



*Further Education and Training Act 2014*

# **Further Education and Training Regulation 2014**

**Current as at 1 January 2016**





Queensland

# Further Education and Training Regulation 2014

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# Further Education and Training Regulation 2014

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Further Education and Training Regulation 2014*.

### 2 Commencement

This regulation commences on 1 July 2014.

## Part 2 Prescribed matters for Act, chapters 2 and 8

### 3 Requirements for apprenticeship or traineeship—Act, s 8(3)(c)

- (1) For section 8(3)(c) of the Act, a declaration of an apprenticeship or traineeship under section 8(2) of the Act may include the following prescribed requirements for the apprenticeship or traineeship—
  - (a) the level of education a person must have reached before starting the apprenticeship or traineeship;
  - (b) that a person can not start the apprenticeship or traineeship without the prior approval in writing of a nominated entity for the apprenticeship or traineeship;
  - (c) that a person completing the apprenticeship or traineeship (the *relevant apprentice or trainee*) must be supervised;

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- (d) if the relevant apprentice or trainee must be supervised—
    - (i) the qualifications and experience the supervisor must have; and
    - (ii) that the supervisor—
      - (A) may also, at a place the apprenticeship or traineeship is being completed, supervise other apprentices or trainees; or
      - (B) must not, at a place the apprenticeship or traineeship is being completed, supervise any other apprentices or trainees; and
    - (iii) for a supervisor who may supervise other apprentices or trainees under subparagraph (ii)(A)—the number of other apprentices or trainees the supervisor may supervise;
  - (e) other requirements relating to the nature and quality of the supervision the chief executive considers relevant.
- (2) In this section—

***nominated entity***, for an apprenticeship or traineeship, means an employer group, industry body or regulatory authority nominated in the declaration of the apprenticeship or traineeship under section 8(2) of the Act.

*Examples of regulatory authorities—*

Office of Fair and Safe Work Queensland, Queensland Building and Construction Commission, Maritime Safety Queensland

## 4 Keeping training record

- (1) Within 14 days after a training plan for an apprentice or trainee is signed by the parties to the training plan, the supervising registered training organisation must give the apprentice or trainee the appropriate training record to be kept for the apprenticeship or traineeship.

Maximum penalty—20 penalty units.

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- (2) The training record must be kept by the parties in any way the supervising registered training organisation considers appropriate.
  - (3) The training record is to be in the possession of the apprentice or trainee except when it is required to be produced to a person under the Act.
  - (4) The employer, the supervising registered training organisation or the chief executive may, by reasonable notice, require the apprentice or trainee to produce the training record to the employer, supervising registered training organisation or chief executive—
    - (a) for inspection; or
    - (b) to enable the record to be kept as required by subsection (6)(b).
  - (5) The apprentice or trainee must not contravene the requirement, unless the apprentice or trainee has a reasonable excuse.

Maximum penalty—20 penalty units.

- (6) Where training is required to be delivered by the employer or the supervising registered training organisation, the employer or the supervising registered training organisation must, at reasonable intervals of not more than 3 months—
  - (a) require the apprentice or trainee to produce the training record to have the particulars of the training completed by the apprentice or trainee during the interval entered in it; and
  - (b) if the training record is produced—keep the record complete, accurate and up-to-date by entering the particulars in it.

Maximum penalty for subsection (6)—20 penalty units.

## **5 Fees**

- (1) The fees payable under the Act are stated in schedule 1.

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- (2) The chief executive may waive payment of a fee stated in schedule 1 if the chief executive considers that there are exceptional circumstances to do so.



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**Schedule 1      Fees**

## section 5

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|---|-------|
| 1    Extract from the register of training contracts  | 18.05 |
| 2    Certified copy of—   |       |
| (a) an indenture  | 19.50 |
| (b) a completion certificate or certificate of<br>completion of apprenticeship or traineeship | 18.05 |

## 1 Index to endnotes

- 2 Key
- 3 Table of reprints
- 4 List of legislation
- 5 List of annotations

## 2 Key

### Key to abbreviations in list of legislation and annotations

| Key  | Explanation                    | Key    | Explanation         |
|------|--------------------------------|--------|---------------------|
| AIA  | = Acts Interpretation Act 1954 | (prev) | = previously        |
| amd  | = amended                      | proc   | = proclamation      |
| amd  | = amendment                    | prov   | = provision         |
| t    |                                |        |                     |
| ch   | = chapter                      | pt     | = part              |
| def  | = definition                   | pubd   | = published         |
| div  | = division                     | R[X]   | = Reprint No. [X]   |
| exp  | = expires/expired              | RA     | = Reprints Act 1992 |
| gaz  | = gazette                      | reloc  | = relocated         |
| hdg  | = heading                      | renu   | = renumbered        |
|      |                                | m      |                     |
| ins  | = inserted                     | rep    | = repealed          |
| lap  | = lapsed                       | (retro | = retrospectively   |
|      |                                | )      |                     |
| notf | = notified                     | rv     | = revised version   |
| d    |                                |        |                     |
| num  | = numbered                     | s      | = section           |

| <b>Key</b>    | <b>Explanation</b> | <b>Key</b>   | <b>Explanation</b>                      |
|---------------|--------------------|--------------|---|
| <b>o in c</b> | = order in council | <b>sch</b>   | = schedule                              |
| <b>om</b>     | = omitted          | <b>sdiv</b>  | = subdivision                           |
| <b>orig</b>   | = original         | <b>SIA</b>   | = Statutory Instruments Act 1992        |
| <b>p</b>      | = page             | <b>SIR</b>   | = Statutory Instruments Regulation 2012 |
| <b>para</b>   | = paragraph        | <b>SL</b>    | = subordinate legislation               |
| <b>prec</b>   | = preceding        | <b>sub</b>   | = substituted                           |
| <b>pres</b>   | = present          | <b>unnum</b> | = unnumbered                            |
| <b>prev</b>   | = previous         |              |   |

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

| <b>Current as at</b> | <b>Amendments included</b> | <b>Notes</b>      |
|----------------------|----------------------------|-------------------|
| 1 July 2014          | none                       | RA ss 7(1)(k), 40 |
| 1 January 2015       | 2014 SL No. 228            |                   |

| <b>Current as at</b> | <b>Amendments included</b> | <b>Notes</b> |
|----------------------|----------------------------|--------------|
| 1 January 2016       | 2015 SL No. 133            |              |

## **4 List of legislation**

### **Regulatory impact statements**

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### **Explanatory notes**

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

### **Further Education and Training Regulation 2014 SL No. 103**

made by the Governor in Council on 19 June 2014  
notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 20 June 2014  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2014 (see s 2)  
[exp 1 September 2024](#) (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.  
amending legislation—

### **Education Legislation (Fees) Amendment Regulation (No. 1) 2014 SL No. 228 pts 1, 7**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 3 October 2014  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2015 (see s 2)

### **Further Education and Training Amendment Regulation (No. 1) 2015 SL No. 133**

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 2 October 2015  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 2016 (see s 2)

## **5 List of annotations**

### **SCHEDULE 1—FEES**

sub 2014 SL No. 228 s 19; 2015 SL No. 133 s 4