

## FIT AND PROPER PERSON REQUIREMENTS POLICY

Effective: 11 December 2025

Version: 01-25

### Purpose

This policy outlines the Training Accreditation Council's (TAC or Council) application of the Fit and Proper Person Requirements (FPPRs) for governing persons including owners, executive officers, high managerial agents, legally responsible officers, those who manage a Registered Training Organisation (RTO) or any person exercising control or influence over the management or operation of an RTO.

The Council operates within the authority of the *Vocational Education and Training Act 1996* (VET Act), the *Vocational Education and Training (General) Regulations 2009* (VET Regulations) and the Standards for VET Regulators 2015.

Meeting the FPPRs is a requirement for registration with the TAC.

The VET Regulations and Schedule 1 of the *Compliance Standards and Fit and Proper Person Requirements – Registration Standards 2025* (2025 Standards) outline the requirements that must be considered by the Council when determining whether a person is a fit and proper person for the purposes or registration, renewing registration, or maintaining registration as a WA registered provider.

### Definitions

Declaration	Fit and Proper Person Declaration
Executive officer/s	<p>(a) a person, by whatever name called and whether or not a director of the organisation, who is concerned in, or takes part in, the management of the organisation; or</p> <p>(b) if the organisation is a body corporate:</p> <ul style="list-style-type: none"> <li>(i) a person who, at any time during a period for which the organisation is registered, owns 15% or more of the organisation; or</li> <li>(ii) a person who, at any time during a period for which the organisation is registered, is entitled to receive 15% or more of dividends paid by the organisation; or</li> </ul> <p>(c) an administrator, receiver and manager, or liquidator of the organisation (other than a receiver and manager, or liquidator, appointed by a court); or</p> <p>(d) if the organisation is a body corporate—the administrator of a deed of company arrangement executed by an organisation; or</p> <p>(e) if the organisation is a body corporate—a trustee or other person administering a compromise or arrangement made between the organisation and another person or other persons.</p>
FPPD	Fit and Proper Person Declaration
FPPR	Fit and Proper Person Requirement

Governing person	A person responsible for overseeing, directing or exercising a degree of control or influence over the management or operation of the provider and includes an executive officer or a high managerial agent.
High managerial agent/s	An employee or agent of the organisation with duties of such responsibility that their conduct may fairly be assumed to represent the organisation in relation to the business of providing courses.
Registration Standards 2025	The compliance standards and the outcome standards
Registered Training Organisation	A training organisation listed on the National Register as a registered training organisation.
Regulations	<i>Vocational Education and Training (General) Regulations 2009</i>
Secretariat	TAC Secretariat

## Policy Principles

The Council is Western Australia's registering and course accrediting body and is responsible for the quality assurance and recognition of vocational education and training (VET) services in Western Australia. The TAC Secretariat (the Secretariat) supports the Council in the performance of its regulatory functions by assessing FPPDs.

Organisations are required to submit a FPPD when:

- applying for initial registration;
- applying for renewal of registration;
- declaring a new governing person;
- employing a new executive officer/s, legally responsible officer, high managerial agent/s, owner/s or person/s of control or influence;
- a previously submitted FPPD has become outdated or false due to a change in circumstances; and/or
- requested by the Council.

A National Police Certificate that has been issued within 6 months should accompany FPPDs for initial registration and where there is a change of governing person.

Assessment of a governing person's prior convictions is undertaken on a case-by-case basis. Prior convictions may not necessarily give rise to a person not meeting the FPPR and is dependent on the type of conviction, history and length of time since the conviction was recorded.

A FPPD remains valid for as long as it remains truthful and factually accurate.

## Registration Eligibility

To be eligible for registration, renewal of registration or continuing registration, the Council must be satisfied that governing persons, including executive officers, high managerial agents, legally responsible officers or owners satisfy the FPPR as outlined in Schedule 1 of the Compliance Standards and Fit and Proper Person Requirements – 2025 Standards and the Regulations.

When assessing whether persons meet the FPPR, TAC may:

- conduct inquiries into any statement made in the FPPD; and
- conduct enquiries into any other matter considered appropriate in relation to the fitness and propriety of the organisation and relevant person associated with the organisation.

### Council Decision

The Council will apply principles of natural justice in determining whether a person meets the fit and proper person requirements.

This policy does not limit the Council from making a decision based on the individual circumstances of an applicant.

In making its decision, the Council will consider the FPPD and all supporting information provided, to make its decision regarding whether the organisation or governing person/s are fit and proper.

The assessment of the FPPR informs the Council's decision to register or renew the registration of an organisation, suspend registration, cancel registration or refuse to register an organisation.

### Appeals

An organisation may lodge an appeal if they are dissatisfied with a Council decision. Appeals must be lodged in writing with the State Training Board via [WA State Training Board: Enquiries, Feedback and complaints](#)

### Related Policies, Legislation and Other Relevant Documents

- *Vocational Education and Training Act 1996*
- *Vocational Education and Training (General) Regulations 2009*
- Standards for VET Regulators 2015
- Registration Standards 2025
- Fit and Proper Person Declaration
- State Training Board Policy and Procedure for appeals against decision of the Training Accreditation Council

### Policy Review and Approval

Council approval is required for this policy.

The policy will be reviewed annually from the date of endorsement.

Where amendments following a review are significant and change the overall intent of the policy, the policy will be submitted to the Council for endorsement.