

2017 Guidelines about Determining Student Eligibility and Supporting Evidence

Skills First Program

Department of Education and Training

Purpose

Training Providers that are contracted with the Victorian Government to deliver training subsidised through the *Skills First* Program are bound by the requirements of the VET Funding Contract. The 2017 *Guidelines about Determining Student Eligibility and Supporting Evidence* (the Guidelines) must be read in conjunction with the VET Funding Contract.

The purpose of the Guidelines is to describe the requirements for assessing an individual's Entitlement to Funded Training and for collecting the necessary supporting evidence. The Guidelines provide further information on the application of the eligibility requirements contained in Schedule 1 to the VET Funding Contract.

The Training Provider is reminded that the VET Funding Contract requires all Training Providers to have a clear and documented business process for determining an individual's Entitlement to Funded Training. Processes should reflect the eligibility requirements outlined in the VET Funding Contract and the completion of the process must include the collection of supporting evidence.

These Guidelines apply to all enrolments in Victorian training subsidised through the *Skills First* Program.

SECTION 1

DETERMINING AN INDIVIDUAL'S ELIGIBILITY FOR THE *SKILLS FIRST* PROGRAM

The eligibility criteria for the Entitlement to Funded Training are outlined in Clause 2 of Schedule 1 of the VET Funding Contract. The following information is provided to assist the Training Provider in determining an individual's eligibility, specifically with regard to:

- the 'upskilling' requirement;
- the '2 in a year' limitation;
- the '2 at a time' limitation;
- the '2 at level' limitation;
- accredited courses with the title 'Course in...'; and
- courses on the Foundation Skills List.

Upskilling: determining prior completed qualification for the purpose of eligibility

- 1.1. For the purpose of applying Clause 2.2(c)(v) of Schedule 1 of the VET Funding Contract, which is the eligibility criterion relating to the highest qualification held (upskilling), the following prior qualifications are *not* taken into account:
 - a. the Victorian Certificate of Education; Victorian Certificate of Applied Learning (Intermediate or Senior); International Baccalaureate Diploma; and senior secondary school certificates from other Australian jurisdictions
 - b. qualifications listed in the Foundation Skills List ([Attachment 1](#) to these Guidelines)
 - c. any VET certificates completed as part of a senior secondary qualification (including School Based Apprenticeships/Traineeships);
 - d. qualifications with the title 'Course in...' which are not aligned to a specified level within the Australian Qualifications Framework (AQF); and
 - e. non-Australian qualifications, except where equivalency has been formally established with a qualification within the AQF.
- 1.2. In accordance with the AQF and for the avoidance of doubt, Vocational Graduate Certificate and Vocational Graduate Diploma level qualifications are higher than qualifications at the Bachelor Degree level.

2 in a year and 2 at a time: determining the number of courses in which an individual is eligible to commence/undertake in 2017

- 1.3. For the purpose of applying subclauses 2.3(a) and 2.3(b) of Schedule 1 of the VET Funding Contract:
- a. an individual is eligible to commence a maximum of two government subsidised courses in 2017.
 - b. an individual is eligible to undertake a maximum of two government subsidised courses at any one time in 2017.
 - c. the following scenarios will not be counted towards the course maximum outlined at Clause 1.3(a):
 - i. if an individual is transitioning from a superseded qualification to the current version of the same qualification;
 - ii. if an individual is recommencing training in the same qualification (at either the same or a different provider); or
 - iii. if an individual is seeking to enrol in an apprenticeship (not traineeship) after having participated in one of the Pre-Apprenticeship and Pathway Qualifications identified at Attachment 2 to these Guidelines.

2 at level: determining the number of courses previously commenced

- 1.4. For the purpose of applying subclauses 2.3(c) and 2.3(d) of Schedule 1 of the VET Funding Contract, which are the eligibility criteria relating to the lifetime limit on commencements at the same level (the 2 at level lifetime limit), the following commencements are *not* taken into account:
- a. the Victorian Certificate of Education; Victorian Certificate of Applied Learning (Intermediate or Senior); International Baccalaureate Diploma; and senior secondary school certificates from other Australian jurisdictions;
 - b. qualifications listed in the Foundation Skills List ([Attachment 1](#) to these Guidelines);
 - c. any VET certificates undertaken as part of a senior secondary qualification (including School Based Apprenticeships/Traineeships);
 - d. where an individual is transitioning from a superseded qualification to the current version of the same qualification; and
 - e. where an individual is recommencing training in the same qualification (at either the same or a different provider).

Eligibility for accredited courses with the title 'Course in...'

- 1.5. A number of courses with the title 'Course in...' are accredited. These are nationally recognised training products providing skills recognition leading to a Statement of Attainment, rather than the award of a qualification recognised within the Australian Qualifications Framework (AQF). They are not aligned with the AQF.
- a. Enrolment in a 'Course in...' is subject to the same Entitlement To Funded Training eligibility requirements as other enrolments.
 - b. To address 'upskilling' requirements, an individual who holds a qualification no higher than Certificate IV is to be considered eligible to enrol in a 'Course in...' (subject to meeting other eligibility criteria).
 - c. Qualifications at Diploma level or higher are considered higher than courses with the title 'Course in...'.

- d. An individual is eligible to commence a maximum of two government subsidised accredited courses with the title 'Course in...' in their lifetime (subject to meeting other eligibility criteria).

Eligibility for courses and qualifications on the Foundation Skills List

- 1.6. An individual is not eligible for training subsidised through the *Skills First* Program in courses and qualifications on the Foundation Skills List (Attachment 1 to these Guidelines) if the individual is:
 - a. The holder of a qualification issued by an Australian VET or higher education provider that is at AQF level 5 (Diploma) or higher.
 - b. Enrolled in the Commonwealth Government's 'Skills for Education and Employment' program.

SECTION 2

ELIGIBILITY CRITERIA FOR INDIVIDUALS REFERRED UNDER PARTICULAR INITIATIVES OR EXTENSION OF ELIGIBILITY PROVISIONS

Individuals referred to training under the particular initiatives or provisions set out below may not be required to meet particular aspects of the eligibility criteria detailed in Clause 2 of Schedule 1 of the VET Funding Contract.

Asylum Seeker VET Program

- 2.1. Individuals seeking to undertake training as part of the Asylum Seeker VET Program must meet all Entitlement to Funded Training eligibility criteria except the citizenship/residency requirements set out at Clause 2.9(a) of Schedule 1 of the VET Funding Contract.
- 2.2. Individuals must either be:
 - a. Referred, via a 'Referral to Government Subsidised Training - Asylum Seekers' form, to a Training Provider by the Asylum Seeker Resource Centre or the Australian Red Cross for training under the Asylum Seeker VET Program; or
 - b. If directly enrolling with a TAFE Institute or a Learn Local organisation for training under the Asylum Seeker VET Program, hold a valid Bridging Visa Class E (BVE), Safe Haven Enterprise Visa (SHEV) or Temporary Protection Visa (TPV) as verified by the TAFE/Learn Local via the Commonwealth's *Visa Entitlement Verification Online* (VEVO) system.

Retrenched employees

- 2.3. Individuals who have been retrenched from participating businesses must meet all Entitlement to Funded Training eligibility criteria except the 'upskilling' requirement set out at Clause 2.2(c)(v) of Schedule 1 of the VET Funding Contract.
- 2.4. Individuals referred to training under this extension of eligibility provision must present the Training Provider with a *Training Referral Letter* issued by a Regional Manager, Industry Engagement, Department of Education and Training.
- 2.5. Referred individuals must commence training within twelve months of the date shown on the *Training Referral Letter*.
- 2.6. Individuals referred under this extension of eligibility provision that do not meet the 'upskilling' requirement must be reported to the Department through the use of the Eligibility Exemption Indicator field in the monthly Student Statistical Reports to be provided under the VET Funding Contract.

Automotive Supply Chain Training Initiative

- 2.7. Automotive supply chain employees must meet all Entitlement to Funded Training eligibility criteria except the 'upskilling' requirement set out at Clause 2.2(c)(v) of Schedule 1 of the VET Funding Contract.
- 2.8. Individuals referred to training under this extension of eligibility provision must present the Training Provider with an Automotive Supply Chain Initiative referral letter issued by a Regional Manager, Industry Engagement, Department of Education and Training.
- 2.9. Referred individuals must commence training within twelve months of the date shown on the Automotive Supply Chain Training Initiative referral letter.
- 2.10. Individuals referred under this extension of eligibility provision that do not meet the 'upskilling' requirement must be reported to the Department through the use of the Eligibility Exemption Indicator field in the monthly Student Statistical Reports to be provided under the VET Funding Contract.

SECTION 3

EVIDENCE OF ELIGIBILITY FOR THE *SKILLS FIRST* PROGRAM

- 3.1. Evidence of an individual's eligibility for the Entitlement to Funded Training is to be sighted and retained by the Training Provider for each Eligible Individual, prior to commencement in training, in accordance with these Guidelines.

Evidence to be sighted and retained by the Training Provider for individuals referred under particular initiatives

- 3.2. Prior to commencement in training, for individuals referred to training under initiatives specified in Section 2 of these Guidelines, the Training Provider must:

Asylum Seeker VET Program

- a. sight a 'Referral to Government Subsidised Training - Asylum Seekers' form issued by the Asylum Seeker Resource Centre or the Australian Red Cross and retain a copy of the form; or
- b. if enrolling without the abovementioned referral form at a TAFE institute or Learn Local organisation, sight confirmation that the individual holds a valid BVE, SHEV or TPV through the Commonwealth's *Visa Entitlement Verification Online* (VEVO) and retain an electronic copy or printed copy of the confirmation; or

Retrenched employees

- c. sight a *Training Referral Letter* issued by a Regional Manager, Industry Engagement, Department of Education and Training, and retain a copy;

Automotive Supply Chain Training Initiative

- d. sight an Automotive Supply Chain Training Initiative referral letter issued by a Regional Manager, Industry Engagement, Department of Education and Training, and retain a copy.

Evidence to be sighted and retained by the Training Provider for Eligible Individuals

- 3.3. Prior to the commencement of training, for each individual that the Training Provider assesses as eligible for the Entitlement to Funded Training, the Training Provider must:
 - a. complete in hard copy or electronically, the information and declarations specified in the *Evidence of Eligibility and Student Declaration* form at Attachment 3 to these Guidelines; and

- b. sight and retain the evidence of eligibility specified in the *Evidence of Eligibility and Student Declaration* form by:

	Sighting	Retaining
i.	a hard copy original	a photocopy or scan of the hard copy original
or		
ii.	a certified photocopy of the hard copy original	a photocopy or scan of the certified copy, or the original certified copy
or		
iii.	an uncertified photocopy or electronic copy of the hard copy original, and verifying it through use of a document verification service	the uncertified photocopy or electronic copy of the hard copy original, and a record extracted from a document verification service.

- 3.4. If the Training Provider sights an uncertified photocopy or electronic copy of the hard copy original and verifies it through a document verification service, the Training Provider should independently establish that any such service provides the same level of assurance as human processes (for example a unique transaction number or receipt that relevant evidence of eligibility verification processes have been undertaken). This record is required to support the Training Provider declaration in the *Evidence of Student Eligibility and Student Declaration* form or electronic equivalent that evidence has been sighted.
- 3.5. A certified photocopy is a photocopy of an original document which has been certified as being a true copy by a person listed at [Attachment 4](#) to these Guidelines.
- 3.6. Certified photocopies that are scanned or faxed are not acceptable forms of evidence for the purpose of Clause 3.3(b)(ii).
- 3.7. The *Evidence of Eligibility and Student Declaration* form must be completed by an authorised delegate of the Training Provider.
- 3.8. An authorised delegate of the Training Provider is defined as:
- a. an employee/s of the Training Provider who has been formally delegated this function from the CEO or equivalent and written evidence of such a delegation is available at audit, or
 - b. a duly authorised agent of the Training Provider, and a legally binding agreement between the Training Provider and the agent is in place and available at audit.
- 3.9. The Evidence of Eligibility and Student Declaration form does not replace existing eligibility assessment processes or student enrolment forms. Completion of the Evidence of Eligibility and Student Declaration form alone does not constitute a comprehensive eligibility assessment.
- 3.10. Eligibility assessment processes must involve informative discussions with applicants, as well as comprehensive assessments of the circumstances against the eligibility requirements of the VET Funding Contract, including any variations to that VET Funding Contract.
- 3.11. Where an individual's response to the *Evidence of Eligibility and Student Declaration form* indicates that the individual is not eligible but the Training Provider deems them eligible based on a comprehensive discussion, the Training Provider must evidence the reason it found the student to be eligible and retain this evidence.

For example: an individual (who has met all other eligibility criteria) responds to the form indicating they have completed a Bachelor degree. This would suggest the individual is not eligible for the Entitlement to Funding Training. However, the Training Provider gathers, through a discussion with the individual, that the Bachelor degree declared is an overseas

qualification and equivalency has not been formally established with a qualification within the AQF. The Training Provider may therefore enrol the individual in suitable government subsidised training, but must retain evidence for why the upskilling requirement is not applicable.

- 3.12. The Training Provider must make available to the Department (or persons authorised by the Department) for audit or review purposes, the information and copies of evidence specified in Clause 3.3(a) and (b).

Electronic completion of the Evidence of Eligibility and Student Declaration form

- 3.13. The Training Provider may choose to complete, and have individuals complete, the *Evidence of Eligibility and Student Declaration* form electronically. If the *Evidence of Eligibility and Student Declaration* form (or equivalent) is completed electronically, the Training Provider must ensure:

- a. that the information collected is exactly the same as that which would have been collected had the *Evidence of Eligibility and Student Declaration* form been used;
- b. that the authorised delegate of the Training Provider completes the information in Section A, including their name and position, and undertakes an electronic action equivalent to their signature upon sighting and retaining the individual's evidence of eligibility; and
- c. that the individual completes the information in Section B and undertakes an electronic action equivalent to their signature.

For the purposes of Clause 3.13 b) and c), an electronic action by an individual will be considered to be equivalent to a signature where the action identifies the individual and indicates the individual has completed the information required, and is as reliable as appropriate in light of all the circumstances (including so that the Department can rely on the action as demonstrating the individual's completion of the information in the event of any audit pursuant to these Guidelines or the VET Funding Contract).

- 3.14. Electronic completion of the *Evidence of Eligibility and Student Declaration* form (or equivalent) does not in any way remove or negate the requirements for the individual to provide and the Training Provider to sight documentation and retain a copy in support of eligibility as per Clause 3.3 (b).

Proxy declarations for individuals in exceptional circumstances

- 3.15. In absolutely exceptional circumstances where an individual is unable to provide any of the listed documents specified in the *Evidence of Eligibility and Student Declaration* form a proxy declaration, being a signed declaration by the CEO of the Training Provider or of a relevant government or community service provider, may be acceptable pending the approval of the Department.
- 3.16. The Training Provider must make all reasonable efforts to assist an individual to demonstrate their citizenship/residency status in the conventional way, with a proxy declaration being used in exceptional and specific circumstances only.
- 3.17. The Training Provider must seek the approval of the Department for each individual for whom a proxy declaration is being proposed. Cases should be presented as robustly as the circumstances allow via the enquiry function of the Skills Victoria Training System (or successor).
- 3.18. Proxy declarations are not acceptable where an individual has simply been reluctant to incur the cost or inconvenience of obtaining relevant documents.
- 3.19. The Training Provider may be required to demonstrate its decision making process in this regard and to show the proxy declaration at audit.

Attachment 1

Foundation Skills List

as updated January 2016

The following list will be updated from time to time as determined by the Department and in line with updates to accreditation status.

Course code

LNSUPPORT

Literacy and Numeracy Support

Domain A: General education, vocational pathways and literacy and numeracy

Course code

Qualification

General education

22234VIC

Course in Initial General Education for Adults

22235VIC

Certificate I in General Education for Adults (Introductory)

22236VIC

Certificate I in General Education for Adults

22237VIC

Certificate II in General Education for Adults

22238VIC

Certificate III in General Education for Adults

Work and vocational pathways

22213VIC

Course in Recognised Informal Learning

FSK10213

Certificate I in Skills for Vocational Pathways

FSK10113

Certificate I in Access to Vocational Pathways

FSK20113

Certificate II in Skills for Work and Vocational Pathways

Indigenous-specific courses

22215VIC

Certificate I in Mumgu-dhal tyama-tiyt

22217VIC

Certificate II in Mumgu-dhal tyama-tiyt

22218VIC

Certificate III in Mumgu-dhal tyama-tiyt

Senior secondary study

VCALFND001

Victorian Certificate of Applied Learning (Foundation)

Domain B: English as an Additional Language (EAL) and related courses

Course code

Qualification

22259VIC

Course in EAL

22250VIC

Certificate I in EAL (Access)

22251VIC

Certificate II in EAL (Access)

22253VIC

Certificate III in EAL (Access)

22256VIC

Certificate IV in EAL (Access)

22252VIC

Certificate II in EAL (Employment)

22254VIC

Certificate III in EAL (Employment)

22257VIC

Certificate IV in EAL (Employment / Professional)

22255VIC	Certificate III in EAL (Further Study)
22258VIC	Certificate IV in EAL (Further Study)
10361NAT	Course in Preliminary Spoken and Written English
10362NAT	Certificate I in Spoken and Written English
10363NAT	Certificate II in Spoken and Written English
10364NAT	Certificate III in Spoken and Written English
10365NAT	Certificate IV in Spoken and Written English – Further Studies
10366NAT	Certificate IV in Spoken and Written English – Employment

Domain C: Disability-specific courses

Course code	Qualification
22301VIC	Certificate I in Transition Education
22302VIC	Certificate I in Work Education
22293VIC	Certificate I in Initial Adult Literacy and Numeracy
22294VIC	Course in Initial Adult Literacy and Numeracy

Note: These categories are limited to the specific qualifications listed or their equivalent as determined by the Department.

Attachment 2

PRE-APPRENTICESHIP AND PATHWAY QUALIFICATIONS

The following list will be updated from time to time as determined by the Department.

Course code	Qualification
AUR20716	Certificate II in Automotive Vocational Preparation
CPC20211	Certificate II in Construction Pathways
22216VIC	Certificate II in Building and Construction (Bricklaying, Carpentry, Painting and Decorating, Wall and Ceiling Lining, Wall and Floor Tiling and Solid Plastering) Pre-apprenticeship
22145VIC	Certificate II in Joinery/Shopfitting/Stairbuilding Pre-apprenticeship
22285VIC	Certificate II in Signage and Graphics
22304VIC	Certificate II in Plumbing (Pre-apprenticeship)
FDF20510	Certificate II in Retail Baking Assistance
ICP20115	Certificate II in Printing and Graphic Arts (General)
MSF20313	Certificate II in Furniture Making
MSF20413	Certificate II in Glass and Glazing
22209VIC	Certificate II in Engineering Studies
MEM20413	Certificate II in Engineering Pathways
MTM20411	Certificate II in Meat Processing (Food Services)
UEE22011	Certificate II in Electrotechnology (Career Start)
22261VIC	Certificate II in Electrotechnology Studies (Pre-vocational)
SHB20216	Certificate II in Salon Assistant

Attachment 3

SKILLS FIRST PROGRAM 2017 EVIDENCE OF STUDENT ELIGIBILITY AND STUDENT DECLARATION

Section A - To be completed by an authorised delegate of the Training Provider

Evidence of citizenship/residency and age

I confirm that in relation to _____
(Student's full name)

I have sighted: an original; or a certified copy; or an uncertified copy that I have verified through use of a document verification service of **one** of the following:

- | | |
|---|--|
| <input type="checkbox"/> an Australian Birth Certificate (not Birth Extract) | <input type="checkbox"/> a current Australian Passport |
| <input type="checkbox"/> a current New Zealand Passport | <input type="checkbox"/> a naturalisation certificate |
| <input type="checkbox"/> a current <u>green</u> Medicare Card | <input type="checkbox"/> a proxy declaration for individuals in exceptional circumstances as per Clauses 3.15 – 3.19 of these Guidelines |
| <input type="checkbox"/> formal documentation issued by the Australian Department of Immigration and Border Protection confirming permanent residence | |

and I have retained:

- a copy of the original or certified copy, or
- the certified copy, or
- the uncertified copy and a receipt from a document verification service;

and if the student's age is relevant to their eligibility and the document produced from the list above does not include a date of birth:

- a current drivers licence, or a current learner permit, or a Proof of Age card, or a 'Keypass' card

Or if the individual is undertaking training under the Asylum Seeker VET Program and meets the requirements set out in Clause 2.1 of these Guidelines, I have sighted and retained:

- a Referral Letter from the Asylum Seeker Resource Centre or the Australian Red Cross, or
- for TAFE Institutes and Learn Locals organisations only, an electronic or printed record demonstrating that the student holds a current valid Bridging Visa Class E (BVE), Safe Haven Enterprise Visa (SHEV) or Temporary Protection Visa (TPV) as verified via the Commonwealth's *Visa Entitlement Verification Online* (VEVO).

NB: The Training Provider must retain a copy of all documentation used in Section A, as per clauses 3.3-4 of these Guidelines.

Section B - To be completed by the student

Education history

Q1. The highest qualification I have *completed* is:

(Include full title of qualification, eg. Certificate III in Aged Care)

Q2. Not including the course/s you are seeking to enrol in now, how many other government funded courses have you enrolled to undertake this year? Include training you have enrolled in to undertake at this and other training providers but not yet started.

0 1 2 3 4+ *(circle number)*

Q3. Not including the course/s you are seeking to enrol in now, how many other government funded courses are you undertaking training in at the moment?

0 1 2 3 4+ *(circle number)*

Q4. In your lifetime, how many government funded courses have you started (commenced) that are at the same level as the one you are applying for now? Don't answer this question if you are seeking to enrol in a course on the Foundation Skills List.

0 1 2 3 4+ *(circle number)*

Student declaration

I _____, in seeking to enrol in
(Student's full name)

(Include full title of qualification/s in which you are seeking to enrol)

declare the following to be true and accurate statements:

- I AM / AM NOT enrolled in a school, including government, non-government, independent, Catholic or home school. *(circle appropriate response)*
- I AM / AM NOT enrolled in the Commonwealth Government's *Skills for Education and Employment* program. *(circle appropriate response):*
- I understand that my enrolment in the above qualification/s may be subsidised by the Victorian and Commonwealth Governments under the *Skills First* Program. I understand how enrolling in the above qualification/s will affect my future training options and eligibility for further government subsidised training under the *Skills First* Program.
- I acknowledge and understand that I may be contacted by the Department or an agent to participate in a student survey, interview or other questionnaire.

Signed: _____ Date: _____

Section C - To be completed by an authorised delegate of the Training Provider

Number of courses student is currently eligible for: 1 2

Training Provider declaration

Based on discussion with the student, the above evidence I have sighted (and retained a copy of) in Section A, and the information provided to me by the student in Section B of this form I believe that the above individual satisfies the Entitlement to Funded Training eligibility criteria as set out in the VET Funding Contract and is eligible for funding under the Skill First Program for the following qualification/s:

(Include full title of qualification/s in which the student is seeking to enrol)

Authorised Training Provider delegate:

Name: _____

Position: _____

Signed: _____ Date: _____

Notes *Use this section to record additional, relevant eligibility information, including information used by the Training Provider to verify the individual's eligibility that is not captured in Sections A, B or C.*

Attachment 4

Certifying Documents

To have a document certified, an individual must take the original and a photocopy to an authorised person. The authorised person must write on every page of the copy document “I have sighted the original document and certify this to be a true copy of the original”, sign each statement and provide their designation, for example “Pharmacist”.

Authorised persons include:

- a justice of the peace or a bail justice
- a public notary
- an Australian lawyer (within the meaning of the *Legal Profession Act 2004*)
- a clerk to an Australian lawyer
- the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or
- the deputy registrar of the County Court, the principal registrar of the Magistrates' Court or the registrar or the deputy registrar of the Magistrates' Court
- the registrar of probates and the assistant registrar of probates
- the associate to a judge of the Supreme Court or of the County Court
- the secretary of a master of the Supreme Court or of the County Court
- a person registered as a patent attorney under Chapter 20 of the *Patents Act 1990* of the Commonwealth
- a member of the police force
- the sheriff or deputy sheriff
- a member or a former member of either House of the Parliament of Victoria
- a member or a former member of either House of the Parliament of the Commonwealth
- a councillor of a municipality
- a senior officer of a council as defined in the *Local Government Act 1989*
- a registered medical practitioner within the meaning of the *Medical Practice Act 1994*
- a registered dentist within the meaning of the *Dental Practice Act 1999*
- a veterinary practitioner
- a pharmacist
- a principal in the (State) teaching service
- the manager of a bank
- a member of the Institute of Chartered Accountants in Australia or CPA or the National Institute of Accountants
- the secretary of a building society
- a minister of religion authorised to celebrate marriages (not a civil celebrant)
- a person employed under Part 3 of the *Public Administration Act 2004* with a classification that is prescribed as a classification for statutory declarations, or who holds office in a statutory authority with such a classification
- a fellow of the Institute of Legal Executives (Victoria).

Source: Victorian Department of Justice