

## **POLICY ON FIT AND PROPER PERSON TEST**

### **1. Introduction**

The ultimate responsibility for ensuring the fitness of the responsible persons for the Management and Governance of the IBSU rests with its University Council and the Council 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 IBSU 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, IBSU University Council shall prudently manage the risk that persons in positions of responsibility may not be fit and proper.

This Policy establishes minimum requirements for IBSU University 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 University Council Members, Key Management Personnel (KMP), Key Academic Personnel (KAP) and Academic Board Members are 'fit and proper' persons.

It is the responsibility of the University Council to ensure that every person who is, or is to be a University Council Member, 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, University Council Member, Key Management Personnel (KMP), Key Academic Personnel (KAP) and Academic Board Member to convince the University Council that he/she is a fit and proper person.

### **3. Implementation and Specific Recruitments**

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

The University Council shall ensure that, at all times, each of its University Council Members, 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 IBSUniversity.

#### **5. Conflict of Interest**

The University shall not have on its University Council, 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 IBSU or vice versa or
- II. explicitly determined that accommodation of the such Council Member/Academic Board Member, KPM/KAP is beneficial to the IBSU and no conflict of interest arises due to that engagement.

#### **6. Assessment and Approval Authority**

Assessment of the Fitness each Member or Officer is delegated as follows and the relevant Member / Officer should not be present at the relevant Council or respective meeting when assessment is being done.

Category	Assessment Authority	Approval authority
Key Management Personnel — Vice Chancellor — Pro Vice Chancellor(s) — Chief Operating Officer — Chief Financial Officer — Chief Librarian	Nomination Committee	IBSU Council or under delegated authority
Category	Assessment Authority	Approval authority
Key Academic Personnel — Programme Promoters — SCL Champion	School Board	Academic Board
University Council Members	Nomination Committee	Board of Trustees
Academic Board Members	School Board	Academic Board

### Notes

- i. Any Member/Officer assessed under one category need not be assessed again under another category.
- ii. In addition to above listed positions, University Council has the authority to determine any additional members/officers who are required to be assessed Fit and Proper for the purpose of quality assurance standards.

### 7. Subsequent ineligibility

- It is the responsibility of the officer/member to voluntarily notify to the relevant Assessing body if he/she become ineligible to hold the office.
- Every member, Human Resource Manager, officer shall notify the Assessing Body of any reasonable suspicions or findings to the effect that any member or an officer is not a fit and proper person to hold office, within fourteen days of it being aware of such suspicion or findings.

### 8. 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.

<b>DOCUMENT CONTROL INFORMATION</b>	
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