



Queensland

# **Vocational Education, Training and Employment and Other Acts Amendment Bill 2006**





Queensland

# Vocational Education, Training and Employment and Other Acts Amendment Bill 2006

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**2006**

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**A Bill**

for

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

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	<b>The Parliament of Queensland enacts—</b>	1
	 <b>Part 1 Preliminary</b>	 2
<b>Clause 1</b>	<b>Short title</b>	3
	This Act may be cited as the <i>Vocational Education, Training and Employment and Other Acts Amendment Act 2006</i> .	4 5
<b>Clause 2</b>	<b>Commencement</b>	6
	This Act commences on a day to be fixed by proclamation.	7
	 <b>Part 2 Amendment of Vocational Education, Training and Employment Act 2000</b>	 8 9 10
<b>Clause 3</b>	<b>Act amended in pt 2</b>	11
	This part amends the <i>Vocational Education, Training and Employment Act 2000</i> .	12 13
<b>Clause 4</b>	<b>Amendment of s 19 (Definitions for ch 2)</b>	14
	(1) Section 19, definitions <i>ANTA</i> , <i>ANTA agreement</i> , <i>Commonwealth Act</i> and <i>ministerial council</i> —	15 16
	<i>omit</i> .	17
	(2) Section 19—	18
	<i>insert</i> —	19
	‘ <i>Commonwealth Act</i> means the <i>Skilling Australia’s Workforce Act 2005</i> (Cwlth).	20 21
	<i>Ministerial Council</i> see the Commonwealth Act, section 3(1).	22

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*National Quality Council* see the Commonwealth Act, section 3(1).’ 1  
2

- (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’— 3  
4  
5  
6

*omit, insert—* 7

‘Ministerial Council’. 8

- (4) Section 19, definition *nationally endorsed*, from ‘a committee’— 9  
10

*omit, insert—* 11

‘the National Quality Council.’. 12

- (5) Section 19, definition *qualification*, paragraph (a), ‘ANTA’— 13

*omit, insert—* 14

‘the Commonwealth Minister administering the Commonwealth Act’. 15  
16

**Clause 5 Amendment of s 20 (National register and national effect of registration)** 17  
18

Section 20, ‘ANTA’— 19

*omit, insert—* 20

‘the Commonwealth Minister administering the Commonwealth Act’. 21  
22

**Clause 6 Insertion of new s 73A** 23

After section 73— 24

*insert—* 25

**‘73A Authorising issue of qualification or statement of attainment** 26  
27

- ‘(1) This section applies if— 28

- (a) a supervising registered training organisation for an apprentice or trainee does not receive a notice under 29  
30

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- 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,



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employer, and apprentice or trainee an information notice  
about the decision. 1  
2

‘(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).’ 3  
4  
5  
6  
7  
8  
9

**Clause 7      Amendment of s 168 (Council’s functions)** 10

Section 168(1)(l), ‘industry training advisory bodies and’— 11  
*omit.* 12

**Clause 8      Omission of ch 7, hdg and ch 7, pt 1** 13

Chapter 7, heading and chapter 7, part 1— 14  
*omit.* 15

**Clause 9      Replacement of ch 7, pt 2, hdg (Group training  
organisations)** 16  
17

Chapter 7, part 2, heading— 18  
*omit, insert—* 19

**‘Chapter 7      Group training  
organisations’.** 20  
21

**Clause 10      Amendment of s 224 (Appeal to Magistrates Court)** 22

(1) Section 224(c)— 23  
*omit.* 24

(2) Section 224(d) and (e)— 25  
*renumber* as section 224(c) and (d). 26

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<b>Clause 11</b>	<b>Amendment of s 230 (Appeal to industrial commission against council or other decisions)</b>	1 2
	(1) Section 230(1)(f) to (i)—	3
	<i>renumber</i> as section 230(1)(i) to (l).	4
	(2) Section 230(1)(ea)—	5
	<i>renumber</i> as section 230(1)(g).	6
	(3) Section 230(1)—	7
	<i>insert</i> —	8
	‘(f) the council’s order under section 65(4) or (5); <sup>1</sup>	9
	(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);’.	10 11 12 13 14
<b>Clause 12</b>	<b>Amendment of s 279 (Offences about false or misleading statements or documents)</b>	15 16
	Section 279(2), definition <i>prescribed provision</i> , after ‘73(6),’—	17 18
	<i>insert</i> —	19
	‘73(6) as applied by section 73A(5);’.	20
<b>Clause 13</b>	<b>Amendment of s 280 (Executive officers must ensure corporation complies with prescribed provision)</b>	21 22
	Section 280(5), definition <i>prescribed provision</i> —	23
	<i>omit, insert</i> —	24
	‘ <i>prescribed provision</i> 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.’.	25 26 27 28 29

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

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<b>Clause 14</b>	<b>Amendment of s 295, hdg (Definitions for pt 3)</b>	1
	Section 295, heading, ‘pt 3’—	2
	<i>omit, insert—</i>	3
	‘pt 2’.	4
<b>Clause 15</b>	<b>Amendment of s 324 (Details on register on commencement)</b>	5
	Section 324—	6
	<i>insert—</i>	7
	‘(3) In this section—	8
	<i>ANTA</i> has the meaning given to it, at the commencement, in section 19.’.	9
		10
		11
<b>Clause 16</b>	<b>Amendment of sch 3 (Dictionary)</b>	12
	(1) Schedule 3, definitions <i>ANTA</i> , <i>ANTA agreement</i> , <i>industry training advisory body</i> and <i>ministerial council—</i>	13
	<i>omit.</i>	14
	<i>omit.</i>	15
	(2) Schedule 3—	16
	<i>insert—</i>	17
	‘ <i>Ministerial Council</i> , for chapter 2, see section 19.	18
	<i>National Quality Council</i> , for chapter 2, see section 19.’.	19
		19
<b>Part 3</b>	<b>Amendment of Agricultural College Act 2005</b>	20
		21
<b>Clause 17</b>	<b>Act amended in pt 3</b>	22
	This part amends the <i>Agricultural College Act 2005</i> .	23

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<b>Clause 18</b>	<b>Amendment of s 10 (Corporation's functions generally)</b>	1
	Section 10(j), '4.'—	2
	<i>omit, insert—</i>	3
	'4;'.	4
<b>Part 4</b>	<b>Amendment of Education (Queensland Studies Authority) Act 2002</b>	5 6 7
<b>Clause 19</b>	<b>Act amended in pt 4</b>	8
	This part amends the <i>Education (Queensland Studies Authority) Act 2002</i> .	9 10
<b>Clause 20</b>	<b>Amendment of s 15 (Tertiary entrance functions)</b>	11
	Section 15(f)(viii), from 'industry' to 'organisations,'—	12
	<i>omit, insert—</i>	13
	'group training organisations'.	14