

22 March 2016

Ms Tegan Brink
Assistant Secretary, Goods and Investment Branch
Department of Foreign Affairs and Trade
RG Casey Building
John McEwen Crescent
Barton ACT 0221

By email: Tegan.Brink@dfat.gov.au

Dear Ms Brink

Review of Singapore-Australia Free Trade Agreement

Thank you for inviting Curtin University (Curtin) to participate in discussions relating to the current Review of the bilateral Singapore-Australia Free Trade Agreement (SAFTA) on Wednesday, 16 March 2016. Thank you also for the opportunity to provide input, on behalf of Curtin, to the Review.

Curtin notes that the Objectives of SAFTA, as set out in Ch 01, Article 1, include 'to liberalise trade in goods and services' and to support the goals of 'free and open' trade and investment. In Ch 15 of the SAFTA ('Education Cooperation') the Governments of Singapore and Australia commit to 'academic credit transfer and mutual recognition of academic....qualifications between recognized institutions of higher learning'.

Background

Curtin is the largest public university in Western Australia, and one of largest universities in the country. Its main campus is in Perth, a major gateway from Australia to South-East Asia. In 2016 Curtin delivers undergraduate and postgraduate degree programs to more than 60,000 students at seven campuses within Western Australia and also at campuses overseas: in Singapore (Curtin Singapore) and in Miri, Sarawak, Malaysia (Curtin Sarawak).

Curtin is recognised as a public university by the State of Western Australia and by Australia's national Government. The University, and its programs, are regulated by the *Tertiary Education Quality Standards Agency Act 2011* (Cth) (TEQSA) and Curtin is registered as a self-accrediting Australian University on TEQSA's National Register of Higher Education Providers. Curtin's professional degree programs comply with the requirements of, and accordingly are recognised by, relevant professional bodies including the Certified Practising Accountants Australia, the Institute of Chartered Accountants Australia, and the Legal Practice Board of Western Australia.

Curtin ranks highly in international rankings, including the following recent rankings:

- *Academic Ranking of World Universities 2015*: top 2% per cent of universities worldwide;
- *Times Higher Education World's Top 100 International Universities 2015*: equal 10th place;
- *QS World University Rankings 2015*: 23rd in the world for universities under the age of 50;
- *Good Universities Guide, 2016*: five star rating (out of five) for graduate starting salaries in Australia.

Since the 1970s Curtin has welcomed hundreds of students from Singapore to its campus in Perth. In the mid-1980s Curtin established valuable, and highly valued, inter-institutional links through the delivery of business degree programs with partners including the Marketing Institute of Singapore and the Singapore Human Resource Institute. In 2008 Curtin further strengthened its commitment to Singapore by establishing a dedicated branch campus at 90-92 Jalan Rajah, Singapore. In establishing Curtin Singapore the University was greatly assisted by the Government of Singapore, particularly through its Ministry of Education (MOE). Curtin is proud and honored to offer its degree programs to both local (Singaporean) and international (or foreign) students at Curtin Singapore.

Curtin Singapore

As noted above, degree program delivery commenced at Curtin Singapore in late 2008. Currently approximately 1500 students undertake undergraduate or postgraduate courses in Business, Health Sciences or the Humanities at the campus. About one-third of those students are Singaporean, many of whom study part time. The remaining two-thirds are foreign students from countries including China, Indonesia, Malaysia and Vietnam, all of whom are required by law to study full time.

Curtin Singapore is a 'private education institution' (PEI) for the purpose of Singapore's *Private Education Act 2009* (PE Act) and accordingly its operations are governed by the PE Act, by the Council for Private Education (CPE) which is established by the PE Act, and by the Private Education Regulations 2009. The PE Act and Regulations provide comprehensively for the registration and operation of PEIs, with a view to effectively regulating and quality assuring PEIs, protecting consumers and promoting excellence in the private education industry. Section 86 of the PE Act also provides for the exemption of any "person or any class of persons.... from any provision of this Act".

Curtin Singapore has achieved certification under the voluntary EduTrust Certification Scheme, which is administered by the CPE. EduTrust certification recognises the maintenance by PEIs of consistently high standards in management and in the provision of education services.

Curtin's Comments

In the context of the SAFTA Review Curtin makes the following comments:

- The MOE's website contains no reference to Curtin Singapore, although it provides extensive information on a wide range of educational levels and institutions, from pre-school to post-secondary levels (refer <https://www.moe.gov.sg/education/post-secondary>). The post-secondary list includes both public and private universities; however Curtin Singapore is not among the universities listed. Information about 'private education' which appears on the MOE's website relates almost entirely to private schools. Curtin would greatly appreciate Curtin Singapore being accorded 'visibility' on the MOE's website.

- Curtin Singapore is registered on CPE's website as 'Curtin Education Centre', rather than as 'Curtin University, Singapore' or another title which clearly signifies Curtin's university status: refer <https://www.cpe.gov.sg/cos/o.x?c=/cpe/peis&ptid=401&func=profile&pid=51>. The CPE is empowered to direct PEIs, among other things, as to their trading names and, to date, the CPE has not permitted Curtin to use the word 'University' in its trading name. In Curtin's view this is unfortunate and anomalous, given its registration in Australia by TEQSA as a self-accrediting public university and its global standing as a world-class university.
- Students at Curtin Singapore and Curtin Sarawak campuses are awarded the same degree and are provided with the same transcripts as their peers at Curtin campuses within Australia. Curtin notes that the MOE does not include degrees obtained by graduates of Curtin Singapore in the list of tertiary qualifications which it provides to the People's Republic of China (PRC) for recognition. This is unfortunate and anomalous, not least because the Malaysian Ministry of Higher Education recognizes degrees awarded by Curtin Sarawak and accordingly the PRC recognizes those degrees.
- Curtin recognizes and supports the objectives of the PE Act, of course, but it also considers that the degree of regulation to which Curtin Singapore is subject under the PE Act to be onerous and restrictive. The cost to Curtin, including the opportunity cost, of complying with the PE Act's regime is considerable. To date Curtin Singapore, unlike a number of other foreign universities, has not been exempted from any requirements of the PE Act pursuant to s 86 of that Act.
- Curtin complies with TEQSA's rigorous requirements for the registration of public universities in Australia and, accordingly, Curtin submits that the recognition by Singapore of TEQSA's accreditation standards should be sufficient for the purposes of the MOE and/or the PE Act. A limited number of foreign universities operating in Singapore have been granted exemption from regulation, but, to date, Curtin Singapore has not been granted any exemptions: refer [https://www.cpe.gov.sg/cpe/slot/u105/Legislation/Private%20Education%20\(Exemption\)%20Order%202013.pdf](https://www.cpe.gov.sg/cpe/slot/u105/Legislation/Private%20Education%20(Exemption)%20Order%202013.pdf).
- Foreign students undertaking courses at Curtin Singapore are required to study full-time; this means that they must attend classes for a minimum of four hours per day each weekday. The class attendance requirement is closely monitored and reported upon regularly.
- Singapore's Ministry of Manpower prohibits foreign students from working part-time or during vacations, unless they are attending an 'approved institution', in which case a statutory exemption from that prohibition applies. To date Curtin Singapore has not been designated an 'approved institution' for the purposes of such exemptions. Curtin believes that part-time work provides important professional and personal development for all students and that, accordingly, the current prohibition on such work operates as an unfortunate constraint on its students.
- Curtin also notes that Singaporean students studying at Curtin Singapore are not eligible for any Governmental fee subsidies, unlike students at Government, or specific Government-nominated, institutions.

Curtin is of the view that the factors noted above operate as indirect trade barriers, inhibiting the 'visibility' of Curtin Singapore to prospective students, reducing the inherent value of its degrees and limiting its market appeal to future students, both Singaporean and foreign.

In other words, Curtin believes that those factors, alone or in combination, operate to fetter trade in its provision of higher education services in Singapore.

Curtin submits that Singapore's and Australia's commitments to 'free and open trade' in the SAFTA and, very importantly, the spirit behind Ch 15, 'Educational Cooperation', would be much better served by the reduction in, or elimination of, the current indirect trade barriers, and resulting anomalies, which are described above.

Curtin submits that dismantling those barriers and removing those anomalies, will make the current post-secondary education 'playing field' in Singapore a much more 'level' one, thereby optimizing the mutual interests of Singapore and Australia in the years to come.

Finally, Curtin notes that competition for places at public universities in Singapore is extremely intense. Were the current trade barriers to be removed, Curtin believes that it would be much better placed to support the Singaporean Government through the provision of more extensive and attractive post-secondary options for Singaporean students, as well as providing wider choice for foreign students who wish to study in Singapore.

Thank you again for the opportunity to provide these comments.

Kind regards



Associate Professor Stephanie Fryer-Smith
Pro Vice-Chancellor
Curtin Sydney

cc Professor John Cordery, Provost, Curtin University
Associate Professor Simon Leunig, Deputy Vice-Chancellor, Curtin University
Professor Robert Evans, Pro Vice-Chancellor, Curtin Singapore