

EDUCATION AND OTHER LEGISLATION (STUDENT PROTECTION) AMENDMENT BILL 2003

EXPLANATORY NOTES

FOR

AMENDMENTS TO BE MOVED IN COMMITTEE BY THE HONOURABLE ANNA BLIGH MP

Title of the Bill

Education and Other Legislation (Student Protection) Amendment Bill 2003

Objectives of the Amendment

The purpose of the amendment is to amend the *Training and Reform Act 2003* (the Act) to ensure that an apprentice, trainee or employer can appeal the making of, or the refusal to make, an order to an independent body – the Queensland Industrial Relations Commission.

Achievement of the Objectives

Section 47 of the Act amended section 230 of the *Training and Employment Act 2000*. Prior to amendment this section permitted an apprentice, a trainee or an employer to appeal to the Queensland Industrial Relations Commission against certain decisions of the Training Recognition Council. Included in the appealable decisions were orders made under section 71 of the *Training and Employment Act 2000*. The orders able to be made under this section included:

- a reprimand;
- a fine;
- suspension of the apprentice or trainee; and
- cancellation of the training contract.

Section 47 inadvertently omitted the ability for a person to appeal against an order made under section 71. The amendment inserts the appropriate grounds for appeal.

Consistency with Fundamental Legislative Principles

The amendment is consistent with fundamental legislative principles.

Consultation

N/A

NOTES ON PROVISIONS

Clause 1 of the amendment inserts a new Part 6 into the Bill. This part amends the *Training and Reform Act 2003* by inserting a new subsection 47(1)(ea) into that Act. This section of the Act amends section 230 of the *Training and Employment Act 2000*.

The amendment includes within the grounds on which an aggrieved person may appeal a decision of the Training Recognition Council orders made by the council, or refusal to make orders, under section 71.