

21 September 2020



Australian Government
Australian Skills Quality Authority

Dr Manish Malhotra
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Australian Technical and Management College Pty Ltd
as trustee for Australian Technical and Management College Trust
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RTO ID: 22158
CRICOS ID: 03013D
Audit No: AUDREC0010633

Dear Dr Malhotra

Re: Notice of decision not to proceed with sanctions

This letter is written notice that the Australian Skills Quality Authority (ASQA), has considered your organisation's recent written response to ASQA's Notice of Intention to make a decision to impose sanctions, in accordance with the natural justice requirements of section 37(1) of the National Vocational Education and Training Regulator Act 2011 and with the provisions of sections 93(1) and 93(4) of the Education Services for Overseas Students Act 2000 (ESOS Act).

Following careful consideration of the information provided in your response, I wish to advise that ASQA will not proceed with the imposition of sanctions outlined in our correspondence to your organisation on 24 July 2020. A copy of the final audit report is attached for your reference.

Your applications, CHGCRI0005598; CHGCRI0005671; CHGCRI0005830; ADDVET0032844; ADDCRI0004297, have been withdrawn as requested.


Re: Direction to rectify breaches of conditions

ASQA has determined your organisation is **not compliant** with the requirements of the *Standards for Registered Training Organisations 2015* (Standards for RTOs) which is a breach of Section 22 of the *National Vocational Education and Training Regulator Act 2011* (NVR Act).

The Australian Skills Quality Authority (**ASQA**), as the national VET regulator, has made the decision to give a written direction, under section 35A(1) of the *National Vocational Education and Training Regulator Act 2011* (NVR Act), requiring your organisation to:

- rectify this breach by addressing each non-compliance outlined in the attached audit report within 20 working days of the date of this notice; and
- retain evidence this written direction has been complied with for examination at a future regulatory activity, by retaining evidence that you have addressed each non-compliance outlined in the attached audit report.

Australian Skills
Quality Authority
ABN 72 581 678 650
GPO Box 9928
Melbourne VIC 3001
Info line 1300 701 801
www.asqa.gov.au



You are not required to submit evidence that you have addressed the non-compliances in response to this notice. ASQA will review evidence that you have complied with this notice at a future regulatory activity.

ASQA considers that issuing a direction to rectify a breach of condition is a proportionate response to the level of non-compliance identified. The direction to rectify a breach of condition has been issued as an alternative to requiring rectification evidence or proposing a sanction be imposed on your organisation.

Reviewable decision

You can seek a review of this decision as it is a reviewable decision under section 199 of the NVR Act.

This decision was made by a delegate so reconsideration of the decision by ASQA is available. You must apply for and await the outcome of the reconsideration process before seeking review by the Administrative Appeals Tribunal.

If you are not satisfied with this decision

Request to ASQA for reconsideration of decision

If you are not satisfied with this decision you can lodge a request for reconsideration with ASQA in writing by completing an *Application for ASQA to review a decision* form. You may be required to pay an application fee. Your application must provide the reasons why you think our decision is wrong and should include any supporting documentation. To access the application form and for further information about reviewable decisions, please see the ASQA website www.asqa.gov.au.

You must lodge your request for reconsideration **within 30 days of receiving this notice**. If you do not submit your *Application for ASQA to review a decision* form within the required timeframe, you must apply to ASQA for an extension of time providing the reasons why you did not lodge in time.

ASQA will inform you of the result of its reconsideration of the decision within 90 days of receiving your application.

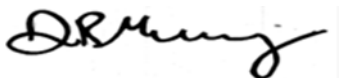
Access documents

Your organisation may also have the right of access to further documents under the *Freedom of Information Act 1982*. More information about Freedom of Information (FOI), including how to make an FOI application, is available via <https://www.asqa.gov.au/about/accountability-and-reporting/freedom-information>.

Further information

If you require further information or assistance in relation to this matter, please contact Eliza Chiam by email at compliancemelbourne@asqa.gov.au

Yours sincerely



Darryl Murray
Manager Regulatory Operations