

4 May 2009

Ministry of Education, Singapore
1 North Buona Vista Drive
Singapore 138675

Dear Sirs

PUBLIC CONSULTATION ON PROPOSED REGULATORY REGIME FOR THE PRIVATE EDUCATION SECTOR

Innovative Research Universities Australia commends the key objectives being sought through the new private education Bill in Singapore, including:

- An uplifting of standards in the private education sector;
- An increased level of monitoring and enforcement to maintain consistent standards;
- Greater access by Singaporean and foreign students to the necessary information to make informed decisions; and
- A strengthened position for Singapore as a global education hub and increased economic benefits, including the creation of jobs and revenue growth in the education industry.

We also support the majority of provisions within the proposed Bill. In our view, however, some specific provisions of the proposed regulatory regime will have unintended consequences which will work against the achievement of the above objectives. In particular, we wish to raise significant concerns in relation to sections 42, 43 and 44 of the proposed Bill.

Background

Innovative Research Universities (IRU) Australia is a network of six world-class universities, covering all mainland States of Australia, with a commitment to: providing leadership in national higher education policy development; enhancing the quality of higher education; and creating opportunities for stakeholders through collaborative action.

The members of IRU Australia are: Flinders University, Griffith University, James Cook University, La Trobe University, Murdoch University and The University of Newcastle.

All six members were established in the 1960s and 1970s by the Australian Government as research-intensive universities and all have strong education and research linkages with Singapore. One member (James Cook) has an established university campus in Singapore, employing locally 75 permanent staff and 100 part-time staff, and has invested significantly in the development of that campus; another member (Newcastle) has an established partnership with a local private education institution, and employs locally 22 full-time staff and approximately 80 part-time staff. Other members have also established transnational education partnerships with local private educational institutions (Griffith, La Trobe, Flinders and Murdoch). In addition, our members deliver education to Singaporeans through their external course offerings.

*Flinders University, Griffith University, James Cook University, La Trobe University,
Murdoch University, and The University of Newcastle*

Our strong and long-standing educational linkages with Singapore are underpinned by Australia's world-wide reputation for a quality higher education system which has been central to Australia's outstanding success as a provider of international education.

The operations of our member universities, including their offerings in Singapore, are all subject to audit by the Australian Universities Quality Agency.

The issues

IRU Australia fully supports the intent of section 42 to "prevent the misleading impression that the [foreign] institution is based in Singapore".

Our member universities believe, however, that sections 42 and 43 of the proposed legislation as they are currently framed will have unintended consequences for Singapore, Singaporean and foreign students, local private educational institutions; and, the universities themselves, particularly those with significant investment in and commitment to Singapore.

Impacts for Singapore

A strengthened position for Singapore as a global education hub relies substantially on the capacity to provide a diversity of high quality educational options for both Singaporean and foreign students. Our member universities contribute directly to Singapore's vision by providing students with direct access to Australian quality-assured university course offerings delivered in Singapore.

The market research undertaken by our member universities suggests that Singaporean and foreign students are attracted primarily to our course offerings in Singapore by the ability to gain an Australian university qualification while living in Singapore, when financial and/or mobility factors restrict the capacity to study and live in Australia for a considerable duration of time.

The proposed restriction on the name of a foreign university appearing in an advertisement will, in the eyes of prospective students and their parents, significantly narrow the apparent diversity of educational offerings available in Singapore. This may see those students deciding to study in Australia instead or choosing to study in other countries in proximity to Singapore which more actively promote Australian and other reputable foreign university course offerings.

The resulting drop in student demand will also make Singapore a less attractive location for Australian and other international universities looking to deliver their courses overseas. This will work against Singapore's aim to be a global education hub.

IRU Australia universities are strongly committed to ensuring the quality of their qualifications no matter where or how they are delivered. In our judgement, however, restricting the advertising of the name of foreign institutions may inadvertently encourage a weakening of the quality of education provided. Institutions are increasingly protective of their global brand and reputation and will take active steps to ensure the quality of any education provision advertised in their name. The proposed Bill may have the unintended effect of reducing the pressures on some foreign universities to safeguard quality.

Impacts for students

While a key objective of the new Bill is to provide students with the necessary information to make informed decisions, we believe the provisions in section 42 will reduce the capacity to describe the course offerings adequately for the information of students.

The proposed restraints on the use of the name of the foreign institution will restrict the capacity of students to clearly identify the availability of foreign university-standard quality assured course offerings. It will also leave it ambiguous as to which institution awards the degree. This is in direct contrast with the intention clearly enunciated in paragraph 29(c)(iv) that the foreign institution must commit to issuing and printing the degree in the name of the university from its home campus.

Impacts for private educational institutions

An objective of the new Bill is to deliver increased economic benefits, including the creation of jobs and revenue growth in the private education industry.

Our member universities value their partnerships with Singapore-based PEIs. Those partnerships offer direct benefits to our universities, including the streamlining of local educational delivery and access to local knowledge.

The PEIs that partner with our member universities also obtain a benefit from their clear and strong association with an Australian university, which impacts on their growth, profitability and reputation.

A lack of capacity to clearly and prominently advertise the partnership is likely to reduce student demand for the courses offered through the PEI, thereby restricting revenue growth, the creation of jobs, and economic benefits to Singapore. The incentives for our universities to partner with local PEIs will be significantly reduced, and this will reduce the capacity of Singapore to offer a diverse and distinctive mix of world-class education services.

Impacts for our member universities

For our member universities delivering courses through local PEIs, as argued above, we believe that student demand for courses offered in Singapore will be reduced. Some of this reduced demand may be compensated by students choosing to study in Australia instead.

For our member university with a campus in Singapore, there are serious concerns that the proposed restrictions on advertising will significantly downgrade the status of that campus and will drive students to travel to countries other than Singapore to access the education and status they require. There are consequential concerns that their return on a significant investment in campus development, both in terms of infrastructure and quality teaching and research staff based in Singapore, will not be sustainable.

A high quality university education depends on the quality of the teaching and research staff employed. Foreign universities seeking to establish an effective presence in Singapore will have a real challenge, especially given the global competition for talent, in attracting quality staff when they are unable to include their name and university title in advertising and marketing.

Alternative approaches

IRU Australia recommends that the Singaporean authorities reconsider sections 42 to 43 of the Bill and look to alternative approaches for achieving the objectives of the proposed regulatory regime.

Assuming that a foreign institution has established its legitimacy by meeting the criteria specified in sections 29 (a), (b) and (c), it is recommended that:

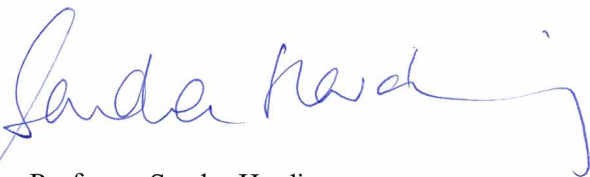
- Where a foreign university has a significant Singapore presence, and registration as a PEI in its own right, the university be permitted to use its own name and university title when advertising and marketing courses. Any such marketing and advertising material should state that: the foreign university's 'home campus' is based in another country; the foreign university has registration as a PEI and approval to deliver university courses in Singapore; and, the qualification is awarded by the foreign university from its home campus.

- Where a foreign university partners with a PEI to deliver courses in Singapore, and has a significant presence in Singapore including locally employed academic staff, co-badging be permitted in any marketing and advertising material, with the name of the foreign university appearing prominently as a foreign partner of the local PEI. Any such marketing and advertising material should state that: the foreign university's 'home campus' is based in another country; the foreign university employs academic staff in Singapore to support the delivery of courses; and the qualification is awarded by the foreign university from its home campus.
- Where a foreign university partners with a PEI to deliver courses in Singapore, but does not have a significant presence in Singapore, the name of the foreign university be permitted to appear in any marketing and advertising material as a foreign partner of the local PEI. Any such marketing and advertising material should state that: the foreign university's 'home campus' is based in another country; and the qualification is awarded by the foreign university from its home campus.

The IRU Australia member universities are committed to working with the Singaporean authorities in maintaining and enhancing the standards and reputation of education in Singapore. If the legislation is enacted in its current form, however, we believe that many of its underlying objectives will be compromised.

IRU Australia appreciates the opportunity to comment on the proposed regulatory regime. Please contact Ms Lenore Cooper, Director, IRU Australia for any clarification or further information. She may be contacted as follows: Email l.cooper@griffith.edu.au; Phone +61 2 6684 3863.

Yours sincerely



Professor Sandra Harding
Chair, IRU Australia
Vice-Chancellor and President, James Cook University
www.irua.edu.au