



New Zealand Specialist Agents, India

Code of Conduct

At all times Specialists shall:

1. Conduct themselves with integrity and in a manner that will reflect positively on New Zealand as a trusted, high quality education provider.
2. Maintain the highest professional standards, be ethical, and act with due diligence.
3. Be aware of the Advertising Policy (See Appendix 1) and abide by the guidelines.
4. Serve the best interests of all their New Zealand providers and students without prejudice or favour.
5. Respect the confidentiality of providers and students.
6. Adhere in all respects to Education New Zealand (ENZ)'s "New Zealand Education Fairs: Guidelines for Participants" (See Appendix 2)
7. Note that it is expected that Heads of New Zealand Specialist agencies attend a minimum of two Specialists meetings per year.
8. Achieve the necessary student numbers and approval percentages as per the criteria documented below.
9. Adhere in all respects to the New Zealand Ministry of Education Code of Practice for the Pastoral Care of International Students (<http://www.minedu.govt.nz/goto/international>) and keep abreast of any changes or developments to it.
10. Refer to ENZ or New Zealand Trade & Enterprise (NZTE) India in all matters relating to the New Zealand Specialist Agent group; including (but not restricted to) issues such as membership conditions/criteria/inclusion, membership benefits, the development and growth of the New Zealand Specialist Agent group etc.
11. Ensure their contact details on the Specialist web page (<http://www.newzealandeducated.com/in/en/blog/agents>) are accurate, and advise NZTE India if changes are required.
12. Not offer any discount to students or enter into any arrangement, directly or indirectly, with students for sharing of commission whether called scholarship or otherwise. Any amount passed back to a student out of the commission receivable by the agent shall be treated as violation of this clause. Scholarships, if offered, should meet all ethical definitions of a scholarship which ideally means that it is either offered by education providers, government agencies or by benevolent trusts where the scholarship results from a secured fund set aside for the purpose. Publication of any advertisement, publicity material, brochure etc offering such discount or pass back of commission to students shall be construed as violation of this clause.

<http://www.newzealandeducated.com/in/en/blog/agents>

New Zealand Specialist Agents shall never:

1. Act, conspire, or enter agreements in an unlawful manner.
2. Knowingly or by a failure of professional standards provide or disseminate to any stakeholders false, incomplete or misleading information about themselves, their clients (students and providers), ENZ, or any other stakeholders.
3. Publicly criticise or accuse the New Zealand Specialist group, individual Specialist members, ENZ, or any other stakeholder without substantive evidence and the opportunity for ENZ to first investigate any such evidence prior to public disclosure.
4. Bring the New Zealand Education System, ENZ, the Specialist group or individual Specialists, or any other stakeholder in to disrepute by the above or any other means.

ENZ and NZTE India's Commitment to NZ Specialists

As part of ENZ and NZTE India's commitment to those agencies accepting the conditions of the Code of Conduct, they shall:

1. Communicate to all New Zealand Specialists (by a variety of means), in a timely and accurate manner, new information pertaining to each organisation's spheres of influence, which is imperative or advantageous for NZ Specialists to be able to operate and prosper in the New Zealand market.
2. To ensure membership to the New Zealand Specialist group remains a meaningful and a valuable industry body for its members, ENZ reserves the right to update and change any aspect of the Code of Conduct and associated criteria.
3. Should ENZ decide to change aspects of the Specialist Code and associated criteria, ENZ shall issue an updated Code of Conduct for each Specialist to recommit to for the remaining time in the current membership year.
4. To ensure the reputation and standing of the New Zealand Specialist group and its component members are upheld, ENZ and NZTE India shall investigate any alleged or suspected breach of the code of conduct by a Specialist, in an objective, unprejudiced, timely, and discreet manner; and with the assistance of any other institutions, businesses, or person ENZ sees fit.
5. If the agency is found to be in breach of the Code, ENZ will issue the agency a formal letter outlining the NZ Specialist Agents Code non-compliance and seek adequate redress, to be defined on a case by case basis, and within a timeframe defined on a case by case basis.
6. Any subsequent or continuing non-compliance occurring within a time frame defined on a case by case basis will result in ENZ lapsing the agency's Specialist membership with immediate effect. This applies to the agency as a whole and all key persons of this agency whilst still employed by, or associated with, the lapsing agency.
7. However, should any upheld complaint be considered by ENZ to be extremely serious in nature, ENZ reserves the right to lapse an agency's membership with immediate effect at any point in the process.
8. ENZ and NZTE India shall consult the Specialists on issues of importance regarding India – New Zealand export education.
9. The fee charged by NZ Specialist Agents for their services to students will not exceed INR 10,000.

New Zealand Specialist Agents Membership Criteria

1. To gain or maintain Specialist status, an agency must achieve the following performance levels as measured over a 12 month period from 1 April to 31 March:

Agency Type	Number of NZ placed students over 12 months	Client INZ visa approval rate over 12 months
National Agency	40	85%
Regional Agency	30	85%
Big Centre (sole) Agency	30	85%
Small Centre (sole) Agency	20	85%

2. For current Specialist Agents tracking below the necessary figures as on 1 April, advice & support as considered appropriate by ENZ & NZTE India may be provided. A mid-term assessment will be undertaken for these agents on 1 October which would decide the final outcome of the membership.
3. However, if upon 1 April, a Specialist fails to achieve the required figures and the agency, by way of appeal, can not present mitigating circumstances (e.g. force majeure etc...) which adequately explains the failure to achieve the required figures, membership status will lapse. Re-admission in to the Specialist group for a lapsing member will not be possible until the start of the following membership year i.e. 12 months from lapsing and upon reapplying the standard assessment criteria for Specialist status at the time of reapplication apply.
4. Membership in the Specialist group is conditional on the agency signing the New Zealand Specialist Agents Code of Conduct and securing ENZ's discretionary approval.
5. The Disputes Committee comprises of four Specialists to address issues via the Chair, the NZTE Trade Commissioner.
6. Membership fees will be paid directly to ENZ based on:
 - The first year of membership INR 10,000 per head office and INR 3,500 for each branch office
 - In subsequent years, the renewal fee drops by 50% to INR 5,000 per head office and INR 1,500 for each branch office

PLEASE NOTE: For further details on New Zealand Specialist Agents membership write to Ms Jugnu Roy at Jugnu.roy@nzte.govt.nz or call 011 – 26883170.

Appendix 1: **New Zealand Specialist Agents - Advertising Policy**

These advertising rules were formulated by Education New Zealand after consultation with Specialist Agents, in order to regulate the advertisement and publicity activities of the Specialists, to protect the legitimate rights of prospective students, agents and institutions and to enable advertising to play a positive role in marketing New Zealand education and institutions.

The term 'New Zealand Specialist Agents' referred to in this document inter-alia includes their branch offices.

The Advertising Rules laid down in this Policy are as follows:

1. All Specialists shall follow principles of fairness, honesty and credibility in their advertisement and publicity activities.
2. An advertisement released or caused to be released by a Specialist shall not contain any false or misleading information.
3. All advertisements shall be true to the facts stated therein, lawful and in compliance with the general Indian laws and New Zealand immigration rules.
4. An advertisement released or caused to be released by a Specialist shall not contain/involve any one or more of the following:
 - a. Using the names, logos or branding of New Zealand organisations like New Zealand Trade & Enterprise, Education New Zealand, Immigration New Zealand or any of their functionaries without their clear permission for the same.
 - b. Using sentences such as "Official New Zealand Education Fair", "New Zealand Government" etc in their promotions.
 - c. Using words or representations which guarantee jobs, work, or employment in New Zealand. Any references to permanent residence regulations shall be in strict compliance with the prevailing New Zealand Government Immigration Rules and wherever practical, providing reference to the appropriate website address.
 - d. Undertaking and/or guaranteeing approval of visa or using words such as "Guarantee Visa"
 - e. Offering discounts in fee and other incentives like gifts, free air tickets, money backs and free accommodation.
5. Specialists shall refrain from making claims in their advertisements that cannot be substantiated or verified like "Best", "No.1" etc. However, award winning Specialists would be allowed to publicize their achievements (as stated on the Specialist Certificate).
6. Specialists shall advertise only for such institutions:
 - a. That are appropriately registered with New Zealand Qualification Authority to deliver courses to international students
 - b. That the member is authorised to represent
 - c. With whom they have concluded a written agency agreement

7. Prior permission for advertisements shall be obtained from each of the respective institutions before a Specialist advertises those institutions or uses their logos.
8. It is recommended to use the Specialist logo in all members' advertisements to promote the Specialist Agent Group.
9. It is expected that all Specialists shall abide by the rules stated above. Complaints regarding on-going compliance will be forwarded to the Disputes Committee of the Specialist group for resolution. The Disputes Committee will be able to recommend suspension of membership for members who repeatedly publish ads against the advertising policy.
10. Any violation of these rules by a non- Specialist shall be considered as a disqualification when their agency is considered for membership of the Specialist Group.

Appendix 2: **New Zealand Education Fairs: Guidelines for Participants** (August 2007)

The New Zealand Education Fairs (PACE) in India are an important component in our overall marketing strategy. Not only are they an opportunity for potential students to see what our institutions have to offer, they are also a very important public showcase of how New Zealand operates.

As Specialists you are an essential element of the Fairs. You are the 'front line' as students move from interest through to application and enrolment. And you are very much a part of the image of New Zealand that visitors to the Fairs will take away with them.

As a result of discussions with members and institutions, we have come up with a set of guidelines for conduct at Fairs. These guidelines will help ensure that everyone, especially newcomers, know what the 'ground rules' are.

1. Members should arrive at the venue on time to ensure that the events start smoothly. We strongly recommended that the decision makers (Directors) are present for the morning meetings.
2. Members will be assigned tables, which will follow in alphabetical order. The table will include 2 chairs on either side. We request that you be seated on the tables assigned to you.
3. Placards with your agency names will be provided, and for consistency we would prefer that you display them on your tables.
4. Members should restrict the number of staff to a maximum of 3 at all times. Agency staff may only sit at tables assigned to their agency. No agent staff may sit or display individual agency cards at institutional booths.
5. It is important for visitor flows that there be no clustering around the entrance.
6. To assist with the overall 'NZ Inc' look to the Fairs we would request that you do not use standing banners. You can of course use your agency table cloth, which has the required information.
7. As you are all Specialists, in the spirit of collegiality no negative comments should be passed about other participating Specialist colleagues.
8. All publicity material used at the fair should be NZ specific.
9. Publicity material should only be distributed from the tables assigned to you.
10. Finally, we would ask you to refrain from promoting other education destinations. Please remember these are New Zealand Education Fairs.