

Tanzania Commission for Universities



Guidelines for Overseas Education Students Recruitment Agencies

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LIST OF ABBREVIATIONS

OESRA	Overseas Education Students Recruitment Agencies
TCU	Tanzania Commission for Universities

INTRODUCTION

Under Regulation 47 (1) (c), (e) and (f) of the Universities (General) Regulation, G.N 226 of 2013, no person or institution, whether local or foreign shall without the express approval of the Commission advertise to offer any University level award, organize exhibitions on University education or recruit students in the United Republic to join foreign university institution. The aim is to guarantee that overseas student recruitment is duly regulated for the benefit of Tanzanians intending to pursue university education abroad.

In the current global market, the use of overseas students' recruitment agents (OESRA) to help enrol students has been a controversial issue. Some countries are seeking to regulate them and others to legislate against their existence especially where fraudulent practises and enrolment of students to unaccredited institutions is witnessed.

The use of these agents by students and the parents has recently been popular and preferred. In certain countries the use of agents is high: in China 45% of students use agents, in India 43% and in Nigeria 30%. Students and parents use agents to arrange study abroad either because they lack knowledge and understanding of overseas education systems or (even where they have obtained their own placement) because they lack the time or confidence to complete the necessary formalities, especially visa application procedures, without help, and are happy to pay for assistance from an agent.

Already in countries such as China, United Kingdom, India, and Australia have had embarked on the initiative to develop regulations to monitor students' overseas recruitment agencies. Some key findings from these countries indicate that some unqualified agencies providing services to students wishing to study abroad help clients to forge materials required for applications for admission, cheat clients by securing them places in unscrupulous and bogus institutions at the expense of money.

For example, a review carried out in Australia in March, 2011 on the Student Visa Programme revealed that unscrupulous education agents were receiving high commissions to assist students with fraudulent documents to get admitted into any course irrespective of the quality of the course or the qualifications of the student.

In Africa, the issue of agent reputation has had an impact in the continent. In particular, much controversy has been on the high number of fraudulent applications from education agents acting on behalf of students from African countries, who have been seen as trying to gain access to loans and benefits or gain residency through the back door. This makes institutions and students to

become wary of having applications denied as a result of being suspected as fraudulent.

In Tanzania, the liberalisation of education and training has also opened up new opportunities including the establishment of students' overseas education recruitment agencies. So far twenty six (26) agencies operating in Tanzania have been identified. However, this sector has been unregulated as there was no documented information on their registration and accreditation status as well as the guidelines and criteria for the services rendered by such agencies. In addition to ensure quality of graduate recruited by these agencies, TCU has to be satisfied that the students are admitted in institutions of high education standards.

In view of the aforesaid, TCU with involvement of its key stakeholders has issued these guidelines in order to guide and regulate the overseas students recruitment agents. These guidelines are subject to review and continuous improvement according to the changing needs of the society.

PART ONE

PRELIMINARY PROVISIONS

1.1 Definitions

For the purpose of these guidelines, the following definitions shall apply unless the context requires otherwise:

- 1.1.1 **Agent** refers to a person, company, individual or institution that is an intermediary between the student who wishes to pursue studies overseas and the overseas University institution.
- 1.1.2 **Award** means a final determination given after successful completing/attaining/achieving specific academic level.
- 1.1.3 **Commission** means the Tanzania Commission for Universities as established under Section 4 of the Universities Act, Cap 346 of the Laws of Tanzania.
- 1.1.4 **Foreign University** means a university which is incorporated and, or established in accordance with the law of its country of domicile and empowered to offer its programmes, courses and awards outside that country and authorized to carry on higher education operations, activities or functions in Tanzania in accordance with the provisions of Universities Act.
- 1.1.5 **Natural Person** refers to a real human being, as distinguished from a corporation which is treated at law as a fictitious person.
- 1.1.6 **Overseas education** refers to education that transcends national borders of Tanzania.
- 1.1.7 **Overseas Education Students Recruitment Agency (OESRA)** refers to an agency, company, individual or institution duly registered to advertise, exhibit and recruit students in Tanzania on behalf of Universities outside Tanzania.
- 1.1.8 **Letter of no objection** refers to a letter issued by the Commission to any person who wishes to obtain studies outside Tanzania, upon satisfying itself that the holder possesses the minimum requirements to undertake the said study and the University that he wishes to join is accredited and recognised in Tanzania.

1.2 Scope of Application

These guidelines shall apply to all OESRAs registered and operating in Tanzania.

PART TWO

Guidelines for Overseas Education Students Recruitment Agencies (OESRAs)

2.1 Principles

For the purpose of these guidelines, the running of overseas education student recruitment activities in Tanzania will be guided by the following principles:

- 2.1.1. The information about the overseas university/institution and the programme of study should be clearly articulated and availed to the Commission and approved before the student is allowed to proceed with the application for admission.
- 2.1.2. Any agency performing overseas student recruitment activities must be a registered entity recognised by competent authorities in Tanzania.
- 2.1.3. Any foreign institution which wants to advertise or exhibit for purposes of recruiting students must work through a registered agency in Tanzania.
- 2.1.4. Any agent performing overseas student recruitment activities must submit its credentials to the Commission for proof of the existence of capability to provide such activities including competent human resources, premises and information system to support the conduct of its activities.
- 2.1.5. Any agency performing overseas student recruitment activities should clearly articulate and provide proof of the sustainability of the business.
- 2.1.6. Any agency performing overseas student recruitment activities must take into account other existing legislations, policies and development plans in Tanzania, and thus advise students accordingly.
- 2.1.7. Any agency performing overseas student recruitment activities shall not be allowed to collect tuition fees on behalf of the university. The tuition fees shall be remitted directly to the university by the student.
- 2.1.8. It is mandatory for an agency performing overseas student recruitment activities to submit annual report of its operations.

2.2 Procedures for Identification and Registration/Accreditation of OESRAs

- 2.2.1 A student recruiting agency acting on behalf of such a university shall apply to the Commission for a licence to operate in Tanzania.
- 2.2.2 For purposes of paragraph (2.2.1), students' recruitment agencies shall include:
- a) A natural person resident in Tanzania engaging in the business of student recruitment into foreign universities; Locally registered agencies for student recruitment into foreign universities;
 - b) Agencies for advertising, exhibiting and marketing foreign universities; and
 - c) Foreign universities directly advertising, exhibiting or recruiting students.
- 2.2.3 The application referred in (2.2.1) shall be in prescribed form.
- 2.2.4 The application referred in (2.2.1) shall be accompanied by a non-refundable application fee prescribed by the Commission.
- 2.2.5 Upon receiving the application, the Commission shall undertake the verification of the particulars submitted by the applicant by reviewing the documents using a prescribed form, and visiting the proposed location of the Agency for purposes of carrying out inspection as may be required by the Commission.
- 2.2.6 The Commission shall keep a register of all agencies operating in Tanzania which shall be accessible to the public.
- 2.2.7 The Commission shall publish yearly the list of all registered agencies and the accredited Universities which they represent.
- 2.2.8 These guidelines may be reviewed by the Commission from time to time.
- 2.2.9 A licence to operate shall be valid for a period of three years and may be renewed subject to adherence to conditions set by the Commission.
- 2.2.10 A licence holder shall pay an annual subscription fee prescribed by the Commission from time to time.
- 2.2.11 The Commission may cancel a Licence to operate if it is of the opinion that the agency is in violation of the terms and condition under which the licence was issued.
- 2.2.12 An agency to which a Licence has been issued may:
- a) Recruit qualified students for specified foreign universities;
 - b) Carry out marketing and liaison activities for the foreign university (s) it represents;
 - c) Provide counselling and support services to prospective students; and

d) Advertise its services.

2.2.13 The Commission may inspect an agency as and when it deems necessary.

2.3 Responsibilities of OESRAs

Any Licensed Agency wishing to recruit Tanzanians to study in foreign universities shall:

2.3.1 Place students into accredited/recognized institutions.

2.3.2 Ensure that a prospective student obtains a '*no objection letter*' from TCU that confirms the accreditation status of the intended university.

2.3.3 Provide clear and comprehensive written information (information kit) to prospective student(s) regarding the institution that entails among others information concerning:

- a) institutional contacts (including name of contact person(s) and phone numbers);
- b) the quality and cost of the courses offered and mode of delivery;
- c) reasonable monthly living costs per student;
- d) the quality and cost of health facilities available to a student;
- e) the level of security at the institution; and
- f) employability after graduation.

2.3.4 Establish the database of all students studying abroad indicating all relevant information of the student including the country of study, university name and programme under study, year of study and any other information as may be required by the Commission.

2.3.5 Provide viable counselling and support services to prospective students in the following issues:

- a) Career guidance and Counselling;
- b) Course selection;
- c) University selection;
- d) Admission requirements in Universities/Colleges;
- e) Visa assistance;
- f) Pre-departure and post-arrival information and/or services;
- g) Airport assistance;
- h) Accommodation information/services;
- i) Health insurance where applicable;
- j) Language requirements (e.g. English proficiency tests); and
- k) Coping strategies/cross-cultural issues/ethical standards.

2.4 Criteria for running overseas students recruitment activities in Tanzania:

For the purpose of these guidelines, an agency shall be eligible to be licensed to operate in Tanzania if such body meets the following criteria:

- 2.4.1 Is registered under the laws of Tanzania.
- 2.4.2 Represents accredited universities in its country of origin.
- 2.4.3 Has a physical address in Tanzania.
- 2.4.4 Produces evidence of a memorandum of understanding with the universities it represents.
- 2.4.5 Produces evidence of having in place adequate qualified staff with ability and skills to verify the credentials of the applicants with a view to establishing whether the candidate meets the entry requirements of a receiving institution.
- 2.4.6 Proof of financial sustainability and capacity to carryout student recruitment services.
- 2.4.7 Demonstrate proven experience and expertise in working with higher education institutions.
- 2.4.8 Be knowledgeable about higher education system of a country it represents.