



# Fit and proper person requirements declaration

This fit and proper person requirements declaration can be used for both the *Tertiary Education Quality and Standards Agency Act 2011* (TEQSA Act) and *Education Services for Overseas Students Act 2000* (ESOS Act).

**Please note** that this form will be updated to reflect amendments to the ESOS Act made by the *Education Legislation Amendment (Integrity and Other Measures) Act 2025*. TEQSA may contact you to provide further information if required.

Complete the template for each individual.

<b>Name:</b>	
<b>Governing body position</b>	
<b>Responsibilities</b>	
<b>Address at which individual ordinarily resides</b>	
1. Have you ever been convicted of an offence against a law of the Commonwealth or of a State or Territory, other than:	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"><li>• a conviction that is spent under Part VIIC of the <i>Crimes Act 1914</i> (Cth) or a similar State or Territory law and/or</li><li>• a conviction that has been quashed, set aside, extinguished, annulled, or pardoned?</li></ul>	
2. Have you ever been ordered to pay a pecuniary penalty under a law of the Commonwealth or a State or Territory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you ever been convicted of an offence against a foreign law?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Are you currently involved in proceedings before a court or tribunal?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Have you ever: <ul style="list-style-type: none"><li>a. become bankrupt,</li><li>b. applied to take the benefit of a law for the benefit of bankrupt or insolvent debtors,</li><li>c. compounded with creditors, and/or</li><li>d. assigned remuneration for the benefit of creditors?</li></ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Do you have any outstanding debts to the Commonwealth?	<input type="checkbox"/> Yes <input type="checkbox"/> No



7. Have you ever been disqualified from managing corporations under Part 2D.6 of the <i>Corporations Act 2001</i> (Cth)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8. (a) Have you ever provided false or misleading information to: a. a state or territory registering body; b. the National VET Regulator; c. a tuition assurance administrator; d. the Minister for Education, Department of Education or the Secretary of the Department of Education; e. TEQSA; and/or f. an authority of a State or Territory that deals with subsidy funding arrangements for education?  (b) If the answer to 8(a) is yes, did you know the information was false or misleading?	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Have you ever been found not to be a fit and proper person for the purposes of: a. the <i>Tertiary Education Quality and Standards Agency Act 2011</i> ; b. the <i>National Vocational Education and Training Regulator Act 2011</i> (Cth); c. the <i>Australian Education Act 2013</i> ; d. the <i>Education Services for Overseas Students Act 2000</i> ; e. the <i>Higher Education Support Act 2003</i> ; f. the <i>VET Student Loans Act 2016</i> ; g. the <i>Higher Education Standards Framework (Threshold Standards) 2015</i> ; h. subsidy funding arrangements with a State or Territory for the provision of education; and/or i. any other law of the Commonwealth, a State or Territory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Have you ever been found to have committed an act of professional or academic misconduct?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11. Do you consider there is any reason the public might lack confidence in your suitability to be a person who makes or participates in making decisions that affect the whole, or a substantial part, of a registered higher education provider's affairs?	<input type="checkbox"/> Yes <input type="checkbox"/> No

If you answered 'yes' to any of the questions 1–11, additional information is required. For each question you answered 'yes' to, create a separate table and provide further details.

Question	
Details	

Have you been involved with a business that provided education which, at the time of that involvement, or within 2 years after that involvement:

12. Was convicted of an offence against a law of the Commonwealth or a State or Territory, other than an offence that has been quashed, set aside, extinguished, annulled, or pardoned?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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13. Was ordered to pay a pecuniary penalty under a law of the Commonwealth or a State or Territory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
14. Was convicted of a foreign offence against a foreign law?	<input type="checkbox"/> Yes <input type="checkbox"/> No
15. Had:  a. registration to provide higher education courses or awards, b. registration as a registered training organisation, c. accreditation of a higher education course, d. registration under the <i>Education Services for Overseas Students Act 2000</i> , e. approval as: i. an approved course provider, ii. a VET provider, iii. a higher education provider, and/or f. subsidy funding arrangements with a State or Territory for the provision of education  cancelled, revoked, restricted, not renewed or suspended in part or in full?	<input type="checkbox"/> Yes <input type="checkbox"/> No
16. Had a condition imposed on its:  a. registration to provide higher education courses or awards, b. registration as a registered training organisation, c. accreditation of a higher education course, d. registration under the <i>Education Services for Overseas Students Act 2000</i> , e. approval as: i. an approved course provider, ii. a VET provider, iii. a higher education provider, and/or f. subsidy funding arrangements with a State or Territory for the provision of education?	<input type="checkbox"/> Yes <input type="checkbox"/> No
17. Breached a condition that was imposed on a registration, approval or arrangement mentioned in question 15?	<input type="checkbox"/> Yes <input type="checkbox"/> No
18. Was insolvent or under external administration, or compounded with creditors?	<input type="checkbox"/> Yes <input type="checkbox"/> No
19. (a) Provided false or misleading information to:  a. a state or territory registering body; b. the National VET Regulator; c. a tuition assurance administrator; d. the Minister for Education, Department of Education or the Secretary of the Department of Education; e. TEQSA; and/or f. an authority of a State or Territory that deals with subsidy funding arrangements for education?  (b) If the answer to 19(a) is yes, did the entity know that the information was false or misleading?	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No



If you answered 'yes' to any of the questions 12–19, additional information is required, such as the nature of the conduct and your involvement in the matter. For each question you answered 'yes' to, create a separate table and provide further details of the breach and the entity it relates to.

Question	
Details	

I have read and understand TEQSA's Privacy policy, including in relation to TEQSA's collection, use and disclosure of the information that I have provided in this document.

The material in this document is true and correct to the best of my knowledge and belief.

I understand that giving false or misleading information is a serious offence.

**Signed by:**

Signature

**Witnessed by:**

Signature

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Print name

Print name

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Title

Title

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Date

Date

dd/mm/yyyy	dd/mm/yyyy
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