




FIT AND PROPER PERSON TEST POLICY

IBS COLLEGE OF TVET

01st January 2024

Prepared by: Student Services	Reviewed by:	Approved by:	
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1. Introduction

The ultimate responsibility for ensuring the fitness of the responsible persons for the Management and Governance of the IBSC rests with its College Board in return is responsible for establishing policies and procedures as well as ensuring the implementation of same.

Persons who are responsible for the management and providing oversight to IBSC business operations shall possess appropriate skills, experience, knowledge, and values of honesty and integrity. These credentials and attributes strengthen the protection accorded to beneficiaries and other stakeholders. To this end, IBSCollege shall Board prudently manage the risk that persons in positions of responsibility may not be fit and proper.

This Policy establishes minimum requirements for IBSCollege in determining the fitness of individuals to hold positions of responsibility in line with Standard 4 of the National Standards for Higher Educational Institution Registration.

This standard is intended to ensure that all persons who are College Board Members, Key Management Personnel (KMP), Key Academic Personnel (KAP) and Academic Board Members are 'fit and proper' persons.

It is the responsibility of the College Board to ensure that every person who is, or is to be a Key Management Personnel (KMP), Key Academic Personnel (KAP) and Academic Board Member is at all times fit and proper in accordance with the Standard.

2. Fit and Proper Requirements

It is the responsibility of every person who is, or intends to become, Key Management Personnel (KMP), Key Academic Personnel (KAP) and Academic Board Member to convince the College director board that he/she is a fit and proper person.

3. Implementation and Specific Recruitments

The College Director board shall ensure that the criteria specified in section 4 of the Policy, are fulfilled when appointing or continuing with the appointment of persons as Key Management Personnel (KMP), Key Academic Personnel (KAP) and Academic Board Members.

The College Board shall ensure that, at all times, each of its Key Management Personnel (KMP), Key Academic Personnel (KAP) and Academic Board Members appointed or engaged is a fit and proper person to hold the office or engagement.

4. Criteria for Eligibility

In assessing the fitness of a person, the following matters shall be considered by the assessing body.

- i. that such person possesses academic or professional qualifications or profound experience in education, finance, business administration or any other relevant discipline;
- ii. that such person is not found by any court of law, regulatory or supervisory authority, professional association, Commission of Inquiry, tribunal or other body

established by law in Papua New Guinea or abroad, to the effect that such person has committed or is in association with, any act which involves fraud, deceit, dishonesty, improper conduct or non-compliances with provisions of any statute or rules, regulations, directions or determinations issued thereunder;

- iii. that such person has not been convicted by any Court in Papua New Guinea or abroad in respect to an offence that is criminal in nature;
- iv. that such person has not been declared insolvent or declared bankrupt in Papua New Guinea or abroad;
- v. that such person has not failed to satisfy any judgment or order of any Court whether in Papua New Guinea;
- vi. that such person has not been declared by a Court of competent jurisdiction in Papua New Guinea or abroad, to be of unsound mind;
- vii. that such person has not been removed or suspended by a regulatory or supervisory authority from serving as a Director, Chief Executive Officer or other officer or an employee in any academic institution in Papua New Guinea or aboard.
- viii. that such person has become ineligible under any of the provisions of our Charter, Statutes, Ordinances or Regulations of IBS College.


5. Conflict of Interest

The College shall not have on its Key Management Personnel (KMP), Key Academic Personnel (KAP) and Academic Board, a Director or an employee of another Education Institution operating in Papua New Guinea, except;

- I. in the intendance of the subsidiary company of the IBSC or vice versa or
- II. explicitly determined that accommodation of the such Academic Board Member, KPM/KAP is beneficial to the IBSC and no conflict of interest arises due to that engagement.

6. Procedure

The Human Resources Department should have all Members/Officers appointed to any of the above position to complete the declaration form (Annexure 1) and submit to the secretary of the relevant Assessing Body under a sealed cover before appointment or within 14 days of appointment.

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