

## **SC13-I - MARKETING & ADVERTISING P&P**

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# SC13-I: Marketing and Advertising Policy & Procedure

## Domestic and International Students

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### Purpose

The purpose of this policy and procedure is to outline OUR INSTITUTE’s approach to ensuring it markets and advertises its courses ethically and accurately, Compliance Standards division 1 and Standards for RTOs 2025 2.1, 2.2, 4.7 & 4.8 of those Standards, as well as the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, Standard 1, 2 and 3.

### Definitions

**Standards** means the Standards for Registered Training Organisations (RTOs) 2025 from the VET Quality Framework and ELICOS.

**Training Product** means AQF qualification, skill set, unit of competency, accredited short course or module.

### Policy

1. OUR INSTITUTE ensures the information provided to students about its services, courses, units and qualifications delivered is accurate and factual, regardless of whether the information is provided by the RTO, its brokers, online directories, agents or other third parties. All information clearly distinguishes between non-recognised training and nationally recognised training.
2. OUR INSTITUTE’s marketing information will enable informed choice for students by ensuring the information is detailed, accurate and complies with the requirements of the Standards.
3. By complying with the Standards, OUR INSTITUTE ensures consumer protection laws are adhered to.
4. OUR INSTITUTE’s advertising is factual and ethical and does not misrepresent OUR INSTITUTE’s training and assessment, products and other services.
5. All marketing information for nationally recognised training:
  - Identifies OUR INSTITUTE with its National RTO Code, as well as CRICOS code.
  - Includes the Nationally Recognised Training logo in accordance with its Conditions of Use outlined in Compliance Standards for NVR Registered Training Organisations Part 2 Compliance Requirements.

- Includes the full name and code of the relevant Training Product whether it is a unit, module, qualification, skill set or accredited course so there is no confusion for students about the outcome whether in hard, electronic or social media format including pictures etc...
- Be consistent with its training and assessment strategies.
- Include relevant cost information including all costs, any debts that may be occurred, or any loss of entitlement from the student undertaking the course (such as loss of entitlement for further government funded programs or student loan schemes).

6. OUR INSTITUTE will not:

- Guarantee that a student will be issued with a qualification or statement of attainment if not entitled to.
- Draw false or misleading comparisons with other education providers and courses.
- Guarantee any employment or migration outcome as a result of training and/or assessment.
- Guarantee that a student will be automatically accepted into another course.
- Claim that a student will be eligible for any license or accreditation as a result of training and/or assessment unless it is a license outcome guaranteed by the issuer of the license or accreditation.
- Give any other false or misleading information or advice in relation to itself, its course or outcomes associated with the course.
- Knowingly recruit a student before they have completed six months of their principal course of study without providing a release letter.
- Offer any agent commission to any onshore VET student displayed in below table section C \*

7. Prior to enrolment or the commencement of training OUR INSTITUTE provides to each individual current and accurate information that enables the individual to make informed decisions about undertaking training with OUR INSTITUTE.

8. **Prior to enrolment** or confirmation of enrolment (COE) being issued, OUR INSTITUTE provides to each individual LLND assessment to decide whether they have the required skills to undergo training. This serves as an indication for both RTO and the student whether the qualification in question is appropriate. A potential student can provide evidence of previous studies or work experience in the field required to gain entry to the course. Student who possesses a previous qualification from our institute are exempt due to skills already assessed. In other words, an offer letter if issued prior to LLND assessment **MUST** be conditional on LLND being satisfactory or money paid is to be refunded.

9. Course information provided prior to enrolment will provide the individual with detailed information about fees in line with the Standards 2.1 & 2.2, as well as the National Code 2018.

10. OUR INSTITUTE will obtain prior written permission from any person or organisation used as a source of comment, testimonial or picture, for any marketing and/or other material and will always abide by the conditions of that permission.

## Procedures

### 1. Marketing Information

Procedure	Responsibility
<p><b>A. Develop factual and accurate marketing</b></p> <ul style="list-style-type: none"> <li>• Refer to Clause 2.1 of the Standards for RTOs 2025, as well as the National Code 2018 for the requirements that must be adhered to.</li> <li>• Refer to the <i>Pre-Enrolment Information Checklist</i> to ensure that information included is compliant with the Standards for RTOs 2025 standards 2.2 and requirement for LLND, as well as the National Code 2018.</li> <li>• Ensure marketing materials are approved by the Marketing Manager/CEO.</li> <li>• Keep a register of approved marketing materials on the <i>Marketing Materials Register</i>.</li> <li>• Keep a copy of all marketing materials.</li> </ul>	Marketing Manager
<p><b>B. Monitor marketing information</b></p> <ul style="list-style-type: none"> <li>• Annually review marketing information to ensure it is accurate. This includes all information that may be existing in the marketplace: <ul style="list-style-type: none"> <li>– Course Outlines for each course</li> <li>– Website information</li> <li>– Student Handbook (domestic and international)</li> <li>– Directories</li> <li>– Education agents</li> <li>– Marketing Information for third parties delivering services on behalf of the RTO</li> </ul> </li> <li>• During the review ensure that the requirements of Standard 4 and the National Code 2018 Standards 2.1 &amp; 2.2 and the policy are met and that no misrepresentations have been made, and that there are no inaccuracies in materials.</li> </ul> <p><b>C. Onshore Commission</b></p> <p>Onshore commission to be adhered to as per below table</p>	Marketing Manager

Scenario *	Student Situation	Can Agent Be Paid?	ESOS / Department Position	Reasoning (Legal Logic)	Risk Level
1. Standard Onshore Transfer	Student on Subclass 500 transfers mid-course from Provider A → ABC College	✗ No	Standard 4.7 – commission ban applies	Mid-course transfer = prohibited recruitment	● High
2. Concurrent / Additional Study	Student studies at Provider A and enrolls in another course at same time	✗ No	Standard 4.7 applies	Still actively studying → treated as transfer behaviour	● High
3. Bridging Visa (Student Visa Pending)	Student on bridging visa, previously studying, enrolling again BEFORE completion	✗ No	Department warns visa type irrelevant	Still within study cycle → treated as transfer	● High
4. Visa Cancellation + Appeal (AAT/Court)	Student under appeal, enrolling during unresolved study status	✗ No	Department highlights breach risk	Not a clean completion → still transfer-like	● Very High
5. Different Visa (485 / Visitor / Other)	Student changes visa but has NOT completed principal course	✗ No	ESOS applies regardless of visa	Visa change ≠ reset → still transfer behaviour	● High
6. Provider Closure / Course Ceased	Student moves due to default (TPS / refund scenario)	✗ No	ESOS focuses on protection, not recruitment	Movement is administrative, not recruitment → no commission	● High
7. Appeal + Temporary Visa Combination	Appeal + bridging/temporary visa + enrolment before completion	✗ No	High-risk flagged by Department	Still within original study lifecycle	● Very High
8. Offshore New Student (No Prior Study)	Student outside Australia, first enrolment	☑ Yes	Standard recruitment allowed	Genuine new recruitment	□ Low
9. Exempt Course (e.g. First Aid)	ESOS-exempt course	⚠ Limited	Outside ESOS	Case-specific	□ Medium
10. 🔄 Completed Principal Course (MOST IMPORTANT)	Student has FULLY COMPLETED principal course and enrolls in NEW course AFTER completion	☑ YES	Standard 4.8 applies (exception)	Completion ends transfer restriction → new recruitment allowed	□ Low
11. Completed Course + New Visa (GS applies)	Student completed course, applying for new visa, enrolling again	☑ YES	Standard 4.8 still applies	Visa change irrelevant → completion is key trigger	□ Low
12. Completed Course BUT overlapping / early enrolment	New course starts before completion or overlaps	✗ No	Falls back to Standard 4.7	Not “after completion” → treated as transfer	● High

## 2. Pre-enrolment Course Information

Procedure	Responsibility
<ul style="list-style-type: none"> <li>– <b>Develop course information</b></li> <li>– Refer to Clause 2.2 of the Standards for RTOs 2025 and the National Code 2018 Standards 2 &amp; 3 the requirements that must be included on all course information prior to confirmation of enrolment issued including about LLND</li> <li>– Information on course outlines should include:               <ul style="list-style-type: none"> <li>– the code, title and currency of the training product to which the student is to be enrolled, as published on the National Register</li> <li>– Course content, including compulsory online learning and work-related training</li> <li>– prerequisites necessary to enter the course or courses</li> <li>– the training and assessment, and related educational and support services the RTO will provide to the student including the:                   <ul style="list-style-type: none"> <li>– estimated duration</li> <li>– expected locations at which it will be provided, as well as a general description of facilities, equipment and learning and library resource available to students at each location.</li> <li>– expected modes of delivery</li> <li>– name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the student on the RTO’s behalf, and</li> <li>– any work placement arrangements.</li> <li>– Courses link to be included in student agreement</li> <li>– tuition fees payable, the period which the tuition fees relate, and options for payment (including that an international student may choose to pay more than 50 per cent of their tuition fees before their course commences in accordance with the ESOS Act)</li> <li>– conditions that may be imposed on the student’s enrolment</li> </ul> </li> </ul> </li> <li>– Circumstances where an international student’s information will be shared.</li> </ul> <p>Our institute will only use electronic links in written agreements to provide supplementary materials.</p>	<p>Training Manager</p>

Procedure	Responsibility
<p>Our institute will keep records of the written agreements and payments that demonstrate an international student's acceptance of the agreement.</p> <ul style="list-style-type: none"> <li>– the student's obligations: <ul style="list-style-type: none"> <li>– in relation to the repayment of any debt to be incurred under any funded scheme arising from the provision of services (domestic students only)</li> <li>– any requirements, including visa requirements, that the RTO requires the student to meet to enter and successfully complete their chosen training product, and</li> <li>– any materials and equipment that the student must provide</li> </ul> </li> <li>– information on the implications for the student of government training entitlements and subsidy arrangements in relation to the delivery of the services (domestic only).</li> <li>– The following is provided in the Student Handbook:</li> <li>– the RTO's obligations to the student, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation.</li> <li>– the student's rights, including: <ul style="list-style-type: none"> <li>– details of the RTO's Feedback, complaints, and appeals process required by Standard 2.7, 2.8</li> <li>– Information about living and working in Australia</li> </ul> </li> <li>– The following is to be provided in the Student Agreement:</li> <li>– if the RTO, or a third party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the student is enrolled in</li> </ul>	
<p><b>D. Fee information</b></p> <ul style="list-style-type: none"> <li>• Refer to Clause 2.1, 2.2 of the Standards and National Code 2018 for the requirements of what fee information must be provided to a student. Include this information for each course on the Course Outline and Student Agreement.</li> <li>• Fee information should include: <ul style="list-style-type: none"> <li>– Details of all fees that must be paid to the RTO and any other fees such as OSHC</li> <li>– Payment terms and conditions, including deposits and refunds</li> </ul> </li> </ul>	<p>Marketing Manager/Accounts Officer</p>

Procedure	Responsibility
<ul style="list-style-type: none"> <li>– The potential for fees to change during the course as applicable</li> <li>– the learner’s rights as a consumer</li> <li>– the learner’s right to obtain a refund for services not provided by the RTO, being all of the circumstances related to provider default.</li> </ul>	

### 3. Advertising Materials

Refer Standard 2.1

Procedure	Responsibility
<p><b>E. Develop accurate advertising materials</b></p> <ul style="list-style-type: none"> <li>• Refer to the <i>Pre-enrolment Information Checklist</i> to ensure that information included in an advertisement is compliant with the Standards.</li> <li>• Ensure advertising materials are approved by the Training Manager/CEO.</li> <li>• Keep a register of approved advertisements on the <i>Advertising Register</i>.</li> <li>• Advertisements made by third parties must also be approved and recorded on the register.</li> <li>• Keep a copy of all advertising materials.</li> </ul>	Marketing Manager

### 4. Permissions

Procedure	Responsibility
<p><b>F. Gain and record permissions for use of testimonials and images</b></p> <ul style="list-style-type: none"> <li>• If testimonials and/or images or other works of an individual are to be used in marketing material, gain their permission using the <i>Marketing Permission Form</i>.</li> <li>• Record the details of the permission on the <i>Permissions Register</i>.</li> <li>• Keep a copy of the signed Permission Form in the relevant student/client file as well as a copy in the marketing folder.</li> <li>• When a client/student’s image or work is used, record this on the permissions register.</li> </ul>	Marketing Manager

### Document Control

Revised by:	Roy Bahri
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