

Non-school Provider   
Fit and Proper Person declaration



Who should complete this declaration? and Proper Person Declaration

This Fit and Proper Person declaration must be completed by non-school senior or foundation secondary education providers, as required by section 4.3.11 of the *Education and Training Reform Act 2006* (the Act).

This declaration is to be completed by:

* the proprietor (the individual or all persons involved in directing the body)
* each governing body member and each person who is conferred responsibility in the governance structure for managing the provider or its finances
* the principal or person in charge of the program
* the chief executive officer
* any other person who, by the person’s conduct, assumes a position of authority over the governance or management of the provider.

Privacy statement

The VRQA requires the information collected in this application for the purpose of registering and regulating senior secondary and foundation secondary providers under the Act.

Once registered, some information about providers will be made available to the public on the State Register. Information may also be shared with other government organisations if required for their functions, in accordance with the Act. The VRQA is committed to handling all personal information securely in accordance with the *Privacy and Data Protection Act 2014*.

To learn more about how the VRQA handles personal information, access the VRQA information privacy policy:

* [Privacy statement](https://www.vrqa.vic.gov.au/Pages/privacy.aspx)

You are able to request access to the personal information that we hold about you and request that it be corrected.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Statutory declaration** | | | | | |
| Please complete the following: | | | | | |
| I, | | | | (full name) | |
| of | | | | (address) | |
|  | | | | (occupation) | |
| make the following statutory declaration under the *Oaths and Affirmations Act 2018*: | | | | | |
| I am: | ☐ | the proprietor (the individual or all persons involved in directing the body) | | | |
| ☐ | a member of the governing body | | | |
| ☐ | a person who is conferred responsibility in the governance structure for managing the provider or its finances | | | |
| ☐ | the principal or person in charge of the program | | | |
| ☐ | the chief executive officer | | | |
| ☐ | a person who, by my conduct, assumes a position of authority over the governance or management of the provider. | | | |
| 1. | Have you ever had your registration suspended or cancelled or had conditions imposed on your registration as a non-school senior secondary or foundation secondary provider, registered school, higher education provider or registered training organisation? | | ☐ Yes | | ☐ No |
| 2. | Have you been found guilty of an offence which is, or which would if committed in Victoria be, an indictable offence? | | ☐ Yes | | ☐ No |
| 3.. | Are you or have you ever been bankrupt or have you taken the benefit of any law for the relief of bankrupt debtors, or compounded with your creditors or made an assignment of your property for your benefit? | | ☐ Yes | | ☐ No |
| 4. | Have you ever been disqualified from managing corporations under Part 2D.6 of the *Corporations Act 2001?* | | ☐ Yes | | ☐ No |
| 5. | Have you ever been involved in the provision of courses by another person or body who is covered by any of the above paragraphs at the time of the events that gave rise to the relevant prosecution or other action? | | ☐ Yes | | ☐ No |
| 6. | Have you ever been in breach of any requirements of the *Working with Children Act 2005 or the Worker Screening Act 2020*? | | ☐ Yes | | ☐ No |
| If you answered ‘yes’ to any questions, please provide further details on a separate sheet of paper and attach it to this declaration. | | | | | |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| I declare that:   * the contents of this declaration are true and correct, and * I know that making a statutory declaration that I know to be untrue is a criminal offence. | | | | | | |
| x |  | | | | (signature of person making this declaration) | |
| Declared at | |  | | | | (location of signing) |
| in the State of Victoria on | | | / / 20 |  | | |
|  | | | | | | |

**Authorised witness**

I am an authorised statutory declaration witness\* and I sign this document in the presence of the person making the declaration:

|  |  |  |  |
| --- | --- | --- | --- |
| x |  | (signature of person making this declaration) | |
|  |  | | (witness name) |
|  |  | | (address) |
|  |  | | (authority to witness) |

\*A person authorised under section 30(2) of the *Oaths and Affirmations Act 2018* to witness the signing of a statutory declaration. The authorised witness must write, type or stamp their name, the capacity in which they have authority to witness a statutory declaration, and their address.

The *Oaths and Affirmations Act 2018* requires additional declarations or certifications to be made if:

* the declaration is translated or read to the person making the declaration
* the declaration is signed electronically
* copies of documents are attached to the statutory declaration
* the declaration is made or witnessed using an audio‑visual link.

This form is not pre-filled to meet the requirement for these additional declarations.

For more information about additional formal requirements or for a list of authorised persons who may witness statutory declarations under section 30 of the *Oaths and Affirmations Act 2018*, see:

* [www.justice.vic.gov.au/statdecs](http://www.justice.vic.gov.au/statdecs)