Student Exchange Organisation Fit and Proper Person declaration

Who should complete this declaration?

In a Student Exchange Organisation (SEO), the Principal Executive Officer (PEO) and all senior officers\* involved in the management of the SEO must be a Fit and Proper Person.

This Fit and Proper Person declaration must be completed by the PEO and senior officers.

\* A senior officer is a person (other than a director, or shareholder) who is in a position to influence the management of your organisation. It includes a person who makes, or participates in making decisions that affect the whole, or a substantial part of the business of your organisation or who has the capacity to significantly affect your organisation's operations or financial standing. Senior officers will typically include the members of the senior management team.

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.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Contact details | | | | |
| Telephone |  | | Mobile Number |  |
| Email Address |  | | | |
| SEO Legal Entity Name | |  | | |
| SEO Trading Name | |  | | |
| SEO ABN | |  | | |
| Previous Student Exchange Organisation (if relevant) | |  | | |

Statutory declaration

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| I, | |  | | | | (full name) | |
|  | |  | | | | (position title) | |
| 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 governance structure for managing the SEO or its finances | | | | |
|  | member of the governing body of the school | | | | |
|  | the principal | | | | |
|  | another person who by the person’s conduct assumes a position of authority over the governance or management of the SEO | | | | |
| 1. | Does the SEO have a history of non-compliance with the Guidelines and any equivalent interstate registration requirements or the *National Guidelines for the Operation of International Secondary Student Exchange Programs* *in Australia*? | | | | No | | Yes | |
| 2. | Have you ever, as an individual, been involved in the management of an SEO for which registration has been suspended or cancelled in Australia? | | | | No | | Yes | |
| 3. | Have you ever, as an individual, been involved in the management of an SEO that has had conditions imposed on its registration as an SEO in Australia?[[1]](#footnote-2) | | | | No | | Yes | |
| 4. | Have you ever, as an individual, been charged with or convicted of an indictable offence? | | | | No | | Yes | |
| 5. | Have you ever, as an individual, become bankrupt?1 | | | | No | | Yes | |
| 6. | Have you ever, as an individual, been disqualified from managing corporations under the *Corporations Act 2001*? | | | | No | | Yes | |
| 7. | Have you ever, as an individual, been refused a Working With Children clearance or equivalent in any state or territory in which the SEO operates? | | | | No | | Yes | |
| 8. | Have you ever, as an individual, been found not to be a fit and proper person under the Guidelines or any equivalent interstate registration requirements? | | | | No | | Yes | |
| 9. | Have you ever, as an individual, provided a state or territory registration authority with false or misleading information, or made a false or misleading statement to a state or territory registration body in relation to any matter under the Guidelines or equivalent interstate registration requirements? | | | | 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 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)

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-2)