


<b>PROCEDURE</b>		
Ref. to Legislative Frameworks:  <b>HESF2015:</b> <b>Standard 6.1, 6.2, 7.3</b>  <b>SRT02015:</b> <b>Standard 8.1, 8.2, 8.3</b>  <b>National Code 2018:</b> <b>Standard 11.3</b>	<b>Changes to Ownership or Management</b>	
<b>Version: 2.0</b>	Procedure Owner: Chief Executive Officer	<b>Issued on: 06/04/2018</b> <b>Review by: 06/04/2020</b>

### Revision History

Current Version	Description of Change	Procedure Writer(s)	Effective Date
2.0	New	General Manager, Operations and Risk Management	06/04/2018

## PURPOSE

This procedure details the course of action to be taken to inform the relevant regulatory authorities of any prospective ownership and/or management changes, in accordance with the policy.

## POLICY STATEMENT

AAPoly complies with the regulatory requirements of informing the respective authorities of changes in ownership or management that result in changes or *status quo* of the relevant legal entities.

## SCOPE

This policy applies to Directors and high managerial agents who are responsible for:

- a) the operations of AAPoly at a senior level.
- b) determining, approving and overseeing the implementation of high-level policies in relation to domestic and international students.
- c) making business decisions relating to the domestic and international student programs.
- d) representing AAPoly, with authority to speak on behalf of AAPoly and to sign high-level agreements on AAPoly's behalf.
- e) setting the direction of AAPoly in relation to domestic and international education activities.

## DEFINITIONS

**Regulatory Authorities** Australian Government organisations mandated to govern the provision of education services to domestic and international students, including:

- Tertiary Education Quality and Standards Agency (TEQSA)
- Australian Skills Quality Authority (ASQA)
- Department of Education and Training
- All other relevant accrediting authorities

**High managerial agent** An employee or agent of the organisation with duties of such responsibility that his or her conduct may fairly be assumed to represent the organisation in relation to the business of providing courses (Source: ASQA)

## PROCEDURE

### 1. Change of Ownership (No change in the legal entity)

1.1 If there is a change of ownership in AAPoly and the change does not result in a new legal entity, AAPoly's CEO will advise the Regulatory Authorities in writing of:

- a) any prospective changes to the ownership of AAPoly within 90 days of the change occurring; and
- b) any prospective or actual change to the high managerial agents of AAPoly as soon as practicable prior to the change taking effect or within 10 working days of the change taking effect where the change cannot be determined until it takes effect.
- c) AAPoly's new owner or high managerial agent will sign all the relevant statutory declarations including the 'fit and proper' requirements.

1.2 If there is any change in Registered Training Organisation (RTO) or Higher Education Provider details, the CEO will inform ASQA or TEQSA of the change(s) accordingly.

### 2. Change in the legal entity

If there is a change of ownership and the change results in a new legal entity, the CEO will notify the Regulatory Authorities in writing of prospective ownership and/or management changes within the timelines set in the regulatory requirements and the policy.

### 3. Relocate or add a delivery site

The CEO will notify the Regulatory Authorities and enrolled students of any intention to relocate premises at least 20 working days before the relocation. The regulatory and registration requirements for the approval of a new delivery site must be met before relocation.

## RESPONSIBILITIES

- **Chief Executive Officer (CEO) or nominee** – Informs the designated authority of any prospective ownership and/or management changes to comply with regulatory requirements.
- **General Manager, Operations and Risk Management** – maintains up-to-date records on AAPoly and its associated legal entity

## FEEDBACK

Queries or feedback about this policy should be directed to the CEO through [suggestionstotheceo@aapoly.edu.au](mailto:suggestionstotheceo@aapoly.edu.au). The CEO will respond in writing to the feedback or enquiries within two (2) weeks unless an extenuating circumstance requires an immediate

response or action. Any material changes to this policy will be documented in the version control register and utilised as part of continuous improvement and quality assurance of AAPoly.

## REFERENCES

Source	Document Title	Version/Date
External	ASQA Standards for Registered Training Organisations	2015
	Higher Education Standards Framework (Threshold Standards)	2015
	National Code of Practice for Providers of Education and Training to Overseas Students	2018