School Boarding Premises Fit and Proper Person declaration

Who should complete this declaration?

In a non-government school boarding premises, every responsible person must be a Fit and Proper Person.

This Fit and Proper Person declaration must be completed by all responsible persons. Responsible person is defined in the *Education and Training Reform Regulations 2017* as:

* if the proprietor of school boarding services at the premises is an individual, that person; or
* if the proprietor of school boarding services at the premises is a body, that body and any person who is concerned in, or takes part in, the management of the body; or
* each person with responsibility in the governance structure of the provider of school boarding services at the premises for managing the provider or its finances, including each member of the governing body of the provider; or
* any other person who by the person's conduct assumes a position of authority over the governance or management of the provider of school boarding services at the premises.

Privacy statement

All information collected in this declaration is required by State or Commonwealth legislation and associated regulatory frameworks.

The VRQA will only use this information in relation to its powers and functions under the *Education and Training Reform Act 2006* (the Act). To read the VRQA’s full privacy statement, see:

* [Privacy statement](https://www2.vrqa.vic.gov.au/vrqa-privacy-statement)

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

Statutory Declaration

|  |  |  |
| --- | --- | --- |
| I,  |  | (full name) |
|  |  | (occupation) |
| of |  | (address) |
| do solemnly and sincerely declare that:

|  |  |
| --- | --- |
| Category of responsible person |[ ]  individual proprietor  |
|  |[ ]  a person who is concerned in, or takes part in, the management of the proprietor body  |
|  |[ ]  a person with responsibility in the school boarding premises governance structure for managing the school boarding premises or its finances |
|  |[ ]  member of the governing body of the school boarding premises |
|  |[ ]  the principal  |
|  |[ ]  another person who by the person’s conduct assumes a position of authority over the governance or management of the school boarding premises |
| 1. | Are you able to carry out your responsibilities in relation to the operation of the school boarding premises in compliance with the laws of Victoria, the Commonwealth, another State or a Territory relating to the provision of school boarding premises education?  | [ ]  No | [ ]  Yes |
| 2. | Have you been found guilty of an offence which is, or which would if committed in Victoria be, an indictable offence?  | [ ]  No | [ ]  Yes |
| 3. | Have you, as an individual, ever been insolvent under administration?[[1]](#footnote-1)  | [ ]  No | [ ]  Yes |
| 4. | Have you, in the case of a body corporate, ever been externally administered? | [ ]  No | [ ]  Yes |
| 5. | Are you a represented person?[[2]](#footnote-2)  | [ ]  No | [ ]  Yes |
| 6. | Have you ever been in breach of any requirements of the *Working with Children Act 2005* or the *Worker Screening Act 2020* if required to obtain an assessment notice to carry out any responsibilities in relation to a school boarding premises?  | [ ]  No | [ ]  Yes |
| 7. | Have you been the subject of or associated with an adverse finding or the subject of action taken by a court, tribunal, commission of inquiry, professional discipline body or regulatory authority (in Victoria or elsewhere) where the adverse finding or the action relates to: * dishonest, misleading or deceptive conduct
* non-compliance with a legal obligation relating to the provision of education
* a breach of duty (including a duty of disclosure).
 | [ ]  No | [ ]  Yes |

If you answered ‘yes’ to any of the questions from 2–7, provide an explanation for each question on a separate document and include as part of your Statutory Declaration.I declare that the contents of this statutory declaration are true and correct and I make it knowing that making a statutory declaration that I know to be untrue is an offence.  |
| Declared at  |  | (location of signing) |
| in the State of Victoria, this |  / / 20 |  |
| X | (signature of person making this declaration) |

Authorised witness\*

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

|  |  |  |
| --- | --- | --- |
|  |  | (witness name) |
|  |  | (authority to witness) |
|  |  | (address) |
| X |  | (signature) |

\* 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 in accordance with section 30 of *the Oaths and Affirmations Act 2018*. The *Oaths and Affirmations Act 2018* requires additional declarations or certifications to be made if the statutory declaration is translated or read to the person making the declaration; signed electronically; if copies of documents are attached to the statutory declaration; or if the declaration is made or witnessed using an audio‑visual link. This form is not pre-filled to meet these additional requirements.

**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)
1. This includes being declared bankrupt and/or having taken the benefit of any law for the relief of bankrupt debtors, or compounding with your creditors, or making an assignment of your property for your benefit. [↑](#footnote-ref-1)
2. Defined to have the same meaning as it has in the *Guardianship and Administration Act 1986*. [↑](#footnote-ref-2)