

Tertiary Education Quality and Standards Agency Fit and Proper Person Determination 2018 – Amendment No. 1 of 2025

The Tertiary Education Quality and Standards Agency amends the *Tertiary Education Quality and Standards Agency Fit and Proper Person Determination 2018*, made on 6 December 2018, under subsection 7A(2) of the *Tertiary Education Quality and Standards Agency Act 2011* (the Act), as specified in the Schedule to this instrument.

Dated: 2 April 2025

Adrienne Nieuwenhuis Stephen Somogyi

Acting Chief Commissioner Commissioner

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1 Name

This instrument is the *Tertiary Education Quality and Standards Agency Fit and Proper Person Determination 2018 – Amendment No. 1 of 202**5*.

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 |
| *The whole of this instrument.* | *On the day after this instrument is registered.* |  |

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 7A(2) of the *Tertiary Education Quality and Standards Agency Act 2011*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Tertiary Education Quality and Standards Agency Fit and Proper Person Determination 2018

**1. After subsection 6(1)**

Insert:

(1A) TEQSA may have regard to whether a person has been convicted of a foreign offence (within the meaning of section 85ZL of the *Crimes Act 1914*) against a foreign law/s.

**2. After paragraph 10(1)(h)**

Insert:

10(1)(i) any other law of the Commonwealth, a State or Territory.

**3. After subsection 10(3)**

Insert:

(3A). TEQSA may have regard to whether the public is unlikely to have confidence in the person’s suitability to be a person who makes or participates in making decisions that affect the whole, or a substantial part, of a registered higher education provider’s affairs.