




Speech By
Hon. Grace Grace

MEMBER FOR MCCONNEL

Record of Proceedings, 15 February 2018

EDUCATION (OVERSEAS STUDENTS) BILL

Introduction

 **Hon. G GRACE** (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (12.11 pm): I present a bill for an act to provide for the approval of schools to provide courses to overseas students and the approval of schools and not-for-profit organisations to provide international secondary student exchange programs, to repeal the Education (Overseas Students) Act 1996, and to amend this act, the Education (General Provisions) Act 2006, the Education (Queensland Curriculum and Assessment Authority) Act 2014, the Trading (Allowable Hours) Act 1990 and the Working with Children (Risk Management and Screening) Act 2000 for particular purposes. I table the bill and the explanatory notes. I nominate the Education, Employment and Small Business Committee to consider the bill.

Tabled paper: Education (Overseas Students) Bill 2018 [[161](#)].

Tabled paper: Education (Overseas Students) Bill 2018, explanatory notes [[162](#)].

I am pleased to introduce the Education (Overseas Students) Bill 2018 into the House today and, in doing so, want to acknowledge the work of my predecessor as minister for education, Kate Jones MP, the newly elected member for Cooper, in the development of this bill. The bill before the House today modernises the regulation of providers of courses to overseas students, establishes a new legislative regime for the regulation of providers of international student exchange programs and supports the implementation of the new senior assessment and tertiary entrance systems. This is the same package of legislative amendments that was introduced into the last parliament through the Education (Overseas Students) Bill 2017. I will turn to the detail of these amendments again in a moment. Before doing so, I want to outline several additional amendments to the bill that was before the parliament last year.

Mr Deputy Speaker Stewart, the 2017 bill was considered by the former Education, Tourism, Innovation and Small Business Committee of which you were the chair. I thank the members of the former committee, including you, Mr Deputy Speaker, for their consideration of the 2017 bill and the stakeholders who provided submissions to the former committee. I note that the former committee made four recommendations suggesting amendment to the 2017 bill, and these recommendations have been considered in the development of this bill. In response, one amendment has been made to the previous 2017 bill to limit the use of information or documents obtained when the privilege against self-incrimination is waived to proceedings relating to the false or misleading nature of the document and proceedings for offences under the act and the Commonwealth act. This amendment aims to provide the protections sought by the former committee while also ensuring the capacity of the regulator to effectively monitor compliance with the scheme and protecting Queensland's reputation as a destination for international students and education.

The bill also includes amendments to the Trading (Allowable Hours) Act 1990. In 2017 the parliament passed significant reforms to trading hours arrangements in Queensland, modernising and simplifying trading hours in the act for the benefit of the community, business and workers. Recently

the National Retail Association drew the government's attention to the inadvertent omission from the act of an existing provision permitting the larger retailers—non-exempt shops—to trade on the Easter Saturday public holiday in those regional areas that otherwise do not have public holiday trading.

Mr Bleijie interjected.

Ms GRACE: It is ironic that I take the interjection from the member for Kawana, who stood in this House for an hour debating their stance in support of small business yet now is very concerned that larger retailers cannot open in those areas. The irony is not missed by all of us in this House. There was never an intention by the government to stop trading on the Easter Saturday public holiday in those areas, which include towns such as Mount Isa, Kingaroy, Bowen, Ayr, Charters Towers, Proserpine, Weipa, Charleville and Longreach, and I have to say that many of those towns have excellent small business bakeries. Consistent with the government's public statement that this matter would be urgently rectified, this bill, if passed, will amend the Trading (Allowable Hours) Act 1990 before Easter 2018 to allow large retailers to trade on Easter Saturday in those towns. This will provide early notice and assurances to businesses and consumers in the affected areas that existing Easter Saturday trading arrangements remain in place.

I return now to the details of the original amendments contained in the bill and, in accordance with standing order 25, I seek leave to incorporate the remainder of my explanatory speech in the *Record of Proceedings*. I can confirm that incorporation of the speech has been approved by the Speaker.

Leave granted.

On 18 October 2016, the Palaszczuk Government committed to introduce new senior assessment and tertiary entrance systems for Queensland students commencing Year 11 in 2019.

The reforms are the most significant changes to Queensland's senior assessment and tertiary entrance processes in over 20 years, and will affect more than 50,000 Year 12 students each year.

The new senior assessment arrangements will combine the flexibility of school-based assessment, set and marked by classroom teachers, and the comparability of external subject-based assessment, set and marked by the Queensland Curriculum and Assessment Authority—the QCAA.

Under this approach, results in senior QCAA subjects will be based on three school-based assessments, and one external assessment.

The external assessment will generally contribute 50% of the overall subject result in mathematics and science subjects, and 25% of the subject result in other subject areas.

Reliance upon the professional judgement of teachers is a key strength of Queensland's current school-based assessment system. The new processes will build on this strength, by supporting teachers in the design and administration of high quality school assessments.

Under the new arrangements, the QCAA will:

- endorse school-based assessments prior to their use, to ensure they provide sufficient opportunity for students to demonstrate the syllabus requirements;
- select and review samples of school-based assessments to confirm teacher judgements about the qualities of student responses; and
- develop, administer and mark external assessments for senior subjects.

The new tertiary entrance arrangements will see Queensland move from the current Overall Position (OP) Year 12 tertiary rank to the Australian Tertiary Admission Rank (ATAR), as used in other Australian states and territories. The Queensland Core Skills Test, which is currently used to support the calculation of the OP, will no longer be required.

The Queensland Tertiary Admissions Centre—QTAC, will generate ATARs for Queensland students under the new system.

QTAC provides centralised tertiary application services for a range of tertiary institutions, including Queensland's seven public universities, Bond University and TAFE Queensland.

The Bill amends the QCAA functions to ensure it has the powers to deliver the new senior assessment system and the ability to share student results with QTAC for the purpose of tertiary entrance.

The reforms to the senior assessment and tertiary entrance systems are the result of extensive consultation with education stakeholders, and have been informed through the work of a Ministerial Senior Secondary Assessment Taskforce with members from the Catholic, Independent and State schooling sectors, parent groups, secondary principals' associations, teacher unions and tertiary institutions.

I am pleased to advise that all schooling sectors, the QCAA and QTAC support the Bill.

The QCAA continues to work with the Department of Education and the schooling sectors to develop procedures and guidelines to support the new arrangements.

I now turn to the new regulatory regime for providers of courses to overseas students and student exchange programs.

International education is Australia's third largest export. In the 2016–2017 financial year international education provided over \$4 billion to the Queensland economy. While the majority of this export revenue comes from the tertiary and training sectors there are over 100 non-state schools and 150 state schools that provide education to overseas students in Queensland.

The Education (Overseas Students) Act 1996 commenced on 7 December 1998 and regulated providers of courses to overseas students.

Since its enactment there has been significant change in the regulation of providers of courses to overseas students, in particular, with the establishment of the national framework under the Commonwealth Education Services for Overseas Students Act 2000.

The national framework establishes a cooperative model between the Commonwealth and the states and territories for the regulation of this sector.

The Commonwealth Act requires providers of education to overseas students to be registered on the Commonwealth Register of Institutions and Courses for Overseas Students—commonly referred to as CRICOS. Registered providers must have met, and continue to meet, the requirements prescribed in the Commonwealth Act and the National Code of Practice for Providers of Education and Training to Overseas Students.

Queensland's role under the national framework involves approving school providers as the first step of CRICOS registration and undertaking monitoring and enforcement activities.

The current Queensland Act does not adequately reflect the State's role in the national framework or provide the Department of Education with sufficient powers to monitor compliance with the Commonwealth Act and National Code.

In addition, the Queensland Act duplicates the CRICOS registration requirements by requiring Queensland-based providers to also be registered on a separate state-based register.

The Bill therefore provides a timely and important regulatory reform for this sector by introducing a new legislative scheme that better reflects Queensland's role and responsibilities under the national framework and reduces unnecessary duplication. It will also improve the Department's capacity to monitor compliance by providing for the appointment of authorised persons with appropriate investigatory powers, coupled with the usual safeguards on the exercise of those powers.

In 2017, 144 international students and 162 Queensland students participated in international secondary student exchange programs.

International students participating in international secondary student exchange programs travel to Australia on a student visa and attend a secondary school for a period of up to 12 months.

Under similar arrangements, Australian students have the opportunity to attend a secondary school in another country. No tuition fees are paid by students participating in these student exchange programs because reciprocity of exchange is accepted in lieu of payment of the fees.

Most of the students participating in these exchange programs are under 18 years and travel without a parent or guardian.

Providers of international student exchanges are currently regulated in Queensland under an administrative scheme, which applies nationally consistent guidelines.

The Bill introduces a statutory regime for the regulation of providers of student exchange programs. The legislative scheme reflects the requirements and obligations imposed on providers under the existing administrative regime.

Importantly, the scheme also provides the Department with appropriate regulatory oversight powers to safeguard the welfare of international exchange students coming to Queensland to study and Queensland students travelling overseas on exchanges.

The new legislative regime does not apply to short-term cultural exchanges that occur under visitor visa arrangements.

I commend the Bill to the House.

First Reading

Hon. G GRACE (McConnel—ALP) (Minister for Education and Minister for Industrial Relations) (12.17 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to Education, Employment and Small Business Committee

Mr DEPUTY SPEAKER (Mr Stewart): Order! In accordance with standing order 131, the bill is now referred to the Education, Employment and Small Business Committee.