NOTICE OF APPROVAL
COMMONWEALTH OF AUSTRALIA
Higher Education Support Act 2003
VET Provider Approval No 7 of 2015

Approval under subclause 6(1), decision under paragraph 11(1)(a), and notice of approval under paragraph 11(1)(b) of Schedule 1A to the Higher Education Support Act 2003 (the Act).

I, Maryann Quagliata, a delegate of the Minister for Education and Training

(a) approve the application of Australian Skills Group Pty Ltd (ACN: 153 317 821 ABN: 15 153 317 821) as a VET provider in accordance with subclause 6(1) of Schedule 1A to the Act; and

(b) impose conditions on the approval of Australian Skills Group Pty Ltd as a VET Provider in accordance with subclause 12A(1) of Schedule 1A to the Act; and

(c) note that this approval decides the application of Australian Skills Group Pty Ltd as required by paragraph 11(1)(a) of Schedule 1A to the Act; and

(d) hereby give Australian Skills Group Pty Ltd written notice of my approval as required by paragraph 11(1)(b) of Schedule 1A to the Act.

Conditions

Subclause 12A(1) of Schedule 1A to the Act provides for the Minister to impose conditions on a body’s approval as a VET provider. The conditions to be imposed on Australian Skills Group Pty Ltd’s approval are listed below:

I. Australian Skills Group Pty Ltd must maintain adequate liquidity levels as measured by a current ratio of 1.0 or above for the period of its approval.

II. Australian Skills Group Pty Ltd must maintain a positive equity position for the period of its approval.

III. Australian Skills Group Pty Ltd must not provide any new guarantees or loans to its directors or related entities that could have a material effect on its finances for the period of its approval.

IV. Australian Skills Group Pty Ltd must not offer its assets as security for the benefit of any other person or entity including associated entities except as a consequence of any commercial loan arrangements with a recognised financial institution for the period of its approval. Associated entity has the meaning given by section 50AAA of the Corporations Act 2001.

V. Australian Skills Group Pty Ltd must provide the Department responsible for administering the Higher Education Support Act 2003 with all required financial information as specified in the Financial Viability Instructions, on an annual basis and no later than 31 December each year for the period of its approval.

VI. Australian Skills Group Pty Ltd must, in writing, advise the Department responsible for administering the Higher Education Support Act 2003 of any events affecting Australian Skills Group Pty Ltd or a related entity that may significantly affect the capacity of Australian Skills Group Pty Ltd to meet the VET quality and accountability requirements under the Act for the period of its approval. The written advice must be provided within 10 working days of the event occurring.

VII. Australian Skills Group Pty Ltd must inform the Department responsible for administering the Higher Education Support Act 2003 in writing of changes to directors, company structure and/or its constitution for the period of its approval. The written advice must be provided within 10 working days of the event occurring.
VIII. Australian Skills Group Pty Ltd must not include in VET units of study, any units of competency that are not listed as part of the diploma or above level qualification in the relevant Training Package or VET Accredited Course for the period of its approval.

IX. Australian Skills Group Pty Ltd must advise the Department responsible for administering the Higher Education Support Act 2003 of any regulatory activity undertaken or being undertaken by ASQA relating to non-compliance with the Standards for NVR Registered Training Organisations for five years from the date of approval.

X. Australian Skills Group Pty Ltd must advise the department responsible for administering the Higher Education Support Act 2003 of any regulatory activity that has been or is being undertaken in relation to Australian Consumer Law and/or fair trading laws for five years from the date of approval.

XI. Australian Skills Group Pty Ltd must report data monthly for two years from the date of approval.

In accordance with subclause 12(2) of Schedule 1A to the Act this notice of approval commences on the day after it is registered on the Federal Register of Legislative Instruments.

Dated this 20th day of March 2015

Maryann Quagliata

Branch Manager

Delegate of the Minister for Education and Training