

OVERSEAS STUDENTS

Guidelines on home-stay accommodation for overseas students

Minimum age of 13

Authority and commencement

- 1 These Guidelines:
 - are issued pursuant to section 4.5.1(2)(b) and (3) of the *Education and Training Reform Act 2006*;and
 - commence on the date they are signed, or if they are published after that date, on that later date.

Definitions

- 2 In these guidelines, unless the contrary intention appears:
 - **Director VRQA** means the Director of the Victorian Registration and Qualifications Authority or the person for the time being acting in or performing the duties of that position
 - **ETR Act** means the *Education and Training Reform Act 2006*
 - **home-stay accommodation** means the provision to an overseas student of board and or lodgings by a host family for a fee
 - **overseas student** has the same meaning as in section 1.1.3¹ of the ETR Act
 - **registered school** means a registered school approved under section 4.5.1 of the ETR Act to provide a course to an overseas student.

Guidelines

- 3 Before:
 - entering an agreement or arrangement for the provision of home-stay accommodation to an overseas student,or
 - issuing a Confirmation of Appropriate Accommodation Welfare (CAAW) form to the Department of Immigration and Citizenship in circumstances where home-stay accommodation will be provided to an overseas student,a registered school must be satisfied, after making all reasonable enquiries, that the student will be at least 13 years of age at the time of commencing the home-stay accommodation.
- 4 The Guideline in paragraph 3 does not apply:
 - during the period the overseas student is or will be living:
 - in a boarding facility for students which is part of or owned by the registered school;or
 - with a parent or close family relative (namely an aunt, uncle, grandparent or sibling aged 18 or over) approved as suitable by the Department of Immigration and Citizenship as part of the student's visa approval;or
 - during any period or circumstances exempted by the Director VRQA.
- 5 Nothing in these Guidelines affects any legally binding contract entered by a registered school prior to the commencement of these Guidelines for home-stay accommodation in respect of an overseas student.

Dated and signed this 1st day of July 2009, by Lynn Glover, Director VRQA

¹ overseas student is defined in section 1.1.3 to mean: 'a person holding a visa under the Migration Act 1958 of the Commonwealth which allows the person, whether expressly or otherwise, to study in Victoria'
