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|----------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------|---------------------|---------------------------------------------|
| Department | Vocational Education & Training – Education Services for Overseas Students (ESOS) | | Author | RTO CEO |
| Quality Controlled Document No. & Title | ESOS 4.2 | Education Agent Agreement | Approved | RTO CEO |
| Version | 1.0 | | Authorised | RTO Academic Board |
| ESOS National Code 2018 | Standard 4 | | Distribution | Internal RTO Management External N/A |

Education Agent Agreement

This is an agreement between:

Marriott Academy
“the Provider”

and

XXXXXXXXXXXXXXXXXX
“the Education Agent”

This agreement is valid from:

XX / XX / XXXX

to

XX / XX / XXXX

a period that shall not exceed 12 months

Marriott Academy
Level 2, Suite 3
470 Collins Street
Melbourne, 3000

Marriott Academy Hospitality Training
Shop 16-18 Metro West Shopping Centre
Cnr Nicholson and Albert Streets
Footscray, 3011

1. Details of parties to this agreement

1.1 Registered Training Organisation (RTO) (Provider) Details

| | |
|-----------------------------------|-----------------------------|
| RTO Legal Name | |
| RTO Trading Name | |
| RTO id | |
| RTO CRICOS Number | |
| Australian Business Number | |
| CEO | |
| Head Office Address | |
| Telephone | Landline: +61 |
| | Mobile/Cellular: +61 |
| Email Address | |

1.2 Education Agent Details

| | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| Registered Company Name (including affixes if applicable and legal entity) | |
| Principal Agent's Full Name | |
| Head Office Address | |
| Address(es) of other Office Locations (please attach a list if not enough space) | |
| Telephone (include country prefix) | Landline: |
| | Mobile/Cellular: |
| Email Address | |
| Australian Business Number (if applicable) | |
| Relevant in-country Business Licences (operation licences and/or recruitment licences) (Please provide details all licence[s]) | |
| Membership of Accrediting Body (e.g. AAERI, TIECA, VIECA etc.) | |

2. Purpose of agreement

2.1 In accordance with the ESOS National Code 2018, a registered Provider of nationally recognised qualifications to overseas students must have a written agreement with each education agent with which they work. An education agent is an accredited person or organisation with the authority to promote the Provider's qualification courses and services to students or intending students in nominated overseas regions. Standard 4 of the National Code requires registered Providers to ensure their agents' act 'ethically, honestly, and in the best interests of students'.

2.2 The Provider is registered under the authority of the Australian Qualifications Authority (ASQA) to provide education services to overseas students, and is approved for registration on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). In order to maintain registration, the Provider must, at all times, operate in compliance with:

- The National Vocational Education and Training Regulator Act 2011 ("the NVR Act")
- the Standards of Registered Training Organisations 2015 ("the Standards")
- the Education Services for Overseas Students Act 2000 ("the ESOS Act")
- the National Code of Practice for Providers of Education and Training to Overseas Students 2018 ("the National Code 2018")

The Provider is also subject to, and must comply with, the relevant legislative requirements of the Migration Act 1958 and Migration Regulations 1994.

3. The legal requirements for Education Agents

3.1 The Provider requires the Education Agent to:

3.1.1 declare in writing by way of entering into this agreement, and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the registered provider

3.1.2 observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students

3.1.3 act honestly and in good faith, and in the best interests of the student

3.1.4 have appropriate knowledge and understanding of the Provider's services as they relate to the provision of education services to overseas students

3.1.5 have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics (copy attached to this agreement).

3.2 The Education Agent agrees to cooperate fully with the Provider in:

3.2.1 meeting all of the Provider's obligations under the respective standards and legislation as listed in s 2.2 of this agreement.

3.2.2 all interactions the Provider has with the registering body, ASQA.

3.2.3 implementing the Provider's monitoring system for monitoring the activities of the Education Agent.

4. The legal requirements for the Provider

4.1 The Provider undertakes to provide, or make easily accessible to, the Education Agent:

4.1.1 current background information pertaining to the Provider's operation as a Registered Training Organisation, in particular in relation to the provision of education services to overseas students.

4.1.2 registration details of the Provider, including scope of registration.

4.1.3 details of qualifications offered to overseas students including, but not limited to, entry requirements, course outcomes, duration, mode of delivery, methods of assessment, required hours commitment, attendance and satisfactory progress requirements, and student support services.

4.2 The Provider shall implement the following process for monitoring the activities of the Education Agent:

4.2.1 require that the Education Agent complete the Provider's Education Agent Application Form.

4.2.2 undertake a due diligence check of all information provided with the Education Agent Application Form, including the operations of the Education Agent's company, Principal Agent(s), and its officers.

4.2.3 review printed information the Education Agent provides prospective students.

4.2.4 ensure the education agent is giving students accurate information about the Provider's services prior to enrolment and, once enrolled, by conducting a survey of students referred to the Provider by the Education Agent.

4.2.5 conduct a review of the Education Agent's performance every three months, or as required, during the time when this Agreement is active.

4.2.6 Within 30 days of a student's enrolment confirmation, and on receipt of a valid invoice, pay the Education Agent a commission of no more than **35%** of the student's course tuition fee.

5. The Education Agent performance standards

5.1 The Education Agent acknowledges that, and agrees that, a review of their performance shall be undertaken by the Provider every three months, or as required, during the time when this Agreement is active. The Education Agent agrees to have their performance reviewed against Performance Indicators as set by the Provider. When the Provider makes decisions on the Education Agent's performance, the Provider will take into account local conditions in different countries, and/or other factors as determined by the Provider's CEO.

5.1.2 Education Agent Performance Indicators:

It is incumbent of the Education Agent to implement systems and processes for assessment a prospective student's suitability for study overseas, and for the course(s) they in which they intend to enrol. The Education Agent must determine the student's financial capacity to undertake studies overseas. The Education Agent may request the support of the Provider when executing their responsibilities with regards to student "suitability". For example, the Education Agent may request that the Provider's administer a student LNN and/or ASCF level assessment in order to determine if the prospective student meets the Provider's course entry requirements.

Education Agent Performance Indicators

The Education Agent agrees to:

- a) provide accurate and comprehensive information, which has been approved by the Provider, to prospective students.
- b) maintain an application-to-offer conversion rates of 40% or higher
- c) maintain an offer-to-enrolment conversion rate of 30% or higher
- d) achieve specific targets for numbers of students enrolled as follows:

| Qualification | Target Number Enrolments |
|---------------|--------------------------|
| | |
| | |
| | |
| | |

- e) maintain a visa refusal rate below 10%.

Agents shall be advised in writing if their refusal rate rises above 5%.

Any visa refusal for reasons of fraud shall be investigated thoroughly and, if appropriate, reported to the relevant authorities. If the Provider determines that the Education Agent is encouraging, facilitating, or allowing their students to provide fraudulent documents to the Provider or to the Department of Home Affairs, the Education Agent's agreement shall be terminated.

- f) maintain a non-completion rate below 20%.

Non-completion rates may be reflective of the Education Agent's student recruitment strategies and practices. The Education Agent shall be advised in writing if their non-completion rate has risen above 10%. Non-completion rates shall be calculated from PRISMS data and/or internal Marriott Academy student management systems such as academic progression data.

- g) maintain a rate of below 10% of students whose CoE is cancelled for non-payment of fees.

Agents shall be advised in writing if the rate rises above 5%.

- h) only recruit students only in the following approved territories:

| Territory | Notes |
|-----------|-------|
| | |
| | |
| | |
| | |

5.1.3 The Provider shall assess the Education Agent's performance against all of the Performance Indicators specified in s 5.1.2 of this agreement, and it will be at the Provider's discretion whether or not the Education Agent's performance warrants:

- a) the agreement to be continue and/or be renewed
- b) termination of this agreement
- c) the agreement to remain active with additional conditions imposed regarding the Education Agent's performance and/or
- d) the agreement be modified to include undertakings from the Education Agent to rectify any and all issues adversely impacting on the Education Agent's performance and their ability to meet their obligations under this agreement.

5.1.4 The Provider agrees to take into account any extenuating circumstances, or significant mitigating factors such as the impact of a pandemic, when assessing the Education Agent's performance.

6. Termination of the agreement

6.1 In addition to the conditions for termination specified under s 5.1.3 of this agreement, where the Provider becomes aware, or has reason to believe, that the Education Agent or an employee or subcontractor of the Education Agent is engaging in false or misleading recruitment practices, the Provider shall immediately terminate its relationship with the Education Agent, or require the Education Agent to terminate its relationship with the employee or subcontractor who engaged in those practices.

6.2 Where the Provider determines that the Education, or has reason to believe that Education Agent is:

- a) in breach of any of the legal requirements for Education Agents specified in s 3 of this agreement
- b) providing migration advice, unless that education agent is authorised to do so under the Migration Act
- c) engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 of the National Code 2018 (Overseas student transfers)
- d) facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa
- e) using PRISMS to create CoEs for other than bona fide students.

6.2.1 Under the circumstances specified in s 6.2 of this agreement, the Provider may, at its sole discretion:

- a) terminate the Education Agent agreement
- b) impose conditions on the Education Agent in order for the agreement to remain active
- c) modify the agreement to specify actions for rectification which the Education Agent must undertake within given timeframe

6.3 The Education Agent may terminate this agreement by giving the Provider, in writing, at least fifteen (15) working days' notice. Working days shall be calculated in accordance with information provided by Business Victoria located at <https://business.vic.gov.au/business-information/public-holidays>

7. Disclosure of information

7.1 Information about the Education Agent may be disclosed to Australian, state or territory agencies, where the Provider is required to do so in order to comply with applicable legislative requirements, and/or any requirements under applicable standards and codes.

7.2 On 10 October 2018, the Australian Government committed to publicly publishing performance data on education agents in Australia's international education system. The information the Provider may release about the Education Agent includes:

- a) the number of applications for student visas made by, or on behalf of, students recruited or otherwise dealt with by the Education Agent which have been:
 - granted
 - refused
 - withdrawn
 - deemed invalid
- b) the number of student visas issued to students recruited or otherwise dealt with by the Education Agent which have been cancelled or ceased to be in effect
- c) the number of students accepted for enrolment in courses provided by registered providers by students recruited or otherwise dealt with by the Education Agent
- d) the completion rates of accepted students recruited or otherwise dealt with by the Education Agent.

8. Fit and Proper Person Declaration

8.1 The Principal Education Agent must satisfy the Provider that they are fit and proper persons in order to enter an agreement to provide services to the Provider.

8.2 The Provider may request, at any time during the duration of this agreement, that the Education Agent or any of its officers, to complete a Fit and Proper Person Declaration, in the form specified by the Provider.

8.2 Where the Education Agent refuses to comply with s 8.2 of this agreement, or the Provider determines that the Education Agent, or any of its officers, no longer meet the fit and proper persons requirements, then the Provider may, at its sole discretion:

- a) terminate the Education Agent agreement
- b) impose conditions on the Education Agent in order for the agreement to remain active
- c) modify the agreement to specify actions for rectification which the Education Agent must undertake within given timeframe.

SECTION A

Principal Agent's personal details

| | |
|----------------------|--|
| Full name: | |
| Date of birth: | |
| Telephone: | |
| Residential address: | |

SECTION B

Education Agent organisation's details

| | |
|-----------------------|--|
| Name of legal entity: | |
| Trading name/s: | |

SECTION C

Your relationship to the organisation (tick all that apply)

| | |
|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Executive officer <input type="checkbox"/> | This is any person who takes part in the management of your organisation. Examples can include: a director of the company a secretary of the company a chief executive officer a principal executive officer |
| Owner and executive officer <input type="checkbox"/> | An 'owner and executive officer' is: a person who owns 15% or more of your organisation a person who is entitled to receive 15% or more of dividends paid by your organisation any trustees of a trust associated with the organisation a trustee of a trust associated with your organisation relevant persons at 'associated entities' |

In section D, if you answer yes to any questions and you need to provide details on more than one person, please attach a separate document providing the relevant details, for each person. The title of the separate document should include the number of the question it relates to.

SECTION D

Related persons—and their involvement with Australian RTO / CRICOS providers

The term 'related person' refers to:

- your spouse or de facto partner
- your child, or a child of your spouse or de facto partner
- your parent, or the parent of your spouse or de facto partner
- your sibling.

The Provider requires information about any related persons who are, or have previously been, involved in the operations of an Australian RTO or a CRICOS provider

| | | |
|----|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| 1. | Is any person related to you who is currently, or has previously been, involved in the operations of an Australian RTO or CRICOS provider? | <input type="checkbox"/> No <i>Go to Question 5.</i> <input type="checkbox"/> Yes. <i>Continue to Question 2</i> |
| 2. | Full name of the related person | |
| 3. | Your relationship to the person | |
| 4. | Name of the Australian RTO or CRICOS provider that the related person was/is involved with and their position title | |

A separate document listing additional persons is attached.

SECTION E

In section E, if you answer yes to any questions and you need to provide details for more than one occurrence, please attach a separate document providing the relevant details.

Personal history—You and any related persons

| | | | | | | | | | | |
|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------|------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------|---------------------------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 5. | <p>Have you or any related person ever been convicted of an offence against:</p> <p style="padding-left: 40px;">a law of the Commonwealth or of a state or territory of Australia?</p> <p style="padding-left: 40px;">a law of another country?</p> | <p><input type="checkbox"/> No <i>Go to Question 6</i></p> <p><input type="checkbox"/> Yes. <i>Continue to Question 5b</i></p> | | | | | | | | |
| 5b. | <p>Was the conviction in relation to a traffic-related infringement (e.g. speeding; driving without a seatbelt; driving while using a mobile device)? If yes, no further detail is required—go to question 6.</p> | <p><input type="checkbox"/> No <i>Continue to Question 5c</i></p> <p><input type="checkbox"/> Yes. <i>Go to Question 6</i></p> | | | | | | | | |
| 5c. | <p>Provide details about each offence:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Name of person who committed the offence:</td> <td></td> </tr> <tr> <td>Type of offence:</td> <td></td> </tr> <tr> <td>Year the offence occurred:</td> <td></td> </tr> <tr> <td>Country the offence occurred in:</td> <td></td> </tr> </table> <p><input type="checkbox"/> A separate document listing additional persons is attached.</p> | | Name of person who committed the offence: | | Type of offence: | | Year the offence occurred: | | Country the offence occurred in: | |
| Name of person who committed the offence: | | | | | | | | | | |
| Type of offence: | | | | | | | | | | |
| Year the offence occurred: | | | | | | | | | | |
| Country the offence occurred in: | | | | | | | | | | |
| 6. | <p>Have you or any related person ever been determined not to be a fit and proper person as prescribed under any law of the Commonwealth or of a state or territory of Australia?</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Name of person determined not to be fit and proper:</td> <td></td> </tr> <tr> <td>When determination occurred:</td> <td></td> </tr> <tr> <td>Was the determination made in relation to a business within the education sector?</td> <td> <input type="checkbox"/> No <input type="checkbox"/> Yes </td> </tr> <tr> <td>Why the determination was made:</td> <td></td> </tr> </table> <p><input type="checkbox"/> A separate document listing additional persons is attached.</p> | Name of person determined not to be fit and proper: | | When determination occurred: | | Was the determination made in relation to a business within the education sector? | <input type="checkbox"/> No <input type="checkbox"/> Yes | Why the determination was made: | | <p><input type="checkbox"/> No <i>Go to Question 7</i></p> <p><input type="checkbox"/> Yes <i>Provide details below</i></p> |
| Name of person determined not to be fit and proper: | | | | | | | | | | |
| When determination occurred: | | | | | | | | | | |
| Was the determination made in relation to a business within the education sector? | <input type="checkbox"/> No <input type="checkbox"/> Yes | | | | | | | | | |
| Why the determination was made: | | | | | | | | | | |

| | | | | | | | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|-------------------------------------|--|-----------------------------|----------------------------------------------|------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| 7. | <p>Have you or any related person ever been disqualified from managing corporations?</p> | <input type="checkbox"/> No <i>Go to Question 8</i> <input type="checkbox"/> Yes <i>Provide details below</i> | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 2px;">Name of person disqualified:</td> <td style="width: 60%;"></td> </tr> <tr> <td style="padding: 2px;">Date disqualification ended:</td> <td></td> </tr> <tr> <td style="padding: 2px;">Period of disqualification:</td> <td style="padding: 2px;">From: To:</td> </tr> <tr> <td style="padding: 2px;">Amount of fines payable (if applicable):</td> <td></td> </tr> <tr> <td style="padding: 2px;">Was the company that this disqualification relates to an Australian RTO, CRICOS provider or a business in the education sector?</td> <td style="padding: 2px;"> <input type="checkbox"/> No <input type="checkbox"/> Yes </td> </tr> </table> | | | Name of person disqualified: | | Date disqualification ended: | | Period of disqualification: | From: To: | Amount of fines payable (if applicable): | | Was the company that this disqualification relates to an Australian RTO, CRICOS provider or a business in the education sector? | <input type="checkbox"/> No <input type="checkbox"/> Yes |
| Name of person disqualified: | | | | | | | | | | | | |
| Date disqualification ended: | | | | | | | | | | | | |
| Period of disqualification: | From: To: | | | | | | | | | | | |
| Amount of fines payable (if applicable): | | | | | | | | | | | | |
| Was the company that this disqualification relates to an Australian RTO, CRICOS provider or a business in the education sector? | <input type="checkbox"/> No <input type="checkbox"/> Yes | | | | | | | | | | | |
| <input type="checkbox"/> A separate document listing additional persons is attached. | | | | | | | | | | | | |
| 8. | <p>Have you or any related person, or any company that you or any related person were a director of, ever:</p> <ul style="list-style-type: none"> become bankrupt or insolvent taken steps to take the benefit of a law for the relief of bankrupt or insolvent debtors compounded with one or more creditors made an assignment of your remuneration for the benefit of one or more creditors. | <input type="checkbox"/> No <i>Go to Question 9</i> <input type="checkbox"/> Yes <i>Provide details below</i> | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 2px;">Name of person declared bankrupt or insolvent:</td> <td style="width: 60%;"></td> </tr> <tr> <td style="padding: 2px;">Nature of bankruptcy or insolvency:</td> <td></td> </tr> <tr> <td style="padding: 2px;">Value of unpaid creditors:</td> <td></td> </tr> <tr> <td style="padding: 2px;">Year bankruptcy discharged:</td> <td></td> </tr> </table> | | | Name of person declared bankrupt or insolvent: | | Nature of bankruptcy or insolvency: | | Value of unpaid creditors: | | Year bankruptcy discharged: | | | |
| Name of person declared bankrupt or insolvent: | | | | | | | | | | | | |
| Nature of bankruptcy or insolvency: | | | | | | | | | | | | |
| Value of unpaid creditors: | | | | | | | | | | | | |
| Year bankruptcy discharged: | | | | | | | | | | | | |
| <input type="checkbox"/> A separate document listing additional persons is attached. | | | | | | | | | | | | |

SECTION F

In section F, if you answer yes to any questions and you need to provide details for more than one occurrence, please attach a separate document providing the relevant details. The title of the separate document should include the number of the question it relates to.

Australian RTO and CRICOS provider history — You and any related persons

| | | |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| 9. | <p>Do you or any related person, have a current or past association with:</p> <p style="padding-left: 40px;">a current or former Australian RTO, CRICOS provider, higher education provider</p> <p style="padding-left: 40px;">any organisation that has applied for registration with ASQA or a state registering body.</p> <p><i>(‘Association’ includes but is not limited to business dealings, employment, contracting, endorsement and/or the provision of services as a third party.)</i></p> | <p><input type="checkbox"/> No <i>Go to Question 10</i></p> <p><input type="checkbox"/> Yes <i>Provide details below</i></p> |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|

Provide details of any current association:

| | |
|---------------------------------------------|--|
| Name of person who has current association: | |
|---------------------------------------------|--|

| | |
|----------------------------------------------------------------------------------------|--|
| Legal name of Australian RTO/CRICOS provider/higher education provider (or applicant): | |
|----------------------------------------------------------------------------------------|--|

| | |
|-----------------|--|
| Trading name/s: | |
|-----------------|--|

| | |
|--------------------------------------------------|--|
| Describe your association with the organisation: | |
|--------------------------------------------------|--|

| | |
|--------------------------------------------------|-------------------------------|
| Start of your association with the organisation: | Click or tap to enter a date. |
|--------------------------------------------------|-------------------------------|

Provide details of any past association:

| | |
|------------------------------------------|--|
| Name of person who has past association: | |
|------------------------------------------|--|

| | |
|-----------------------------------------------------------------------------|--|
| Legal name of RTO/CRICOS provider/higher education provider (or applicant): | |
|-----------------------------------------------------------------------------|--|

| | |
|-----------------|--|
| Trading name/s: | |
|-----------------|--|

| | |
|--------------------------------------------------|--|
| Describe your association with the organisation: | |
|--------------------------------------------------|--|

| | |
|---------------------------------------------------|---------------------------------------------------------------------|
| Period of your association with the organisation: | From Click or tap to enter a date. To Click or tap to enter a date. |
|---------------------------------------------------|---------------------------------------------------------------------|

A separate document listing additional persons is attached.

| | | | | | | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|--|--------------------------------------------------------------------------------------|--|--------------------------------------------------|--|---------------------------------------------------|-----------------------|
| 10. | <p>Were you or any related person associated with an Australian RTO, a CRICOS provider or a higher education provider at the time of (or within 12 months prior to) a decision being made by ASQA or another VET regulator to:</p> <p><input type="checkbox"/> reject an application for initial registration as an Australian RTO/CRICOS provider</p> <p><input type="checkbox"/> cancel registration, in part or in full</p> <p><input type="checkbox"/> suspend registration, in part or in full</p> <p><input type="checkbox"/> reject an application to renew registration</p> <p><input type="checkbox"/> determine that the provider breached a condition of registration</p> <p><input type="checkbox"/> impose a condition on registration</p> <p><input type="checkbox"/> issue an infringement notice</p> <p>And/or a decision under a state funding contract to:</p> <p><input type="checkbox"/> cancel, suspend or not renew funding or other assistance.</p> | <p><input type="checkbox"/> No <i>Go to Question 11</i></p> <p><input type="checkbox"/> Yes <i>Select all that apply and provide details below</i></p> | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 5px;">Name of person who had association:</td> <td style="width: 60%;"></td> </tr> <tr> <td style="padding: 5px;">Legal name of the Australian RTO/CRICOS provider/higher education provider involved:</td> <td></td> </tr> <tr> <td style="padding: 5px;">Describe your association with the organisation:</td> <td></td> </tr> <tr> <td style="padding: 5px;">Period of your association with the organisation:</td> <td style="padding: 5px;">From: _____ To: _____</td> </tr> </table> <p><input type="checkbox"/> A separate document listing additional persons is attached.</p> | | | Name of person who had association: | | Legal name of the Australian RTO/CRICOS provider/higher education provider involved: | | Describe your association with the organisation: | | Period of your association with the organisation: | From: _____ To: _____ |
| Name of person who had association: | | | | | | | | | | |
| Legal name of the Australian RTO/CRICOS provider/higher education provider involved: | | | | | | | | | | |
| Describe your association with the organisation: | | | | | | | | | | |
| Period of your association with the organisation: | From: _____ To: _____ | | | | | | | | | |
| 11. | <p>Have you or any related person ever been issued with an Australian Immigration Minister's suspension certificate?</p> | <p><input type="checkbox"/> No <i>Go to Question 12</i></p> <p><input type="checkbox"/> Yes <i>Provide details below</i></p> | | | | | | | | |
| <p><i>Provide details including the name of the person, date the Immigration Minister's suspension certificate took effect, who the certificate was issued to, the reason why the Immigration Minister's suspension certificate was issued.</i></p> | | | | | | | | | | |
| 12. | <p>Have you or any related person ever been associated with an organisation at a time when it was determined to have breached a Australian Government or state or territory government training contract?</p> | <p><input type="checkbox"/> No <i>Go to Question 13</i></p> <p><input type="checkbox"/> Yes <i>Provide details below</i></p> | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%; padding: 5px;">Name of person associated with the organisation:</td> <td style="width: 60%;"></td> </tr> <tr> <td style="padding: 5px;">Name of organisation:</td> <td></td> </tr> <tr> <td style="padding: 5px;">Year the breach occurred:</td> <td></td> </tr> <tr> <td style="padding: 5px;">Any further details:</td> <td></td> </tr> </table> | | | Name of person associated with the organisation: | | Name of organisation: | | Year the breach occurred: | | Any further details: | |
| Name of person associated with the organisation: | | | | | | | | | | |
| Name of organisation: | | | | | | | | | | |
| Year the breach occurred: | | | | | | | | | | |
| Any further details: | | | | | | | | | | |

| | | |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| | <input type="checkbox"/> A separate document listing additional persons is attached. | |
| 13. | <p>Have you or any related person ever provided false or misleading information, or made a false or misleading statement to:</p> <ul style="list-style-type: none"> a state, territory or Australian Government agency or department a regulatory authority of Australian RTOs (or a delegate of such an authority) a regulatory authority of higher education providers (or a delegate of such an authority) a regulatory authority of registered providers under the <i>Education Services for Overseas Students Act 2000</i> (or a delegate of such an authority). | <input type="checkbox"/> No <input type="checkbox"/> Yes <i>Provide details below</i> |
| | <i>Provide details including the name of the person and the nature of the false and misleading statement that was provided.</i> | |
| 14. | Have you ever been found guilty of academic dishonesty? | <input type="checkbox"/> No <input type="checkbox"/> Yes <i>Provide details below</i> |
| | <i>Provide details including the name of the education organisation where the offence(s) occurred.</i> | |

Declaration

Please print the declaration and complete using a blue or black pen.

1 Insert (print) the name, address and occupation of person making the declaration I, _____

make the following declaration:

I declare that to the best of my knowledge, the information I have provided in this Fit and proper person declaration is true and accurate.

I understand that a person who intentionally makes a false statement in a statutory declaration shall be considered by the Provider as a person unfit to be engaged as an Australian Education Agent, and I believe that the statements in this declaration are true in every particular.

3 Signature of person making the declaration

4 Place Declared at on of

5 Day

6 Month and year Before me,

7 Signature of person before whom the declaration is made (see over)

8 Full name, qualification and address of person before whom the declaration is made (in printed letters)

This declaration may be made before—

1. a person who is currently licensed or registered under a law to practise in one of the following occupations:

| | | |
|----------------------|----------------------|--------------------|
| Chiropractor | Dentist | Legal practitioner |
| Medical practitioner | Nurse | Optometrist |
| Patent attorney | Pharmacist | Physiotherapist |
| Psychologist | Trade marks attorney | Veterinary surgeon |
2. a person who is a qualified legal practitioner; or
3. a person who is in the following list:
 - Agent of a postal corporation who is in charge of an office supplying postal services to the public
 - Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
 - Bank officer with 5 or more continuous years of service
 - Employee of the Australian Trade Commission who is:
 - a. in a country or place outside Australia; and
 - b. authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
 - c. exercising his or her function in that place
 - Employee of the Commonwealth of Australia who is:
 - a. in a country or place outside Australia; and
 - b. authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
 - c. exercising his or her function in that place
 - Judge of a court
 - Justice of the Peace
 - Registered marriage celebrant
 - Registered accountant
 - Member of the Australian Defence Force who is:
 - a. an officer, or
 - b. a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service, or
 - c. a warrant officer within the meaning of that Act
 - Member of:
 - a. the Parliament of the Commonwealth, or
 - b. the Parliament of a State, or
 - c. a Territory legislature, or
 - d. a local government authority of a state or territory
 - A registered Minister of religion
 - Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
 - Permanent employee of:
 - a. the Commonwealth or a Commonwealth authority, or
 - b. a State or Territory or a State or Territory authority, or
 - c. a local government authority,with five or more years of continuous service who is not specified in another item in this list
 - Police officer
 - Teacher employed on a full-time basis at a school or tertiary education institution

9. Execution of Agreement

Marriott Academy
Level 2, Suite 3
470 Collins Street
Melbourne, 3000

Marriott Academy Hospitality Training
Shop 16-18 Metro West Shopping Centre
Cnr Nicholson and Albert Streets
Footscray, 3011

| Marriott Academy | Education Agent |
|-------------------------|------------------------|
| Signed: | Signed: |
| Print Name: | Print Name: |
| Position: | Position: |
| Date: | Date: |