

Application Form for Assessment of Eligibility to have Registration managed by TVET Australia – NARA

Name of RTO or legal entity					
Registered business (trading) name					
Contact Person					
Business Address: <i>(List physical business address)</i>					
Postal Address: <i>(List postal/mailbox address)</i>					
Phone		Mobile		Fax	
Email			Website		
ACN					
ABN					
For existing RTOs applying to transfer:	<i>National provider number (as recorded on NTIS)</i>				
	<i>AQTF Registration expiry date</i>				
	<i>CRICOS provider number (if applicable)</i>				
	<i>CRICOS registration expiry date</i>				

The following documents are submitted as evidence in support of this application:
(Applicants should refer to the Attachment 1 for information on type of evidence required to demonstrate eligibility)

1. _____
2. _____
3. _____
4. _____
5. _____

Certification by Chief Executive Officer

This declaration must be completed by your organisation's nominated chief executive officer for registration purposes. If the legal entity applying is a person, that person must complete the declaration. The declaration is made as a formal undertaking to the VRQA.

Declaration

I, _____
(Chief Executive)

of _____
(The legal entity currently registered or intending to become an RTO)

Certify to the VRQA (the Victorian state registering body) that the attached documents or declarations are accurate and current and reflect my organisation's intention and/or capacity to deliver training in more than one jurisdiction.

Understand that the VRQA may share information about this request to transfer, and about my organisation with other state and territory registering bodies and/or TVET AUSTRALIA - NARA. The exchange of such information will be undertaken in accordance with the provisions of the relevant legislation and the requirements of the AQTF 2007 - Standards for State and Territory Registering Bodies.

Understand that TVET AUSTRALIA – NARA may share information about my organisation with the VRQA in order to enable the VRQA to meet its obligations as a state registering body. The exchange of such information will be undertaken in accordance with the provisions of the relevant legislation and the requirements of the AQTF 2007 - Standards for State and Territory Registering Bodies.

I also **understand** that this application may be refused if my organisation:

- fails to provide true and correct information of a material nature in this application; or
- fails to fulfil the undertakings made in this declaration.

Chief Executive Officer's signature: _____

Date: _____

Print name: _____

Witnessed by: _____

Print name: _____

Position title: _____

Organisation: _____

Signature: _____ Date: _____

STATUTORY DECLARATION

Made under the State of Victoria - Evidence Act 1958¹

I², _____,

do solemnly and sincerely declare that the information I have provided in this application is true and accurate and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the State of Victoria - Evidence Act 1958.

Signed _____ 3

Declared at _____

on the _____ day of
_____(month)_____(year)

Before me, _____ 4

5 _____

¹ A person who wilfully makes a false declaration is guilty of an offence punishable by imprisonment.

² Here print the name, address and occupation of person making the declaration.

³ Signature of person making the declaration.

⁴ Signature of person before whom the declaration is made.

⁵ Title of person before whom the declaration is made (e.g. Justice of the Peace, Public Notary, Lawyer, etc - see attached witness list).

Post Application Form and supporting documentation/evidence of eligibility as outlined in Attachment 1 of this Application to:

Victorian Registration and Qualifications Authority
VET Registration
GPO Box 2317
MELBOURNE VIC 3001

List of Persons Who May Witness Statutory Declarations in Victoria

- a) Justice of the Peace or Bail Justice
- b) A Public Notary
- c) An Australian lawyer (within the meaning of the *Legal Profession Act 2004*)
- d) A clerk to an Australian lawyer
- e) The Prothonotary or a Deputy Prothonotary of the Supreme Court of Victoria; the Registrar or Deputy Registrar of the County Court of Victoria; the Principal Registrar of the Magistrates' Court of Victoria or a Registrar or Deputy Registrar of the Magistrates' Court of Victoria
- f) The Registrar of Probates or the Assistant Registrar of Probates
- g) The associate to a Judge of the Supreme Court of Victoria or the County Court of Victoria
- h) The associate of an Associate Judge of the Supreme Court of Victoria or of an Associate Judge of the County Court of Victoria
- i) A person registered as a Patent Attorney under Chapter 20 of the *Patents Act 1990* of the Commonwealth
- j) A member of the police force
- k) The Sheriff or Deputy Sheriff
- l) A member or a former member of either House of the Parliament of Victoria
- m) A member or a former member of either House of the Parliament of the Commonwealth
- n) A councillor of a municipality
- o) A senior officer of a council as defined in the *Local Government Act 1989*
- p) A medical practitioner registered under the *Health Professions Registration Act 2005*
- q) A dentist registered under the *Health Professions Registration Act 2005*
- r) A veterinary practitioner
- s) A pharmacist
- t) A principal in the teaching service
- u) The manager of a bank
- v) A member of the Institute of Chartered Accountants in Australia or the Australian Society of Accountants or the National Institute of Accountants
- w) The secretary of a building society
- x) A minister of religion authorised to celebrate marriages (not a civil celebrant)
- y) A person employed under Part 3 of the *Public Administration Act 2004* with a classification that is prescribed as a classification for statutory declarations or who holds office in a statutory authority with such a classification
- z) A fellow of the Institute of Legal Executives (Victoria)

Information for RTOs (and organisations seeking to become RTOs) applying to have their registrations managed by Technical and Vocational Education and Training Australia through National Audit and Registration Agency (TVET Australia - NARA)

Information

If you are a Victorian RTO that operates in, or intends within 6 months to operate in, more than one jurisdiction (i.e. in more than one Australian state or territory), or you are seeking to become such an RTO, you can apply to have TVET Australia through NARA manage your registration activities.

A decision to have your registration managed by TVET Australia - NARA is a voluntary business decision and there is no obligation or compulsion for any organisation to transfer to TVET Australia - NARA.

Application Form

You must complete the *Application Form for Assessment of Eligibility to have Registration managed by TVET Australia - NARA* if you are:

- an existing multi-jurisdictional Victorian based RTO* seeking to transfer the management of your registration from the VRQA to TVET Australia - NARA;

OR

- a Victorian training organisation seeking to become an RTO and requesting to have its registration managed by TVET Australia - NARA.

**A Victorian based RTO may only apply to have its registration managed by TVET Australia – NARA if it is free from conditions or sanctions placed on its registration by the VRQA, including any action to cancel or suspend registration.*

Fees

There is no VRQA fee associated with lodging this *Application Form for Assessment of Eligibility to have Registration managed by TVET Australia - NARA*. Applicants should note that TVET Australia - NARA does have its own fee schedule for registration, CRICOS approval and audit costs which is different to the VRQA fees applied to existing Victorian RTOs.

You can view NARA's fee schedule at http://www.nara.tvetaustralia.com.au/schedule_of_fees

You can review the fee schedule used for existing Victorian RTOs on our website at: <http://www.vrqa.vic.gov.au>.

Evidence of eligibility to be lodged with Application Form

Part A For an existing multi-jurisdictional Victorian based RTO (or an existing Victorian RTO with plans to become multi-jurisdictional) seeking to transfer the management of its registration from the VRQA to TVET Australia - NARA;

In order to assess your eligibility to have management of your registration transferred to TVET Australia - NARA, you are required to attach documentation that will provide evidence against one of the following three criteria for eligibility:

Criteria 1 Attach evidence of an agreement to provide nationally recognised training delivery and/or assessment.

Evidence should be either:

- a. a **legally enforceable agreement** for the provision of nationally recognised training and/or assessment for one or more legal entities operating in one or more jurisdictions other than Victoria; or
- b. as an enterprise RTO, a business and/or training plan for the provision of nationally recognised training and/or assessment to be delivered as part of an enterprise's workforce development and involving operations in one or more jurisdictions other than Victoria.

Note: an agreement for nationally recognised training and/or assessment services may require the services to be provided either by the RTO directly or by a partner organisation operating on behalf of the RTO and for which the RTO is responsible for the certification of learners and/or trainees.

Note: An agreement to provide nationally recognised training delivery and/or assessment services **exclusively online** will not, by itself, be sufficient evidence.

OR

Criteria 2 Attach evidence of an agreement for interstate premises or facilities that are, or will be, used in providing nationally recognised training and/or assessment.

Evidence should be either:

- a. a **lease**, or other **legally enforceable agreement**, for premises or facilities to be used as part of the interstate provision of nationally recognised training and/or assessment services; or
- b. as an enterprise RTO, an agreement or other commitment for resources, facilities or expertise or an agreement to release learners and/or employees as part of the provision of nationally recognised training and/or assessment.

Note: The premises or facilities may be used either for the management, administration, promotion and marketing of nationally recognised training and/or assessment; or as part of the delivery of nationally recognised training and/or assessment. If the premises or facilities are to be used as part of the delivery of nationally recognised training and/or assessment, they will meet the requirements of element 1.3 of Standard 1 of the *AQTF 2007 Essential Standards for Registered Training Organisations*.

OR

Criteria 3 Attach a Statutory Declaration by the Chief Executive Officer (or equivalent) of the RTO detailing interstate operations.

The Statutory Declaration must provide details of the RTO's operations in one or more jurisdictions other than the jurisdiction where the RTO is registered including:

- a. previous agreements to provide nationally recognised training and/or assessment; and/or
- b. leases or other agreements for facilities or premises; and/or
- c. its current inclusion in an official list/panel of preferred suppliers/providers of nationally recognised training and/or assessment.

Further information may be required during the assessment of your eligibility, for example, your eligibility for registration as an RTO in Victoria as specified in the *Education and Training Reform Act 2006*.

Notification of outcome of Application

If you are assessed as eligible for transfer, you will receive formal notification from the VRQA that your application has been approved, and that all registration and Australian Quality Training Framework 2007 audit functions will be transferred to TVET Australia - NARA together with all registration and audit records held by the VRQA about your organisation.

Note: The state training authority will continue to audit RTOs that receive User Choice and Competitive Purchasing Programs funding. This function will not be undertaken by TVET Australia - NARA. In addition, those RTOs that are also multi sectoral providers will have their registrations for school, senior secondary or higher education governed by the VRQA.

Part B For a Victorian training organisation seeking to become an RTO and requesting to have its registration managed by TVET Australia - NARA;

In order to assess your eligibility to have your registration as a new RTO managed by TVET Australia - NARA, you are required to attach documentation that will provide evidence against **either Criteria 1 or Criteria 2** identified above. (Criteria 3 is not relevant to new organisations who are seeking to become RTOs).

The VRQA may seek further information during the assessment of your application in relation to your eligibility for registration as an RTO in Victoria, in particular by seeking proof that Victoria is your organisation's principal place of business or where you conduct all or most of your operations.

Notification of outcome of Application

Meeting the eligibility requirements does not mean your organisation is registered. If you are approved as being eligible to have your registration managed by TVET Australia - NARA, the VRQA will notify you of your eligibility and advise you to apply directly to TVET Australia - NARA to commence the initial registration process.

Part C Procedures to transfer from TVET Australia - NARA back to Victoria

If you are a Victorian based RTO with your registration currently being managed by TVET Australia - NARA and wish to transfer the management of your registration back to the VRQA, please contact VET Registration via email at qar@edumail.vic.gov.au or telephone (03) 9651 3237 to obtain transfer information.