

Vocational Education and Training (Commonwealth Powers) Bill 2012

Explanatory Notes for amendments to be moved during consideration in detail by the Honourable John-Paul Langbroek MP

Short title

Vocational Education and Training (Commonwealth Powers) Bill 2012.

Objectives of the amendments:

The objectives of the amendments are to:

- (i) fix the commencement date of the Bill as 29 June 2012; and
- (ii) ensure that Queensland can continue to apply vocational placement schemes provided for in Chapter 4 *Vocational Education, Training and Employment Act 2000* by inserting a displacement provision in the Bill, which expires two years after it commences.

Achievement of the Objectives

The commencement date will be fixed by amending clause 2 of the Bill.

The displacement of the *National Vocational Education and Training Regulator Act 2011* (Cwlth) (national VET legislation) will be achieved by inserting a new part 4, a displacement provision, in Chapter 4 *Vocational Education, Training and Employment Act 2000*. This displacement provision will ensure that registered training organisations are required to comply with the requirements for vocational placement schemes set out in Chapter 4, even though Chapter 4 is inconsistent with the national VET legislation. The displacement provision will expire two years after it commences. This will allow the Queensland Government sufficient time to develop an alternative way of regulating vocational placements that is consistent with the national VET legislation.

Alternative ways of achieving policy objectives

There is no alternative way of achieving the policy objective of fixing a commencement date in the Bill other than to amend the Bill.

There is no alternative way of ensuring the validity of vocational placement schemes in Chapter 4 *Vocational Education, Training and Employment Act 2000* that will allow the referral of power to take effect by 29 June 2012 other than to amend the Bill by inserting a displacement provision. The alternative to a displacement provision is to amend Chapter 4 to remove provisions that are inconsistent with the national VET legislation. This would require extensive stakeholder consultation and therefore cannot be achieved if the referral is to occur before 1 July 2012.

Estimated cost for government implementation

There are no costs associated with the amendments.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Not applicable

Notes on provisions

Amendment 1

Amendment 1 amends clause 2 of the Bill to fix 29 June 2012 as the day the Act commences.

Amendment 2

Amendment 2 inserts a new clause 29A into the Bill which inserts a new Part 4 in Chapter 4 *Vocational Education, Training and Employment Act 2000*. The new Part 4 is a displacement provision for the purpose of section 11 *National Vocational Education and Training Regulator Act 2011* (Cwlth). The displacement provision will expire two years after it commences.

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