



Queensland

Vocational Education, Training and Employment (Skills Queensland) and Another Act Amendment Bill 2013



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2013

A Bill

for

An Act to amend the *Vocational Education, Training and Employment Act 2000* for particular purposes, and to make consequential amendments of the *Industrial Relations Act 1999* and other Acts as stated in schedule 1 for purposes related to those particular purposes, and to amend the *TAFE Queensland Act 2013* for particular purposes

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Vocational Education, Training and Employment (Skills Queensland) and Another Act Amendment Act 2013*. 4
5
6

Clause 2 Commencement 7

This Act commences on a day to be fixed by proclamation. 8

Part 2 Amendment of Vocational Education, Training and Employment Act 2000 9
10
11

Clause 3 Act amended 12

This part amends the *Vocational Education, Training and Employment Act 2000*. 13
14

Note— 15

See also the amendments in schedule 1. 16

Clause 4 Insertion of new s 54A 17

After section 54— 18

insert— 19

54A Chief executive may keep register

The chief executive may keep a register of training
contracts for apprentices and trainees.

Clause 5 Insertion of new ch 3, pt 1A

Chapter 3, before part 1—

insert—

**Part 1A Declaring
apprenticeships or
traineeships**

47 Declaring apprenticeships or traineeships

- (1) This section applies if a person can obtain a qualification or statement of attainment by completing employment based training with an employer.
- (2) The chief executive may declare the employment based training leading to the qualification or statement of attainment to be an apprenticeship or traineeship.
- (3) A declaration under subsection (2) does not prevent the qualification or statement of attainment from being attained in a way other than by completing an apprenticeship or traineeship.

Clause 6 Amendment of s 53 (Employer to give training contract to Skills Queensland for registration)

(1) Section 53, heading, ‘Skills Queensland’—

omit, insert—

chief executive

(2) Section 53, ‘Skills Queensland’—

omit, insert— 1
the chief executive 2

Clause 7 Omission of ch 5 (Skills Queensland) 3
Chapter 5— 4
omit. 5

Clause 8 Amendment of s 230 (Appeal to industrial commission against Skills Queensland or other decisions) 6
7
(1) Section 230, heading, ‘Skills Queensland or other decisions’— 8
9
omit, insert— 10
particular decisions of chief executive 11
(2) Section 230(1)— 12
omit, insert— 13
(1) A person aggrieved by any of the following 14
decisions of the chief executive may appeal to the 15
industrial commission— 16
(a) a refusal to register a training contract under 17
section 54; 18
(b) a refusal to approve an amendment or 19
assignment of a registered training contract 20
under section 57; 21
(c) a cancellation of, or refusal to cancel, a 22
registered training contract under section 63, 23
64 or 66; 24
(d) a confirmation of, or refusal to confirm, the 25
suspension of an apprentice or trainee under 26
section 64; 27
(e) an order under section 65(4) or (5); 28
(f) an order, or refusal to make an order, under 29
section 71; 30

	(g) a cancellation, or refusal to cancel, a completion certificate under section 76;	1 2
	(h) a refusal to extend the nominal term of a registered training contract under section 77;	3 4 5
	(i) a declaration, variation of a declaration, or refusal to vary a declaration, of a prohibited employer under section 83 or 84;	6 7 8
	(j) an approval, or refusal to approve, the temporary stand down of an apprentice or trainee under section 86.	9 10 11
Clause 9	Insertion of new ch 9, pt 1, div 1, sdiv 1, hdg	12
	Chapter 9, part 1, division 1—	13
	<i>insert—</i>	14
	Subdivision 1 Functions and powers generally	15 16
Clause 10	Amendment of s 245 (Chief executive’s powers)	17
	Section 245(3)(i), ‘issue guidelines and’—	18
	<i>omit, insert—</i>	19
	make	20
Clause 11	Insertion of new s 245A	21
	After section 245—	22
	<i>insert—</i>	23
	245A Guidelines	24
	(1) The chief executive may make guidelines for the performance of a function of the chief executive under this Act.	25 26 27
	(2) The chief executive must—	28

	(a) publish the guidelines on the department's website; and	1 2
	<i>Editor's note—</i>	3
	The department's website is <www.dete.qld.gov.au>.	4 5
	(b) keep a copy of the guidelines available for inspection, free of charge, at an office of the department during ordinary office hours on business days.	6 7 8 9
	(3) A guideline takes effect—	10
	(a) on the day it is published on the department's website; or	11 12
	(b) if a later day is stated in the guideline—on the later day.	13 14
	(4) If the chief executive makes a guideline for performing a function, the chief executive must have regard to the guideline in performing the function.	15 16 17 18
Clause 12	Replacement of s 246 (Delegations)	19
	Section 246—	20
	<i>omit, insert—</i>	21
	246 Delegations	22
	(1) The chief executive may delegate the chief executive's functions and powers to an appropriately qualified person.	23 24 25
	(2) A person delegated a function or power may subdelegate it only—	26 27
	(a) if the delegation permits the subdelegation; and	28 29
	(b) to an appropriately qualified person.	30

Clause 13	Insertion of new ch 9, pt 1, div 1, sdivs 2–4	1
	Chapter 9, part 1, division 1—	2
	<i>insert—</i>	3
	Subdivision 2 Recognition certificates	4
	250A Recognition of work or training	5
	(1) A person who has worked, or undertaken training, in a calling may apply to the chief executive to have the person’s skills and knowledge in the calling recognised.	6 7 8 9
	(2) If the chief executive is satisfied the person has necessary skills and knowledge in the calling, the chief executive may issue the person with a certificate (a <i>recognition certificate</i>).	10 11 12 13
	(3) To remove doubt, it is declared that a recognition certificate is not a qualification or a statement of attainment.	14 15 16
	(4) The chief executive may cancel a recognition certificate by fair procedures prescribed under a regulation if the recognition certificate was issued—	17 18 19 20
	(a) in error; or	21
	(b) because of a document or representation that—	22 23
	(i) is false or misleading; or	24
	(ii) was obtained or made in another improper way.	25 26
	(5) If the recognition certificate is cancelled, the person to whom it was issued must return it to the chief executive within 7 days after the chief executive gives notice of the cancellation to the person, unless the person has a reasonable excuse.	27 28 29 30 31 32

Maximum penalty for subsection (5)—40 penalty units.	1 2
Subdivision 3 Deciding employment exemptions	3 4
250B Application for employment exemption	5
(1) A young person in the compulsory participation phase or a parent of the young person may apply to the chief executive for an employment exemption for the young person.	6 7 8 9
(2) The application must be in the approved form.	10
(3) The applicant must give any information required by the chief executive to decide the application.	11 12
250C Decision about employment exemption	13
(1) On an application for an employment exemption, the chief executive may grant the employment exemption for the young person, or refuse to do so.	14 15 16 17
(2) If the chief executive decides to grant the application, the chief executive must immediately give the applicant a notice of the decision (an <i>exemption notice</i>).	18 19 20 21
(3) If the chief executive decides to refuse the application, the chief executive must immediately give the applicant a notice of the decision (an <i>information notice</i>).	22 23 24 25
(4) An information notice must state the following—	26
(a) the decision;	27
(b) the reasons for the decision;	28
(c) the day the decision has effect;	29

-
- (d) that the young person or parent of the young person may apply, as provided under the QCAT Act, to QCAT for a review of the decision; 1
2
3
4
 - (e) how to apply for a review; 5
 - (f) any right the young person or parent of the young person has to have the operation of the decision stayed. 6
7
8

250D Amending or cancelling employment exemption 9
10

- (1) The chief executive may amend or cancel the employment exemption for a young person— 11
12
 - (a) on application by the young person or a parent of the young person; or 13
14
 - (b) on the chief executive's own initiative. 15
- (2) The application must be in the approved form. 16
- (3) If the chief executive decides to amend the employment exemption— 17
18
 - (a) the chief executive must immediately give a notice of the decision (an *exemption notice*)— 19
20
21
 - (i) if the decision is made on application—to the applicant and an interested person; or 22
23
24
 - (ii) otherwise—to the young person and a parent of the young person; and 25
26
 - (b) the amended employment exemption replaces any earlier employment exemption for the young person. 27
28
29
- (4) If the chief executive decides to cancel the employment exemption, the chief executive must immediately give a notice of the decision (an *information notice*)— 30
31
32
33

- | | | |
|-----|--|----------------------|
| (a) | if the decision is made on application—to the applicant and an interested person; or | 1
2 |
| (b) | otherwise—to the young person and a parent of the young person. | 3
4 |
| (5) | An exemption notice or information notice given under this section must include appropriate information about the following— | 5
6
7 |
| (a) | the decision; | 8 |
| (b) | the reasons for the decision; | 9 |
| (c) | the day the decision has effect; | 10 |
| (d) | that the young person or parent of the young person may apply, as provided under the QCAT Act, to QCAT for a review of the decision; | 11
12
13
14 |
| (e) | how to apply for a review; | 15 |
| (f) | any right the young person or parent of the young person has to have the operation of the decision stayed. | 16
17
18 |
| (6) | In this section— | 19 |
| | <i>interested person</i> means— | 20 |
| (a) | if the applicant is the young person—a parent of the young person; or | 21
22 |
| (b) | if the applicant is a parent of the young person—the young person. | 23
24 |

Subdivision 4	Recognising	1
	non-departmental	2
	employment skills	3
	development programs	4

250E Chief executive may recognise program	5
---	---

(1) The chief executive may recognise a	6
non-departmental employment skills	7
development program for the purposes of the	8
<i>Education (General Provisions) Act 2006</i> ,	9
section 240(3).	10

(2) The chief executive may withdraw a recognition	11
by fair procedures prescribed under a regulation.	12

(3) In this section—	13
----------------------	----

<i>non-departmental employment skills</i>	14
<i>development program</i> means an employment	15
skills development program other than a	16
departmental employment skills development	17
program.	18

250F Chief executive must maintain register	19
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The chief executive must maintain a register of	20
non-departmental employment skills development	21
programs recognised under section 250E.	22

<i>Editor's note—</i>	23
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The register is available for inspection during office	24
hours at Level 4, Education House, 30 Mary Street,	25
Brisbane or on the department's website	26
< www.training.qld.gov.au/training-organisations/education-reforms/employment-skills.html >.	27
	28

Clause 14	Amendment of s 262 (Power to enter places)	29
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Section 262(1)(e)(ii)—	30
------------------------	----

<i>omit, insert—</i>	31
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	(ii) a delegate of the chief executive, other than an officer of the department, is exercising a power delegated to the delegate by the chief executive;	1 2 3 4
Clause 15	Amendment of s 277 (False or misleading statements to official)	5 6
	Section 277(2), definition <i>official</i> —	7
	<i>omit, insert</i> —	8
	<i>official</i> means the chief executive or an inspector.	9
Clause 16	Amendment of s 282 (Disclosure of interests by member of disclosure body)	10 11
	Section 282(4), definition <i>disclosure body</i> , paragraphs (b) to (d)—	12
	<i>omit, insert</i> —	13
	(b) a committee established by a TAFE institute council;	14 15
	(c) a committee established by the chief executive.	16 17
Clause 17	Amendment of s 284 (Other disclosure of interests)	18
	(1) Section 284(2)—	19
	<i>omit, insert</i> —	20
	(2) The person must disclose the interest to the chief executive.	21 22
	Maximum penalty—50 penalty units.	23
	(2) Section 284(3), ‘, chairperson’—	24
	<i>omit</i> .	25
Clause 18	Amendment of s 289 (Evidentiary provisions)	26
	(1) Section 289(2)—	27

omit, insert—

1

- (2) It is not necessary to prove the appointment of
the chief executive or an inspector, or the
authority of the chief executive or an inspector to
do anything under this Act, unless a party, by
reasonable notice of at least 7 days, requires
proof of the appointment or authority.

2

3

4

5

6

7

- (2) Section 289(3), ‘a person authorised to sign the document for
Skills Queensland,’—

8

9

omit.

10

- (3) Section 289(4)—

11

omit, insert—

12

- (4) An entry in a register kept under this Act, or a
copy or extract from a register kept under this
Act, certified to be a true copy or extract by the
chief executive is evidence of the matters
contained in the register.

13

14

15

16

17

- (4) Section 289(5) and (8), ‘a person authorised to sign a
document for Skills Queensland,’—

18

19

omit.

20

- (5) Section 289(7), ‘, Skills Queensland’—

21

omit.

22

Clause 19 Amendment of s 290 (Protection from liability)

23

Section 290(3), definition *indemnified person*, paragraph (g)—

24

omit.

25

Clause 20 Insertion of new s 290A

26

After section 290—

27

insert—

28

290A Approved forms

The chief executive may approve forms for use under
this Act.

Clause 21 Insertion of new ch 10, pt 9

Chapter 10—

insert—

**Part 9 Transitional provisions
for Vocational
Education, Training and
Employment (Skills
Queensland) and
Another Act
Amendment Act 2013**

411 Definitions for pt 9

In this part—

commencement means the commencement of
this part.

former Act means this Act as in force from time
to time before the commencement.

former provision means the following sections of
the former Act repealed by the *Vocational
Education, Training and Employment (Skills
Queensland) and Another Act Amendment Act
2013*—

(a) section 182;

(b) section 183;

(c) section 183A;

(d) section 183B;

-
- | | |
|---|----|
| (e) section 183C; | 1 |
| (f) section 183D; | 2 |
| (g) section 183E. | 3 |
| <i>new provision</i> , for a former provision, means the | 4 |
| following sections— | 5 |
| (a) for section 182 of the former Act—section | 6 |
| 250A; | 7 |
| (b) for section 183 of the former Act—section | 8 |
| 47; | 9 |
| (c) for section 183A of the former Act—section | 10 |
| 250B; | 11 |
| (d) for section 183B of the former Act—section | 12 |
| 250C; | 13 |
| (e) for section 183C of the former Act—section | 14 |
| 250D; | 15 |
| (f) for section 183D of the former Act—section | 16 |
| 250E; | 17 |
| (g) for section 183E of the former Act—section | 18 |
| 250F. | 19 |

412 Dissolution of Skills Queensland 20

- | | |
|--|----|
| (1) On the commencement— | 21 |
| (a) Skills Queensland is dissolved; and | 22 |
| (b) the members of Skills Queensland go out of | 23 |
| office; and | 24 |
| (c) the chief executive officer of Skills | 25 |
| Queensland goes out of office. | 26 |
| (2) No compensation is payable to a member or the | 27 |
| chief executive officer because of subsection (1). | 28 |

413 Chief executive is legal successor	1
(1) The chief executive is the successor in law of Skills Queensland.	2 3
(2) Subsection (1) is not limited by another provision of this part.	4 5
414 Documents held by Skills Queensland that become documents of chief executive	6 7
(1) This section applies to documents held by Skills Queensland immediately before the commencement that—	8 9 10
(a) related to Skills Queensland’s functions under the former Act; and	11 12
(b) on the commencement, relate to similar functions to be performed by the chief executive under this Act.	13 14 15
(2) On the commencement, the documents become the documents of the chief executive and may be used by the chief executive in performing the chief executive’s functions under this Act.	16 17 18 19
415 Continuation of registration of training contracts and vocational placement agreements for long placement	20 21 22
(1) This section applies to the registration of a training contract or vocational placement agreement for a long placement by Skills Queensland under the former Act and in force immediately before the commencement.	23 24 25 26 27
(2) On the commencement, the contract or agreement continues as if it had been registered by the chief executive under this Act.	28 29 30

416 Obligation to return cancelled recognition certificate	1 2
An obligation to return a cancelled recognition certificate under section 182(5) of the former Act that had not ended before the commencement is taken to be an obligation to return the certificate to the chief executive under section 250A(5).	3 4 5 6 7
417 Applications made to Skills Queensland taken to be made to chief executive	8 9
(1) This section applies if—	10
(a) before the commencement, a person made an application under the former Act to Skills Queensland; and	11 12 13
(b) immediately before the commencement, the application had not been finally dealt with.	14 15
(2) On the commencement—	16
(a) the application is taken to have been made to the chief executive; and	17 18
(b) the chief executive may deal or continue to deal with the application under this Act.	19 20
418 Decisions etc. of Skills Queensland taken to be decisions etc. of chief executive	21 22
(1) This section applies to—	23
(a) an approval, certificate, consent, decision, declaration, notice, order, requirement or thing given, issued, made or done before the commencement by, or in relation to, Skills Queensland under the former Act that is current immediately before the commencement; and	24 25 26 27 28 29 30

- | | | |
|-----|--|----|
| | (b) a recognition by Skills Queensland that is | 1 |
| | current immediately before the | 2 |
| | commencement. | 3 |
| (2) | On the commencement— | 4 |
| | (a) the approval, certificate, consent, decision, | 5 |
| | declaration, notice, order, requirement or | 6 |
| | thing is taken to have been given, issued, | 7 |
| | made or done by, or in relation to, the chief | 8 |
| | executive; and | 9 |
| | (b) the recognition is taken to be a recognition | 10 |
| | by the chief executive. | 11 |
| (3) | The chief executive may deal or continue to deal | 12 |
| | with the matter the subject of the approval, | 13 |
| | certificate, consent, decision, declaration, notice, | 14 |
| | order, requirement, thing or recognition. | 15 |
| | <i>Examples—</i> | 16 |
| | 1 If, before the commencement, Skills Queensland was | 17 |
| | deciding whether to cancel a completion certificate | 18 |
| | and it had given the affected person a show cause | 19 |
| | notice under the regulation, on the commencement, | 20 |
| | the chief executive is taken to have given the show | 21 |
| | cause notice and the chief executive may continue to | 22 |
| | undertake the process and decide whether to cancel | 23 |
| | the completion certificate. | 24 |
| | 2 A recognition of a group training organisation by | 25 |
| | Skills Queensland that is in force immediately before | 26 |
| | the commencement is, on the commencement, taken | 27 |
| | to be a recognition of the group training organisation | 28 |
| | by the chief executive. | 29 |
| | 3 A declaration by Skills Queensland of an employer | 30 |
| | as a prohibited employer that has not ended before | 31 |
| | the commencement is, on the commencement, taken | 32 |
| | to be a declaration by the chief executive. | 33 |
| (4) | A thing done by Skills Queensland under a | 34 |
| | former provision before the commencement is | 35 |
| | taken to have been done by the chief executive | 36 |
| | under the new provision for the former provision. | 37 |

(5)	In this section—	1
	<i>current</i> includes in force.	2
419 Right of review or appeal		3
(1)	Without limiting section 418, if a person had a right of review or appeal against a decision mentioned in that section that had not ended immediately before the commencement, the person may apply for a review of, or appeal against, the decision as if it were a decision of the chief executive.	4 5 6 7 8 9 10
(2)	Also, without limiting subsection (1), if the decision was made under a former provision, the person may apply for a review of the decision under the new provision for the former provision.	11 12 13 14
420 Chief executive substituted for Skills Queensland in proceedings in QCAT and industrial commission		15 16 17
(1)	This section applies if immediately before the commencement, Skills Queensland was a party to a proceeding in QCAT or the industrial commission in relation to a decision of Skills Queensland about a matter under the former Act.	18 19 20 21 22
(2)	On the commencement, the chief executive becomes a party to the proceeding instead of Skills Queensland.	23 24 25
421 Chief executive to replace Skills Queensland for matter remitted by industrial commission		26 27
(1)	This section applies if—	28
(a)	before the commencement, Skills Queensland made a decision about a matter mentioned in section 230; and	29 30 31

(b)	on the commencement—	1
(i)	the decision is the subject of a proceeding; and	2 3
(ii)	the industrial commission allows the appeal and remits a matter to the person who made the decision under section 233(2)(d).	4 5 6 7
(2)	The matter is remitted instead to the chief executive.	8 9
422 Delegations by Skills Queensland to continue as delegations by chief executive		10 11
(1)	This section applies to the following in force immediately before the commencement and relating to a function or power that the chief executive has under this Act—	12 13 14 15
(a)	a delegation by Skills Queensland to an appropriately qualified entity under section 152(1)(e) of the former Act;	16 17 18
(b)	a subdelegation by an entity under section 152(2) of the former Act.	19 20
(2)	On the commencement, the chief executive is taken to replace Skills Queensland as delegator and the delegation or subdelegation continues in force until the earlier of the following—	21 22 23 24
(a)	the chief executive ends the delegation or subdelegation;	25 26
(b)	1 year after the commencement.	27
423 Guidelines for Skills Queensland to continue as guidelines of chief executive		28 29
(1)	This section applies to a guideline for Skills Queensland under section 152A of the former Act in force immediately before the	30 31 32

commencement that relates to a power or function that the chief executive has under this Act.	1 2 3
(2) On the commencement, the guideline continues in force under this Act as if it had been made by the chief executive under section 245A until the earlier of the following—	4 5 6 7
(a) the chief executive repeals the guideline;	8
(b) 1 year after the commencement.	9
(3) The chief executive must publish the guideline on the department’s website.	10 11
424 Approved forms continue as approved forms of chief executive	12 13
(1) This section applies to a form approved by Skills Queensland under section 152B of the former Act in force immediately before the commencement that relates to a power or function that the chief executive has under this Act.	14 15 16 17 18 19
(2) On the commencement, the form continues in force under this Act as if it had been approved by the chief executive under section 290A until the earlier of the following—	20 21 22 23
(a) the chief executive repeals the approval of the form;	24 25
(b) 1 year after the commencement.	26
425 References in documents	27
A reference in a document to Skills Queensland may, if the context permits, be taken to be a reference to the chief executive.	28 29 30

Clause 22	Amendment of sch 3 (Dictionary)	1
(1)	Schedule 3, definitions <i>appointed members</i> , <i>approved form</i> , <i>approved guideline</i> , <i>chief executive officer</i> , <i>non-departmental employment skills development program</i> and <i>recognition certificate</i> —	2 3 4 5
	<i>omit.</i>	6
(2)	Schedule 3—	7
	<i>insert</i> —	8
	<i>appointed members</i> , for chapter 6, part 2, division 2, see section 196.	9 10
	<i>approved form</i> see section 290A.	11
	<i>approved guideline</i> , for a requirement for a matter, means the guideline for the matter made under section 245A.	12 13 14
	<i>non-departmental employment skills development program</i> see section 250E(3).	15 16
	<i>recognition certificate</i> see section 250A.	17
Part 3	Amendment of Industrial Relations Act 1999	18 19
Clause 23	Act amended	20
	This part amends the <i>Industrial Relations Act 1999</i> .	21
	<i>Note</i> —	22
	See also the amendments in schedule 1.	23
Clause 24	Insertion of new ch 20, pt 17	24
	After section 805—	25
	<i>insert</i> —	26

Part 17	Transitional provision	1
	for Vocational	2
	Education, Training and	3
	Employment (Skills	4
	Queensland) and	5
	Another Act	6
	Amendment Act 2013	7

806 Continuation of decisions made by approving authority	8
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- | | | |
|-----|--|----|
| (1) | This section applies to a decision of Skills Queensland as the approving authority that is in force immediately before the commencement of this section. | 10 |
| | | 11 |
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| | | 13 |
| (2) | On the commencement, the decision is taken to be a decision of the chief executive (VETE) as the approving authority. | 14 |
| | | 15 |
| | | 16 |

Clause 25	Amendment of sch 5 (Dictionary)	17
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|-----|---|----|
| (1) | Schedule 5, definition <i>approving authority</i> — | 18 |
| | <i>omit.</i> | 19 |

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|-----|----------------|----|
| (2) | Schedule 5— | 20 |
| | <i>insert—</i> | 21 |

<i>approving authority</i> means the chief executive (VETE).	22
	23

<i>chief executive (VETE)</i> means the chief executive of the department in which the <i>Vocational Education, Training and Employment Act 2000</i> is administered.	24
	25
	26
	27

Part 4	Amendment of TAFE Queensland Act 2013	1 2
Clause 26	Act amended	3
	This part amends the <i>TAFE Queensland Act 2013</i> .	4
Clause 27	Amendment of s 29 (Other staff)	5
	Section 29(1), after ‘functions’—	6
	<i>insert—</i>	7
	, including, for example, on a temporary basis to meet temporary circumstances	8 9
Part 5	Consequential amendments	10
Clause 28	Acts amended	11
	Schedule 1 amends the Acts it mentions.	12

Schedule 1	Acts amended	1
	section 28	2
	Education (General Provisions) Act 2006	3
1	Section 240(6), definition <i>employment exemption</i>, ‘chapter 5, part 3, division 5A’—	4
	<i>omit, insert—</i>	5
	chapter 9, part 1, division 1, subdivision 3	6
2	Schedule 4, definition <i>employment exemption</i>—	7
	<i>omit.</i>	8
3	Schedule 4, definition <i>non-departmental employment skills development program</i>, ‘section 183E’—	9
	<i>omit, insert—</i>	10
	section 250F	11
		12
		13
	Industrial Relations Act 1999	14
1	Sections 137(4)(b)(i), 138(3)(b)(i), 138A(5), definition <i>probationary period</i>, 138B(3), 139A(1)(c)(i), 140(3)(b)(i), 140A(2)(b)(i) and 391(2)(b) and schedule 5, definition <i>group training organisation</i>, ‘Skills Queensland’—	15
	<i>omit, insert—</i>	16
	the chief executive (VETE)	17
		18
		19
		20

Public Service Act 2008

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**1 Schedule 1, entry for Skills Queensland under the
Vocational Education, Training and Employment Act
2000—**

2

3

4

omit.

5

Vocational Education, Training and Employment Act 2000

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**1 Sections 7, 8, 50(4), 54(4), (5) and (6), 57(1)(a) and (1A),
58(1), 63(1), (3) and (4), 64(4), (5), (8)(b) and (9), 65(2), (4)
and (5), 66(3), 69(2)(b), 70, definition *misconduct*,
paragraph (a)(i), 71(1), 73(4) and (5), 76(1), (3), (4) and (5),
77(2) and (4), 82(2) and (3), 83(4), (5) and (6), 84(1), (5), (6),
(7) and (8), 86(3) and (4), 108(1), 109(3), 111, 118(1), (3)
and (5), 121(2), 121(6), definition *approved time*, 122(3),
123(3), 221(2), 223(2), 223A(2), 223C(2) and 286(3)(c), and
schedule 3, definitions *completion certificate*, *group
training organisation*, *information notice*, *principal
employer organisation*, *probationary period* and
restricted calling, ‘Skills Queensland’—**

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omit, insert—

20

the chief executive

21

2 Sections 7 and 8, note 1, ‘section 183’—

22

omit, insert—

23

section 47

24

3	Sections 49(1), 50(1), 54(1), (2) and (3), 63(2), 64(7), 65(6), 66(2), 71(2) and (3), 76(2), 83(7), 84(2), (3) and (4), 89(1), 109(1) and (2), 118(2) and (4), 221(1), 223(1), 223A(1) and 223C(1), ‘Skills Queensland’—	1 2 3 4
	<i>omit, insert—</i>	5
	The chief executive	6
4	Sections 63(2), 64(7)(b), 66(2), 83(5) and (6) and 84(5) and (6), ‘its decision’—	7 8
	<i>omit, insert—</i>	9
	the decision	10
5	Sections 64(8), 66(1), 77(3) and 83(1), ‘Skills Queensland may’—	11 12
	<i>omit, insert—</i>	13
	The chief executive may	14
6	Section 65, heading, ‘Skills Queensland’s’—	15
	<i>omit, insert—</i>	16
	Chief executive’s	17
7	Section 65(5), ‘it may’—	18
	<i>omit, insert—</i>	19
	the chief executive may	20
8	Section 65(6), ‘on its decision for’—	21
	<i>omit, insert—</i>	22
	for the decision on	23

9	Sections 65(7), 66(1) and 110, ‘Skills Queensland’s’—	1
	<i>omit, insert—</i>	2
	the chief executive’s	3
10	Sections 66(1), 77(3) and 83(1), ‘if Skills Queensland’—	4
	<i>omit, insert—</i>	5
	if the chief executive	6
11	Section 71(3)(b), ‘of its decision’—	7
	<i>omit, insert—</i>	8
	for the decision	9
12	Section 76(3), from ‘it must’—	10
	<i>omit, insert—</i>	11
	the chief executive must immediately give the holder	12
	of the certificate an information notice for the	13
	decision.	14
13	Section 77(5)—	15
	<i>omit, insert—</i>	16
	(5) The chief executive must—	17
	(a) if the chief executive extends the nominal	18
	term, give the parties signed notice of the	19
	extension; or	20
	(b) if the chief executive refuses to extend the	21
	nominal term, promptly give the parties an	22
	information notice.	23
14	Section 78(3), ‘Editor’s note’—	24
	<i>omit, insert—</i>	25
	<i>Note</i>	26

15	Section 84(1), ‘request it’—	1
	<i>omit, insert—</i>	2
	request the chief executive	3
16	Section 84(3) and (4), ‘only if it is’—	4
	<i>omit, insert—</i>	5
	only if	6
17	Section 84(7), ‘it must’—	7
	<i>omit, insert—</i>	8
	, the chief executive must	9
18	Section 86(2), ‘Skills Queensland for its’—	10
	<i>omit, insert—</i>	11
	the chief executive for	12
19	Section 86(2A)—	13
	<i>omit, insert—</i>	14
	(2A) When the chief executive decides the application,	15
	the chief executive must promptly give the	16
	employer and the apprentice or trainee an	17
	information notice for the decision.	18
20	Section 109, heading, ‘Skills Queensland’—	19
	<i>omit, insert—</i>	20
	chief executive	21
21	Section 118(4) and (5), ‘of its’—	22
	<i>omit, insert—</i>	23
	of the chief executive’s	24

22	Section 121(3), from ‘Skills Queensland may’ to ‘Skills Queensland is’—	1
	<i>omit, insert—</i>	2
		3
	The chief executive may approve the extension only if	4
23	Section 121(4)—	5
	<i>omit, insert—</i>	6
	(4) The chief executive must notify the organisation	7
	in writing immediately after deciding the	8
	application.	9

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