



Legal Obligations – VET registration ceases

Guide

There are several legal obligations that need your immediate attention due to your VET registration ceasing. This may be due to your RTO registration being expired, withdrawn, lapsed or cancelled. These obligations and the timeframes are explained below. The timeframes apply from the later of:

- The date your RTO registration ceased; or
- The day your RTO was notified registration ceased.

Failure to comply with these obligations may attract financial penalties specified in the *National Vocational Education and Training Regulator Act 2011* (NVR Act), which may still be applied after your RTO's registration has ceased.

Refund student fees

Students who paid tuition fees in advance but have not received the training or instruction they enrolled for, need to be refunded.

Cease to advertise and operate as an RTO

When your registration ceases, your organisation will no longer be a registered training organisation (RTO). The organisation must immediately remove all references to the following from advertising and marketing materials, including websites and social media pages:

- your registration as an RTO
- your provision of VET courses
- your RTO ID number
- use of the Nationally Recognised Training (NRT) logo.

Any organisation falsely claiming to be an RTO may face financial penalties under sections 114 and 115 of the NVR Act.

Submit AVETMISS compliant data to NCVER or STA

Before registration ceases

Under sections 21 and 187 of the NVR Act and section 6J of the *National Vocational Education and Training Regulator (Data Provision Requirements) Instrument 2020*, you are required to submit all reportable VET data to the National Centre for Vocational Education Research (NCVER) or applicable State Training Authority (STA), immediately before the time of the cessation of registration and notify ASQA once this has occurred. From the day the registration has ceased, you have 30 days (the extended reporting period) to provide more accurate or more complete data to NCVER or the STA if applicable. For guidance, please refer to the NCVER Factsheet [RTO Closure: Reporting Final Data](#).

Return Certificate of Registration to ASQA

Within 10 days

You must return your organisation's Certificate of Registration within 10 days of the date that you receive notification that your organisation's registration has ceased.

Please send your Certificate of Registration to:

Closures team – Registration
Australian Skills Quality Authority
GPO Box 9928
BRISBANE QLD 4001

If you have a digital copy, please email the certificate to registration@asqa.gov.au.

Any organisation that fails to return its Certificate of Registration by the due date may face financial penalties under section 112 of the NVR Act.

Provide VET student records to ASQA

Within 30 days

Under section 211 of the NVR Act, VET student records must be provided to ASQA within 30 days. Please provide student records by email to ASQA at registration@asqa.gov.au

In order to assist former students, ASQA requires your organisation to provide the below information for all enrolled students as soon as possible. If the provided template for VET student records is not completed and produced in 30 days, the Regulator may apply for an injunction in the Federal Court of Australia against you or issue coercive notices on each of your organisation's directors personally.

The following template includes instructions and all required fields and should be used by organisations to provide accurate and complete student records: Student Records Template Spreadsheet. Instructions are provided within the template.