

SUPPLEMENTARY GAZETTE



THE SOUTH AUSTRALIAN
GOVERNMENT GAZETTE

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PUBLISHED BY AUTHORITY

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ADELAIDE, MONDAY, 17 OCTOBER 2011

TRAINING AND SKILLS DEVELOPMENT ACT 2008

*Declaration of the Approval to Establish
Torrens University Australia*

FURTHER to an application from Laureate Education Asia Ltd and pursuant to Section 5 of the Training and Skills Development Act, 2008 ('the Act'), I declare that LEI Higher Education Holdings Pty Ltd is authorised to establish a private university in South Australia bearing the unmodified university title.

I further declare, in accordance with the National Protocols for Higher Education Approval Processes, Protocols A and D, that the university will be a self-accrediting university offering Australian Qualification Framework awards for a provisional period of five years, after which renewal should be obtained.

This declaration shall come into force on 17 October 2011.

I further declare that this declaration, having come into force, shall continue in force for the provisional five years from the commencement date of the new institution (as defined in Condition 4) provided that the following conditions are met:

Condition 1—Financial Guarantees

That the following financial conditions pertaining to financial guarantees be provided:

- 1.1 Wengen Alberta LP (Canada), through Laureate Education Asia and/or LEI Singapore Holdings Pte. Ltd., to provide equity capital as follows:
 - An injection of A\$10 million at the formation of the University; and
 - An injection of A\$10 million upon enrolment of the first student at the University; and
 - An injection of A\$10 million when total student enrolments (in persons) reaches 500 students.

Excess capital needs may be re-lent to other operating businesses in the Laureate group, but at all times the sum shall be applied either to the development and operations of the Adelaide-based institution, or be available, at call, for such purposes as may be necessary to ensure the smooth and orderly operations of the University

- 1.2 Wengen Alberta LP (Canada), through Laureate Education Asia and/or LEI Singapore Holdings Pte. Ltd. will ensure that for the new institution:
 - A minimum Tangible Net Worth of an amount and for a period as determined by the Minister is maintained; and
 - A minimum Current Ratio of at least 1.0 is maintained.
- 1.3 Wengen Alberta LP (Canada) to issue to the SA Government a letter of comfort stating that it will ensure that the new institution will to continue operate and that the new institution will receive the following:
 - An injection of A\$10 million at the formation of the University; and
 - An injection of A\$10 million upon enrolment of the first student at the University; and
 - An injection of A\$10 million when total student enrolments (in persons) reaches 500 students; and
 - A minimum Tangible Net Worth of an amount and for a period as determined by the Minister is maintained; and
 - A minimum Current Ratio of at least 1.0 is maintained.

This letter of comfort to be in place for the first 5 years after the licence to operate is issued.

Condition 2—Scope of Operation as a University

That in recognition of the requirement that to hold a 'university' title it is necessary to conduct research and research training in at least three broad fields of research:

- 2.1 The planned initial suite of programs and associated staff recruitment be amended to ensure research activities span at least three broad fields as defined by Protocol D5; and
- 2.2 Prior to the enrolment of any students, the ability to conduct effective research and PhD level research training in at least three broad fields of study to be clearly established to the satisfaction TEQSA.

Condition 3—Name of the Institution

That the proposed name of the institution, 'The International University of Australia' be revised to the satisfaction of the Minister with regard to the comments from the sector.

Condition 4—Commencement of Operations and Review of the Institution

- 4.1 That the commencement date for the new institution not be prior to 1 January 2013, in order to ensure that the new institution has met the conditions as specified here and all operational matters including: establishment as a legally constituted Australian company; application to the Commonwealth as a Table B university under the Higher Education Support Act; and approval of appropriate Tuition Assurance arrangements under the Education Service to Overseas Students Act, have been finalised.
- 4.2 The provisional 5 year period of operation commence on 1 January 2013 or from the date when teaching first commences.
- 4.3 The new institution be subject to review prior to the expiry of the first 5 years of operation by TEQSA, to assess, and if appropriate confirm, its continuing viability and quality and use of the 'university' title in accordance with the relevant standards.

Condition 5—Academic Governance

That the academic governance structures of the new institution include staff and student representation that ensures direct involvement in the deliberative and decision-making processes of the university to the satisfaction of TEQSA.

Condition 6—Additional Conditions

That prior to the enrolment of any students and the commencement of teaching the following conditions have been met to the satisfaction of TEQSA:

- 6.1 All academic, student, research and human resources policies be fully elaborated and accompanied by procedural documents outlining the mechanisms for their implementation.
- 6.2 The academic programs being offered in the initial years be designed, developed and approved through the appropriately constituted academic board of the newly established university.
- 6.3 The minimum number of academic staff required for each academic program and area of research/research training be appointed (and in particular the professors and discipline leaders), with qualifications appropriate to the discipline and level of teaching or research being undertaken.

J. J. SNELLING, Treasurer, Minister for
Employment, Training and Further
Education
