a-review>.

Please contact your case manager if you would like to discuss [applying for self-accrediting authority](#), noting our suggestion that you engage with TEQSA six months prior to your planned submission date in order to clarify evidence requirements.

If you have any questions regarding this notice, please do not hesitate to contact Prue Monument, Executive Director Regulatory Operations, at prue.monument@teqsa.gov.au or Elizabeth Cole, Assistant Director Planning and Quality Regulatory Operations at categorychange@teqsa.gov.au.

With best wishes,

Yours sincerely,



Professor Peter Coaldrake AO
Chief Commissioner

1 July 2021

Enclosed:

- **Attachment A** – Legal framework and legislative provisions



Attachment A – Legal framework and legislative provisions

Legal framework for the decision

Under section 38 of the *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act), TEQSA may make a decision to change the provider category in which a registered higher education provider is registered. Under subsection 38(2), TEQSA must have regard to the Threshold Standards before making such a decision.

Legislative provisions

TEQSA Act

38 Changing provider registration category

- (1) TEQSA may change the provider category in which a registered higher education provider is registered:
 - (a) on its own initiative; or
 - (b) on application by the provider.
- (1A) In relation to an application under paragraph (1)(b), if TEQSA considers that the provider category in which the provider is registered should not be changed, TEQSA may decide not to change that category.
- (2) However, before making a decision under subsection (1) or (1A) TEQSA must have regard to the Threshold Standards.
- (3) A registered higher education provider's application must be:
 - (a) in the approved form; and
 - (b) accompanied by any information, documents and assistance that TEQSA requests; and
 - (c) accompanied by the fee determined under section 158 for an application under this section.

183 Reviewable decisions of TEQSA

For the purposes of this Act, each of the following decisions of TEQSA is a **reviewable decision**:

Note 1: Reviewable decisions of delegates of TEQSA may be reviewed by the Administrative Appeals Tribunal following a process of internal review by TEQSA.



Note 2: Reviewable decisions not made by delegates may be reviewed by the Administrative Appeals Tribunal (see section 187).

Reviewable decisions

...

A decision under section 38 to change the category in which a registered higher education provider is registered

A decision under section 38 not to change the category in which a registered higher education provider is registered

...



Threshold Standards

(Note: These criteria are taken from the [Higher Education Standards Framework \(Threshold Standards\) 2021](#)).

PART B: Criteria for Higher Education Providers

B1 Criteria for Higher Education Provider Categories

All providers of higher education must meet the requirements of Part A and satisfy the requirements set out under the 'Institute of Higher Education' category in order to gain registration by TEQSA.

Higher education providers may seek approval within a particular provider category under subsection 18(1) (applying for registration) or section 38 (change of category) of the TEQSA Act. The four provider categories are:

- 'Institute of Higher Education'
- 'University College'
- 'Australian University'
- 'Overseas University'.

The provider category of each higher education provider will be detailed on the National Register of Higher Education Providers (administered by TEQSA).

B1.1 'Institute of Higher Education' Category

A higher education provider registered in the category offers an Australian higher education qualification and/or an overseas higher education qualification.

1. The higher education provider meets the requirements of Part A, has a clearly articulated higher education purpose that includes a commitment to free intellectual inquiry, and offers at least one accredited course of study.
2. The higher education provider's academic and teaching staff are active in scholarship that informs their teaching, and active in research when engaged in research student supervision, supported by the provider.
3. The higher education provider features its TEQSA Provider Identification and provider category on relevant public material.