



National Vocational Education and Training Regulator (Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements) Instrument 2025

I, Andrew Giles, Minister for Skills and Training, make the following Instrument.

Dated 28/2/25

Andrew Giles
Minister for Skills and Training

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Part 1 - Preliminary

1 Name

This instrument is the *National Vocational Education and Training Regulator (Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements) Instrument 2025*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
|---------------------------------|--------------|--------------|
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | 1 July 2025. | |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsections 185(1) and 186(1) of the *National Vocational Education and Training Regulator Act 2011*.

4 Definitions

- Note: A number of expressions used in this instrument are defined in section 3 of the Act, including the following:
- (a) Australian Qualifications Framework;
 - (b) compliance audit;
 - (c) registration code;
 - (d) scope of registration;
 - (e) VET statement of attainment.

In this instrument:

accredited short course means a course that leads to a VET statement of attainment accredited by a VET Regulator in accordance with the Standards for VET Accredited Courses or the equivalent requirements in a non-referring state.

Act means the *National Vocational Education and Training Regulator Act 2011*.

AQF certification documentation means the set of official documents which confirm that an AQF qualification or VET statement of attainment has been issued to an individual by an NVR registered training organisation or any other entity authorised to do so.

AQF qualification means an Australian Qualifications Framework qualification type endorsed in a training package or accredited in a VET accredited course.

AQF Qualifications Issuance Policy means the document of that name, comprising part of the Australian Qualifications Framework, listed on the Australian Qualifications Framework website, and as in force from time to time.

Note: Section 191A of the Act permits this instrument to make provision in relation to a matter by applying, adopting or incorporating any matter contained in another instrument or other writing as in force or existing from time to time.

AQF Qualifications Register Policy means the document of that name, comprising part of the Australian Qualifications Framework, listed on the Australian Qualifications Framework website, and as in force from time to time.

Note: Section 191A of the Act permits this instrument to make provision in relation to a matter by applying, adopting or incorporating any matter contained in another instrument or other writing as in force or existing from time to time.

Australian university has the same meaning as in the *Higher Education Support Act 2003*.

authenticated VET transcript has the same meaning as in the *Student Identifiers Act 2014*.

Conditions for the use of the Australian Qualifications Framework Logo policy means the document of that name, listed on the Australian Qualifications Framework website, and as in force from time to time.

Note: Section 191A of the Act permits this instrument to make provision in relation to a matter by applying, adopting or incorporating any matter contained in another instrument or other writing as in force or existing from time to time.

constitutional corporation means a corporation to which paragraph 51(xx) of the Constitution applies.

financial support arrangement means a VET student loan issued under the *VET Student Loans Act 2016*, a government-funded subsidy or any other government-funded financial support arrangement.

governing person means any person responsible for overseeing, directing, or exercising a degree of control or influence over the management or operation of an NVR registered training organisation, including executive officers and high managerial agents.

government entity means:

- (a) a Commonwealth entity, or a Commonwealth company, within the meaning of the *Public Governance, Performance and Accountability Act 2013*;
- (b) a body (whether incorporated or not) established for a public purpose by or under a law of the Commonwealth, a State or Territory; or
- (c) an entity that is otherwise part of the Commonwealth or a State or a Territory.

government training contract means a contract that an NVR registered training organisation has with a government entity under which it receives funding relating to the provision of VET by the organisation.

industry regulator means a body responsible for regulating a licensed or regulated outcome.

licensed or regulated outcome means compliance with eligibility requirements for an occupational licence, or any legislative requirements to hold a training product in order to carry out an activity in an industry or occupation.

NRT Logo means the Nationally Recognised Training Logo as specified in the NRT Logo Conditions of Use policy.

NRT Logo Conditions of Use policy means the Nationally Recognised Training Logo Conditions of Use Policy set out under Schedule 2 of this instrument.

prepaid fee means any fee relating to the delivery of services paid to an NVR registered training organisation by, or on behalf of an individual prior to the services to which the fee relates being delivered by the organisation.

services means:

- (a) training and assessment;
- (b) training support services (but excludes counselling, mediation, and information and communication technology services); and
- (c) any activities related to the recruitment of VET students including marketing, enrolment, induction, or the collection of fees.

skill set means a single unit of competency or a combination of units of competency from a training package which link to a licensing or regulatory requirement or a defined industry need.

student identifier has the same meaning as in the *Student Identifiers Act 2014*.

Registrar has the same meaning as in the *Student Identifiers Act 2014*.

third party means any person who has an arrangement with an NVR registered training organisation to deliver services, but does not include:

- (a) employees of the organisation;
- (b) experts engaged by the organisation; or
- (c) government agencies and government funded agencies that refer VET students to the organisation and do not receive any payment from the organisation for doing so.

training product means an AQF qualification, a skill set, a unit of competency, accredited short course or module.

training support services means services and resources designed to support and skill VET students to meet training product requirements and complete the training product in which they are enrolled.

unit of competency means the specification of the standards of performance required in the workplace as defined in a training product.

5 Effect of this instrument

This instrument specifies:

- (a) Standards for NVR Registered Training Organisations in accordance with subsection 185(1) of the Act; and
- (b) in Schedule 1 – Fit and Proper Person Requirements in accordance with subsection 186(1) of the Act.

Note: Compliance with the Standards for NVR Registered Training Organisations and the Fit and Proper Person Requirements are conditions of registration as an NVR registered training organisation (see sections 21, 22 and 23 of the Act).

6 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2 – Compliance Requirements

Division 1 – Information and Transparency

7 Marketing and advertising

- (1) An NVR registered training organisation must ensure any advertisements or marketing materials published or disseminated by the organisation, a third party or an expert engaged by the organisation:
 - (a) include the organisation’s registration code or a link to the part of the National Register where the organisation’s registration code is located;
 - (b) where the advertisements or marketing materials refer to the organisation’s services – accurately represent those services, including by distinguishing the types of training and assessment that will result in the issuance of AQF certification documentation from any other training and assessment delivered by the organisation or a third party;
 - (c) include accurate information regarding any financial support arrangements available in respect of the services referred to in the advertisements or marketing materials; and
 - (d) do not refer to or imply a connection with another person unless the consent of that person has been obtained.

Note: Section 2C of the *Acts Interpretation Act 1901* provides that the term “person” includes a body politic or corporate as well as an individual.

- (2) Where the advertisements or marketing materials refer to a training product, an NVR registered training organisation must ensure the advertisements or marketing materials:
 - (a) include the code and title of the training product as published on the National Register;
 - (b) accurately represent the training products on the organisation’s scope of registration;
 - (c) only refer to a training product that is no longer current while it remains on the organisation’s scope of registration and new enrolments are permitted; and
 - (d) only represent that completion of a training product will lead to a licensed or regulated outcome where this has been confirmed by the relevant industry regulator.

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- (3) Where advertisements or marketing materials refer to services that an NVR registered training organisation has engaged an expert or third party to deliver – the organisation must ensure the advertisements or marketing materials identify which services will be delivered by the expert or third party, including where an expert or third party is:

- (a) recruiting prospective VET students on behalf of the organisation; or
- (b) delivering training and assessment on behalf of the organisation.

8 Guarantees and inducements

An NVR registered training organisation must not make any verbal or written guarantees that a VET student:

- (a) will successfully complete a training product;
- (b) can complete a training product in a manner which is inconsistent with any of the requirements set out in an instrument made under section 185 of the Act, as in force from time to time; or
- (c) will obtain a particular employment outcome, where obtaining such an employment outcome is not within the organisation's control.

Division 2 – Integrity of Nationally Recognised Training Products

9 Issuance of AQF certification documentation

- (1) An NVR registered training organisation must not issue AQF certification documentation to any person unless the person is a VET student who the organisation has assessed as meeting the requirements of the training product.
- (2) Where an NVR registered training organisation has assessed a VET student as meeting the requirements of the training product in accordance with subsection (1), the organisation must ensure the AQF certification documentation is issued to the VET student within 30 calendar days from the completion of the assessment, provided the VET student:
 - (a) has completed the AQF qualification or completed one or more units of an AQF qualification which they have subsequently withdrawn from; and
 - (b) has paid to the organisation all agreed fees associated with the training product.

10 Records of AQF certification documentation and assessments

An NVR registered training organisation must:

- (a) maintain a register in accordance with the AQF Qualifications Register Policy of all:
 - (i) AQF qualifications it is authorised to issue; and
 - (ii) AQF qualifications and VET statements of attainment the organisation has issued to VET students;
- (b) retain records, in accordance with the AQF Qualifications Register Policy, of all AQF certification documentation issued to VET students for a period of thirty years;
- (c) retain records of all assessments submitted by a VET student to the organisation or a third party for a period of 2 years after the student has completed the training product;
- (d) ensure VET students – including those previously enrolled with the organisation – are able to access copies of their AQF certification documentation retained under paragraph (b); and
- (e) upon request from the National VET Regulator, provide a report of all AQF qualifications and VET statements of attainment the organisation has issued during the period specified in the Regulator’s request.

11 Issue of VET qualifications and VET statements of attainment

- (1) All VET qualifications issued by an NVR registered training organisation must comply with the AQF Qualifications Issuance Policy and must include:
 - (a) the name, registration code and logo of the organisation;
 - (b) the code and title of the AQF qualification;
 - (c) the NRT logo – in accordance with the requirements of the NRT Logo Conditions of Use policy;
 - (d) the signature of an individual who the organisation has authorised to sign the AQF qualification;
 - (e) the organisation’s seal, corporate identifier or unique watermark;
 - (f) the following statement: “The qualification is recognised within the Australian Qualifications Framework”, or any Australian Qualifications Framework logo authorised by the Conditions for the use of the Australian Qualifications Framework Logo policy;
 - (g) where the AQF qualification has an industry descriptor as listed on the National Register in the corresponding training product – the industry descriptor;

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- (h) where the AQF qualification has an occupational or functional stream listed on the National Register under the corresponding training product – the title of the stream in brackets after the code and title of the AQF qualification;
 - (i) where the AQF qualification has been obtained by a VET student in the course of undertaking an Australian apprenticeship – the statement: “Achieved through Australian Apprenticeship arrangements”; and
 - (j) where any part of the AQF qualification has been delivered in another language – the statement: “these units of competency/modules have been delivered and assessed in [insert relevant language]” followed by a list of all units of competency or modules that have been delivered in the relevant language.
- (2) All VET statements of attainment issued by an NVR registered training organisation must comply with the AQF Qualifications Issuance Policy and must include:
- (a) the name, registration code and logo of the organisation;
 - (b) the full title and national code, as set out on the National Register, of:
 - (i) each unit of competency to which the statement relates; or
 - (ii) if no units of competency exist – each module to which the statement relates;
 - (c) the NRT logo – in accordance with the requirements of the NRT Logo Conditions of Use policy;
 - (d) the signature of an individual who the organisation has authorised to sign the statement;
 - (e) the organisation’s seal, corporate identifier or unique watermark;
 - (f) the statement: “A VET statement of attainment is issued by an NVR registered training organisation when an individual has completed one or more accredited units or modules”;
 - (g) where the units of competency form part of a VET course or qualification – the following statement: “These competencies form part of [code and full title of the relevant VET course or qualification]”;
 - (h) where the units of competency have been attained in the course of completing a VET course – the following statement: “These competencies were attained in completion of [VET course code] course in [full title of the VET course]”; and
 - (i) where any of the units of competency or modules listed on the statement have been delivered in another language – the statement: “these units of competency/modules have been delivered and assessed in [insert relevant

language]” followed by a list of all units of competency or modules that have been delivered in the relevant language.

12 Student identifier requirements

- (1) An NVR registered training organisation must:
- (a) not include any individual’s student identifier on a VET qualification or VET statement of attainment; and
 - (b) request the Registrar to verify that any student identifier provided to it by an individual belongs to that individual before the organisation uses the identifier for any purpose.
- (2) Subject to subsections (3) and (5), an NVR registered training organisation must not issue a VET qualification or a VET statement of attainment to a VET student unless the student has been assigned a student identifier.

Exemptions given by the Minister

- (3) The Minister may, in writing and as agreed by the Ministerial Council, specify an issue to which the requirement in subsection (2) does not apply, by reference to one or more of the following:
- (a) the organisation doing the issuing;
 - (b) the VET qualification, or VET statement of attainment, being issued; or
 - (c) the VET student to whom the VET qualification, or VET statement of attainment, is being issued.
- (4) Where an exemption described in subsection (3) or subsection 53(3) of the *Student Identifiers Act 2014* applies – an NVR registered training organisation must inform the VET student prior to the completion of enrolment or commencement of training and assessment, whichever occurs first, that the results of the training:
- (a) will not be accessible through the Commonwealth; and
 - (b) will not appear on any authenticated VET transcript prepared by the Registrar.
- (5) Subsections (2) and (3) only apply to NVR registered training organisations that are not constitutional corporations.

Note: Similar requirements to those set out in subsections (2) and (3), that apply to NVR registered training organisations that are constitutional corporations, are set out in section 53 of the *Student Identifiers Act 2014*.

13 Nationally Recognised Training logo

An NVR registered training organisation must ensure that it uses the NRT logo in accordance with the requirements specified in the NRT Logo Conditions of Use policy.

14 Transition of training products

- (1) Unless otherwise approved by the National VET Regulator an NVR registered training organisation must ensure:
 - (a) where a training product is superseded:
 - (i) no individuals are enrolled in the superseded training product from the period commencing one year from the date the replacement training product was included on the National Register; and
 - (ii) all VET students enrolled in the superseded training product have completed the training product and been issued the relevant AQF certification documentation or have been transferred into the replacement training product in a timely manner;
 - (b) where an AQF qualification is no longer current and has not been superseded – all VET students enrolled in the training and assessment leading to the qualification have, within a period of two years from the date the qualification was removed or deleted from the National Register:
 - (i) completed the qualification; and
 - (ii) received all AQF certification documentation relating to the qualification;
 - (c) where a skill set, unit of competency, accredited short course or module is no longer current and has not been superseded – all VET students enrolled in the training and assessment have, within one year from the date the training and assessment is deleted from the National Register:
 - (i) completed the training and assessment; and
 - (ii) have received all AQF certification documentation relating to the training and assessment.
- (2) An NVR registered training organisation must ensure the organisation does not allow individuals to commence training and assessment in a training product that has expired, been removed or deleted from the National Register.

Division 3 – Accountability

15 Annual declaration on compliance

- (1) An NVR registered training organisation must submit an annual declaration on compliance with its obligations under the Act for each annual reporting period in which the organisation is registered.
- (2) An NVR registered training organisation's annual reporting period is the period of 12 months that is specified by the National VET Regulator as the organisation's annual reporting period.

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- (3) An annual declaration on compliance submitted by an NVR registered training organisation must be in the approved form as published on the National Register by the National VET Regulator from time to time.

Note: Section 191A of the Act permits this instrument to make provision in relation to a matter by applying, adopting or incorporating any matter contained in another instrument or other writing as in force or existing from time to time.

16 Notification of material changes

- (1) An NVR registered training organisation must notify the National VET Regulator of the occurrence of an event that would significantly affect the organisation's ability to comply with any of its obligations under the Act.
- (2) A notice under subsection (1) must be given within 10 business days after the event occurs.
- (3) An NVR registered training organisation must notify the National VET Regulator of:
- (a) any prospective changes to the ownership of the organisation as soon as practicable before the change takes effect; or
 - (b) any prospective or actual change in relation to a governing person of the organisation:
 - (i) if the change cannot be determined until it takes effect – within 10 business days of the change taking effect; or
 - (ii) otherwise – as soon as practicable before the change takes effect.
- (4) A notice under subsection (1) or (3) must be provided to the National VET Regulator in writing or electronically.
- (5) After giving notice under subsection (1) or (3) an NVR registered training organisation must provide any further information relating to the notice as soon as practicable, if requested by the National VET Regulator.

17 Third party arrangements

- (1) An NVR registered training organisation must ensure that where services are delivered by a third party on the organisation's behalf, the provision of the services is governed by a written agreement that:
- (a) is entered into by the organisation and third party as soon as reasonably practicable prior to the third party delivering any of the services set out in the agreement;
 - (b) requires the third party to cooperate with the National VET Regulator where the Regulator conducts any audit of the NVR registered training organisation's operations;

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- (c) requires the third party to provide accurate responses to requests for information from the Regulator relevant to the third party's delivery of the services;
 - (d) prohibits the third party from:
 - (i) using the NRT logo;
 - (ii) using the organisation's branding;
 - (iii) issuing any AQF certification documentation; and
 - (e) contains the following particulars:
 - (i) the business or trading names of the parties to the agreement;
 - (ii) the dates on which the agreement will commence and end;
 - (iii) all the parties' obligations concerning the delivery of the services; and
 - (iv) an entitlement for the organisation to regularly monitor the quality of the services being delivered by the third party.
- (2) An NVR registered training organisation must notify the National VET Regulator of any written agreement made pursuant to subsection (1) within:
- (a) 30 calendar days of the agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first; and
 - (b) 30 calendar days of the agreement ending.

18 Prepaid fee protection measures

- (1) Where an NVR registered training organisation or third party receives prepaid fees from or on behalf of an individual in excess of \$1500 in relation to the same VET course (the **threshold prepaid fee amount**), the organisation must:
 - (a) where the organisation is a government entity or an Australian university – comply with the requirements set out in subsections (2) and (3); or
 - (b) where the organisation is any other NVR registered training organisation – implement one or more of the arrangements set out in subsection (4).

Requirements for government entities and Australian universities

- (2) The NVR registered training organisation must have a policy in place for circumstances where the organisation is unable to provide the services to which the threshold prepaid fee amount relates (**prepaid fee policy**).
- (3) An NVR registered training organisation's prepaid fee policy must specify how an individual who has prepaid will:
 - (a) be placed into an equivalent course at a location suitable to the individual and receive all services for which the individual has prepaid at no additional cost to the individual; or
 - (b) be refunded the prepaid fees for services yet to be delivered which are in excess of the threshold prepaid fee amount.

Requirements for other NVR registered training organisations

- (4) The NVR registered training organisation must implement one or more of the following arrangements:
 - (a) an unconditional financial guarantee from a bank operating in Australia, provided:
 - (i) at all times, the guarantee is at least equal to the total amount of prepaid fees held by the organisation in excess of the threshold prepaid fee amount; and
 - (ii) the costs of establishing and maintaining the guarantee are met by the organisation.

Note: For example, where an NVR registered training organisation receives prepaid fees of \$2000 from three individuals (totalling \$6000), the guarantee must be at least equal to \$1500 (i.e. \$500 multiplied by three).

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- (b) a current membership with a tuition assurance scheme operator which, if the organisation is unable to provide services for which the individual has prepaid, must ensure:
 - (i) the individual will be placed into an equivalent course at a location suitable to the individual and receive all services for which the individual has prepaid at no additional cost to the individual; or
 - (ii) if an equivalent course cannot be found – the individual will be refunded the prepaid fees which are in excess of the threshold prepaid fee amount.
 - (c) any other fee protection measure approved by the National VET Regulator.

19 Public liability insurance

An NVR registered training organisation must hold public liability insurance that covers all the organisation's operations for the entire period in which the organisation is registered under the Act.

20 Compliance with laws

An NVR registered training organisation must comply with all applicable Commonwealth, State and Territory laws, including, for example, by ensuring:

- (a) personal information is collected, used and disclosed by the organisation in accordance with all applicable privacy laws; and
- (b) the organisation complies with all applicable requirements under the *Student Identifiers Act 2014*.

Note: There are a range of laws that may be applicable under this section. The examples provided in paragraphs (a) and (b) are for illustrative purposes.

Schedule 1—Fit and Proper Person Requirements

1 Application of Fit and Proper Person Requirements

The National VET Regulator must have regard to all matters it considers relevant that are specified in this Schedule when determining whether:

- (a) an NVR registered training organisation;
- (b) a governing person of an NVR registered training organisation;
- (c) a person applying to become an NVR registered training organisation; or
- (d) a governing person of a person applying to become an NVR registered training organisation,

is, or would be, a fit and proper person for the purposes of registration, renewing registration, or maintaining registration as an NVR registered training organisation under the Act.

Note: This section does not limit the types of persons which the National VET Regulator may have regard to when undertaking a fit and proper person assessment.

2 Compliance with law

- (1) Regardless of whether a conviction has been recorded, the National VET Regulator may have regard to whether the person has been found guilty of an offence against, or ordered to pay a pecuniary penalty under, a law of the Commonwealth or a State or Territory.

Note: Part VIIC of the *Crimes Act 1914* includes provisions that, in certain circumstances, relieve persons from the requirement to disclose spent convictions and require persons aware of such convictions to disregard them. Nothing in subsection (1) affects the operation of Part VIIC of the *Crimes Act 1914*.

- (2) The National VET Regulator may have regard to the seriousness of, and the time elapsed since the offence, conviction, or matter to which the pecuniary penalty relates occurred.
- (3) The National VET Regulator may have regard to whether the person is currently involved in proceedings before a court or tribunal.
- (4) The National VET Regulator may have regard to whether the person has been found guilty of a foreign offence (within the meaning of section 85ZL of the *Crimes Act 1914*).

3 Management history

- (1) The National VET Regulator may have regard to whether one or more of the following has been cancelled, revoked, suspended or rejected:
 - (a) the person's registration as an NVR registered training organisation;
 - (b) the person's application for registration or renewal of registration as an NVR registered training organisation;
 - (c) the person's approval as an approved course provider (within the meaning of the *VET Student Loans Act 2016*) or VET provider (within the meaning of the *Higher Education Support Act 2003*);
 - (d) subsidy funding arrangements with a State or Territory for the provision of education services by the person.
- (2) The National VET Regulator may have regard to whether the person has:
 - (a) breached a condition of registration as an NVR registered training organisation; or
 - (b) had a condition imposed by way of sanction on a registration, approval or arrangement mentioned in subsection (1) and has breached such a condition.
- (3) The National VET Regulator may have regard to whether the person has ever been a manager or director of a registered higher education provider (within the meaning of the *Tertiary Education Quality and Standards Agency Act 2011*) or registered provider (within the meaning of the *Education Services for Overseas Students Act 2000*) during a period in which the registered higher education provider or registered provider was determined to have breached a condition of its registration under the:
 - (a) *Education Services for Overseas Students Act 2000*; or
 - (b) *Tertiary Education Quality and Standards Agency Act 2011*.
- (4) The National VET Regulator may have regard to whether the person has ever been involved:
 - (a) in the business of delivering courses or other services on behalf of a person that was the subject of regulatory action described in subsections (1), (2) or (3); or
 - (b) with an entity at the time that entity was found to have breached a government training contract.
- (5) The National VET Regulator may have regard to whether the person has been disqualified from managing corporations under Part 2D.6 of the *Corporations Act 2001*.

4 Financial record

The National VET Regulator may have regard to whether the person has:

- (a) been insolvent or bankrupt;
- (b) taken steps to take the benefit of any law for the relief of bankrupt or insolvent debtors;
- (c) compounded with one or more creditors;
- (d) assigned remuneration for the benefit of one or more creditors;
- (e) been under external administration (within the meaning of subsection 600H(2) of the *Corporations Act 2001*); or
- (f) outstanding debts to the Commonwealth.

5 Provision of information

The National VET Regulator may have regard to whether the person has provided false or misleading information to any of the following in circumstances where it is reasonable to assume the person knew the information was false or misleading:

- (a) a VET Regulator;
- (b) the Tertiary Education Quality and Standards Agency;
- (c) the TPS Director (within the meaning of the *Education Services for Overseas Students Act 2000*), including in the TPS Director's capacity as the VSL Tuition Protection Director under the *VET Student Loans Act 2016* and the Higher Education Tuition Protection Director under the *Higher Education Support Act 2003*;
- (d) the Minister, the Department or the Secretary; or
- (e) an authority of a State or Territory that deals with subsidy funding arrangements for education.

6 Previous conduct and involvements

- (1) The National VET Regulator may have regard to whether the person has previously been found not to be a fit and proper person for the purposes of one or more of the following:
 - (a) the Act;
 - (b) the *Australian Education Act 2013*;
 - (c) the *Education Services for Overseas Students Act 2000*;
 - (d) the *Higher Education Support Act 2003*;
 - (e) the *Tertiary Education Quality and Standards Agency Act 2011*;
 - (f) the *VET Student Loans Act 2016*;
 - (g) subsidy funding arrangements with a State or Territory for the provision of education; or
 - (h) any other law of the Commonwealth or of a State or Territory.
- (2) The National VET Regulator may have regard to whether the person has previously engaged in conduct that reasonably suggests a deliberate pattern of unethical behaviour.
- (3) The National VET Regulator may have regard to any other matter relating to a person's previous conduct or involvement that the Regulator considers relevant.

7 Additional considerations

The National VET Regulator may have regard to whether the public is unlikely to have confidence in the person's suitability to be involved in an organisation that provides, assesses or issues nationally recognised qualifications.

Schedule 2— Nationally Recognised Training Logo Conditions of Use Policy

1 The Nationally Recognised Training Logo

- (1) The Nationally Recognised Training (NRT) Logo is a distinguishable mark of quality for promoting and certifying national vocational education and training leading to Australian Qualifications Framework certification documentation.
- (2) The NRT Logo is a registered trademark.

2 Authorisation to use the NRT Logo

NVR registered training organisations are authorised to use the NRT Logo in accordance with this policy.

3 Overarching principles

- (1) The NRT Logo may only be used by NVR registered training organisations in accordance with this policy and any requirements imposed in an instrument made under section 185 of the *National Vocational Education and Training Regulator Act 2011*.
- (2) The NRT Logo may only be used in association with nationally recognised training which may include:
 - (a) training package qualifications
 - (b) accredited qualifications
 - (c) accredited short courses
 - (d) training package skill sets
 - (e) units of competency and accredited modules.
- (3) All nationally recognised training is listed on the National Register (at training.gov.au).
- (4) The NRT Logo must not be used in a way that creates misleading impressions.

4 Use of the NRT Logo on AQF certification documentation

- (1) The NRT Logo must be depicted on all AQF certification documentation issued by an NVR registered training organisation.
- (2) The NRT Logo must not be depicted on other testamurs or transcripts of results.

5 Use of the NRT Logo in other circumstances

- (1) The NRT Logo may be used in some other circumstances as detailed below.

Advertisements and promotional information in any medium (including but not limited to print, television, radio, banners, and internet)

- (2) NVR registered training organisations may use the NRT Logo to promote nationally recognised training provided that training is within the organisation's scope of registration.
- (3) In using the NRT Logo for this purpose, the organisation must not create the impression that the NRT Logo applies to, or is associated with, all training provided by the organisation, if this is not the case.
- (4) The NRT Logo cannot be used by an organisation where the training is accredited, but is outside the scope of the organisation's registration. Where training is being promoted and does not meet the requirements stipulated in the VET Quality Framework or is outside the organisation's scope of registration, it must be made clear the NRT Logo is not associated with that training.
- (5) Use of the NRT Logo is only permitted where there is a direct relationship to an AQF qualification or unit of competency as specified within training packages or VET accredited courses.

Student information

- (6) Where an NVR registered training organisation uses the NRT Logo in promotional material such as brochures, handbooks or prospectuses that also refer to training offered by the organisation, the promotional material must clearly distinguish between nationally recognised training within the scope of the organisation's registration and any other type of training offered by the organisation.

Corporate stationery, business cards, buildings, training resources and merchandise

- (7) The NRT Logo must not be used on products such as corporate stationery, business cards, building signage, merchandise and marketing products (e.g. mouse pads, pens, satchels, or packaging around products), or learning resources supporting training.

6 Standards for the use of the NRT Logo

Format for reproduction

- (1) The NRT Logo can only be reproduced from hard or electronic copies provided by the National VET Regulator.
- (2) The NRT logo consists of both the triangular shape and the descriptor. The triangle is not to be used without the descriptor. The typeface is Fritz Quadrata. Under no circumstances is the descriptor to be typeset in any other typeface.
- (3) The complete NRT Logo may be varied in size. The size and position of the NRT Logo on the final product is at the discretion of the product designer. Although the size of the logo may be varied, the proportions of the triangle and the descriptor in relation to each other may not be varied. Under no circumstance is the logo to be reproduced in mirror image or be rotated.

Two colour reproduction

- (4) Where the NRT Logo is reproduced in colour, it must comply with the following colour requirements. Deviation from these colours is not permitted, nor are colours to be swapped around or stippled. The only colours to be used are:

GREEN PMS 343

RED PMS 192

One colour reproduction

- (5) Where the NRT Logo is reproduced in one colour, it should preferably be in GREEN PMS 343 or, where this is not suitable, it may be reproduced in black. In some situations the background colour may clash or the logo may not be prominent. In those situations, the black logo may be reversed out to display in white.

Examples of logo reproduction



Schedule 3—Repeals

Standards for Registered Training Organisations (NVR registered training organisations) 2015

1 The whole of the instrument

Repeal the instrument.