



Queensland

Vocational Education, Training and Employment and Other Acts Amendment Act 2007

Act No. 2 of 2007



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***An Act to amend the *Vocational Education, Training and
Employment Act 2000* and other Acts***

[Assented to 16 February 2007]

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Act may be cited as the *Vocational Education, Training and Employment and Other Acts Amendment Act 2007*.

2 Commencement

This Act commences on a day to be fixed by proclamation.

**Part 2 Amendment of Vocational
Education, Training and
Employment Act 2000**

3 Act amended in pt 2

This part amends the *Vocational Education, Training and Employment Act 2000*.

4 Amendment of s 19 (Definitions for ch 2)

(1) Section 19, definitions *ANTA*, *ANTA agreement*, *Commonwealth Act* and *ministerial council*—

omit.

(2) Section 19—

insert—

‘*Commonwealth Act* means the *Skilling Australia’s Workforce Act 2005* (Cwlth).

Ministerial Council see the Commonwealth Act, section 3(1).

National Quality Council see the Commonwealth Act, section 3(1).’.

- (3) Section 19, definitions *AQTF, standards for accreditation of courses, standards for registered training organisations and standards for State and Territory registering and course accrediting bodies*, ‘ministerial council’—

omit, insert—

‘Ministerial Council’.

- (4) Section 19, definition *nationally endorsed*, from ‘a committee’—

omit, insert—

‘the National Quality Council.’.

- (5) Section 19, definition *qualification*, paragraph (a), ‘ANTA’—

omit, insert—

‘the Commonwealth Minister administering the Commonwealth Act’.

5 **Amendment of s 20 (National register and national effect of registration)**

Section 20, ‘ANTA’—

omit, insert—

‘the Commonwealth Minister administering the Commonwealth Act’.

6 **Insertion of new s 73A**

After section 73—

insert—

‘73A **Authorising issue of qualification or statement of attainment**

- ‘(1) This section applies if—

- (a) a supervising registered training organisation for an apprentice or trainee does not receive a notice under

- section 72(3) from the apprentice's, or trainee's, employer or the apprentice or trainee; and
- (b) the organisation is reasonably satisfied the apprentice or trainee—
- (i) has completed all the training required for the apprenticeship or traineeship; and
 - (ii) is entitled to be issued a qualification or statement of attainment for the apprenticeship or traineeship; and
- (c) the employer, or apprentice or trainee, refuses to sign a completion agreement submitted by the organisation to the employer, or apprentice or trainee, for signature; and
- (d) the organisation gives the council a notice stating the following—
- (i) the information mentioned in paragraphs (a) to (c);
 - (ii) who has refused to sign a completion agreement under paragraph (c);
 - (iii) an outline of the facts and circumstances leading to the organisation being reasonably satisfied about the matters mentioned in paragraph (b).
- ‘(2) The council may despite a completion agreement not being signed under section 73(2), by fair procedures prescribed under a regulation, authorise the organisation to issue the qualification or statement of attainment stated in the training plan for the apprentice or trainee to the apprentice or trainee.
- ‘(3) The council may authorise the organisation to issue the qualification or statement of attainment to the apprentice or trainee only if the council is reasonably satisfied the apprentice or trainee—
- (a) has completed all the training required for the apprenticeship or traineeship; and
 - (b) is entitled to be issued a qualification or statement of attainment for the apprenticeship or traineeship.
- ‘(4) The council must, as soon as practicable after making its decision under subsection (2), give the organisation,

employer, and apprentice or trainee an information notice about the decision.

- ‘(5) If, under subsection (2), the council authorises the organisation to issue the qualification or statement of attainment to the apprentice or trainee, sections 73(3) to (6), 74, 75 and 76(7) apply as if the organisation, employer, and apprentice or trainee had signed a completion agreement on the day the information notice about the decision is given under subsection (4).’.

7 Amendment of s 168 (Council’s functions)

Section 168(1)(l), ‘industry training advisory bodies and’—
omit.

8 Omission of ch 7, hdg and ch 7, pt 1

Chapter 7, heading and chapter 7, part 1—
omit.

9 Replacement of ch 7, pt 2, hdg (Group training organisations)

Chapter 7, part 2, heading—
omit, insert—

‘Chapter 7 Group training organisations’.

10 Amendment of s 224 (Appeal to Magistrates Court)

(1) Section 224(c)—
omit.

(2) Section 224(d) and (e)—
renumber as section 224(c) and (d).

11 Amendment of s 230 (Appeal to industrial commission against council or other decisions)

- (1) Section 230(1)(f) to (i)—
renumber as section 230(1)(i) to (l).
- (2) Section 230(1)(ea)—
renumber as section 230(1)(g).
- (3) Section 230(1)—
insert—
- ‘(f) the council’s order under section 65(4) or (5);¹
- (h) the council’s authorisation of a supervising registered training organisation to issue the qualification or statement of attainment stated in the training plan for an apprentice or trainee to the apprentice or trainee under section 73A(2);’.

12 Amendment of s 279 (Offences about false or misleading statements or documents)

Section 279(2), definition *prescribed provision*, after ‘73(6),’—
insert—
‘73(6) as applied by section 73A(5);’.

13 Amendment of s 280 (Executive officers must ensure corporation complies with prescribed provision)

Section 280(5), definition *prescribed provision*—
omit, insert—
‘*prescribed provision* means section 21(1), (2) or (3), 26(4), 34(2), 43(1), 46(1), 52(1) or (2), 53, 55(1) or (2), 56(1), 57(2), 61(2), 64(10), 65(7), 71(7), 73(6), 73(6) as applied by section 73A(5), 79, 80, 85(1), 93, 99, 102(1) or (2), 110, 111(1) or (2) or 112.’.

¹ Section 65 (Council’s power to reinstate training)

14 Amendment of s 295, hdg (Definitions for pt 3)

Section 295, heading, ‘pt 3’—

omit, insert—

‘pt 2’.

15 Amendment of s 324 (Details on register on commencement)

Section 324—

insert—

‘(3) In this section—

ANTA has the meaning given to it, at the commencement, in section 19.’.

16 Amendment of sch 3 (Dictionary)

(1) Schedule 3, definitions *ANTA*, *ANTA agreement*, *industry training advisory body* and *ministerial council*—

omit.

(2) Schedule 3—

insert—

‘*Ministerial Council*, for chapter 2, see section 19.

National Quality Council, for chapter 2, see section 19.’.

Part 3

**Amendment of Agricultural
College Act 2005**

17 Act amended in pt 3

This part amends the *Agricultural College Act 2005*.

18 Amendment of s 10 (Corporation’s functions generally)

Section 10(j), ‘4.’—

omit, insert—

‘4;’.

**Part 4 Amendment of Education
(Queensland Studies Authority)
Act 2002**

19 Act amended in pt 4

This part amends the *Education (Queensland Studies
Authority) Act 2002*.

20 Amendment of s 15 (Tertiary entrance functions)

Section 15(f)(viii), from ‘industry’ to ‘organisations,’—

omit, insert—

‘group training organisations’.