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FEATURE ARTICLE

Strengthening Student Protection: What Fiji's New Student Recruitment Agency Framework Means for Learners

As more Fijian students look overseas for higher education opportunities, student recruitment agencies have become a key link between students, parents, and foreign institutions. While many agencies operate responsibly, recent consultations between the Higher Education Commission Fiji (HECF) and the Consumer Council of Fiji (CCoF) have highlighted growing concerns around non-compliance, misinformation, and student vulnerability.

In response, HECF is advancing a dedicated regulatory framework for student recruitment agencies both outbound (Fiji students studying abroad) and inbound (international students coming to Fiji). This feature outlines the current issues, proposed changes, and why these reforms matter for students and agencies alike.

Current Issues with Student Recruitment Agencies in Fiji

Over the past decade, Fiji's student recruitment sector has experienced significant expansion. However, regulatory oversight and compliance mechanisms have not kept pace with this growth. A central issue identified through stakeholder consultations is the proliferation of agencies operating without formal registration, accreditation, or licensing.

Agencies functioning outside recognized regulatory frameworks present substantial accountability challenges. When disputes arise, there are limited mechanisms for enforcement or redress. Students have reported instances of misleading marketing, inflated claims regarding admission outcomes or employment pathways, opaque fee structures, and inadequate pre-departure and post-arrival support. In some cases, agencies disengage entirely once students travel abroad, leaving them without guidance when confronting academic, immigration, or welfare-related difficulties.

Similar concerns exist for international students entering Fiji through recruitment intermediaries. In the absence of standardized operating requirements, students may encounter deficient orientation processes, substandard accommodation arrangements, and limited access to transparent grievance mechanisms.

From a consumer protection standpoint, these regulatory gaps are consequential. Education constitutes a high-value, long-term investment, and decision-making is often grounded in trust.

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When that trust is compromised, the resulting financial, emotional, and academic repercussions can be profound.

What Changes Are Being Discussed and Proposed

To address these systemic weaknesses, HECF has developed a comprehensive regulatory framework to formalize and standardize the operation of student recruitment agencies in Fiji. Anchored in the Higher Education Act 2008, the framework reinforces HECF's statutory mandate to protect student welfare and safeguard the national interest.

At its core is a requirement for mandatory annual registration. All student recruitment agencies whether facilitating outbound study, recruiting inbound international students, or providing visa and immigration advisory services must obtain registration from HECF prior to advertising, marketing, or placing students. This establishes a clear legal threshold for market entry and continued operation.

Registration is substantive rather than procedural. Agencies must demonstrate compliance with a range of national legal and regulatory obligations, including:

- Tax and VAT compliance with the Fiji Revenue & Customs Service (FRCS)
- Business registration with the Registrar of Companies
- Employee contribution compliance with the Fiji National Provident Fund (FNPF)
- Adherence to immigration laws governing visas and permits
- Consumer protection standards enforced by the Consumer Council of Fiji (CCoF) and the Fijian Competition and Consumer Commission (FCCC)

A further safeguard introduced under the framework is the establishment of a repatriation fund. A designated portion of each agency's registration fee will be held in trust to facilitate the safe return of students to Fiji in emergency circumstances. This mechanism provides financial contingency support in situations such as institutional closure, legal complications, or personal crises abroad.

The framework also extends agency accountability beyond the point of placement. Registered agencies will be required to maintain verified contact points, accessible grievance mechanisms, periodic welfare check-ins, and emergency response protocols for Fijian students after departure.

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Why These Changes Will Benefit Students

For students and parents, the proposed framework provides clarity, protection, and confidence.

Firstly, mandatory registration creates transparency. Students will be able to verify whether an agency is approved through a public HECF register, reducing the risk of engaging with unlicensed or “fly-by-night” operators. This empowers consumers to make informed decisions before committing significant financial resources.

Secondly, stronger consumer protection standards mean students are less likely to be misled. Agencies will be required to provide accurate, realistic information about courses, costs, visa requirements, and expected outcomes. Misrepresentation and unfair practices can attract sanctions, including deregistration.

Thirdly, the emphasis on student welfare recognises that recruitment does not end at departure. Many of the most serious challenges students face such as accommodation issues, academic stress, or immigration complications arise after they arrive overseas. By requiring agencies to remain engaged, the framework ensures students are not left isolated in unfamiliar environments.

Finally, the framework supports equity. Private students, scholarship recipients, and international students in Fiji are all covered under the same monitoring and welfare standards, ensuring no group is overlooked.

What Student Recruitment Agencies Need to Be Aware Of

For recruitment agencies, the proposed framework represents a significant shift toward higher professional, operational, and ethical standards. While this will require stronger compliance systems and clearer accountability, it also creates long-term benefits for credible operators committed to responsible student placement and welfare.

Agencies should take note of the following key requirements and expectations:

- Registration with HECF will be compulsory and renewable annually. Agencies must not advertise, promote, or place students without valid registration. Operating without approval may result in enforcement action.
- Compliance will be assessed holistically. Agencies must:
 - Maintain proper operational and student records

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- Submit annual compliance and welfare reports
- Cooperate with financial, legal, and welfare audits
- Meet all cross-agency regulatory obligations
- Non-compliance may result in sanctions, forfeiture of funds (including repatriation funds where applicable), suspension, or deregistration.
- Agencies must formalise partnerships through valid Memoranda of Understanding (MOUs) with accredited overseas or local institutions.
- Welfare obligations extend beyond recruitment. Agencies are expected to provide ongoing support mechanisms, grievance redress pathways, and responsible engagement with students even after placement.
- Ethical recruitment practices, transparent contracts, and accurate representations of costs and outcomes are mandatory.

A Collaborative Approach to Student Protection

The consultations between HECF and CCoF reflect a broader, coordinated approach to regulation. Student recruitment sits at the intersection of education, consumer protection, immigration, and labour regulation. Effective oversight therefore requires collaboration among multiple agencies.

By aligning regulatory responsibilities and sharing information, authorities can respond more effectively to emerging risks, enforce standards consistently, and protect both students and Fiji's education sector.

As discussions continue, students and parents are encouraged to remain vigilant, ask questions, and verify the status of recruitment agencies before engaging their services. Students pursuing studies overseas are also reminded to register with the nearest Fijian Overseas Mission in their host country. This ensures that the Fijian Government can provide appropriate support and maintain contact in case of emergencies or unforeseen circumstances.

Recruitment agencies, meanwhile, are urged to familiarise themselves with the proposed framework and prepare for compliance.

Ultimately, these reforms aim to ensure that pursuing higher education whether abroad or in Fiji is a pathway to opportunity, not exploitation.

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