



Queensland

*Education (Queensland Curriculum and Assessment Authority)
Act 2014*

Education (Queensland Curriculum and Assessment Authority) Regulation 2014

Current as at 1 January 2017



Queensland

Education (Queensland Curriculum and Assessment Authority) Regulation 2014

Contents

		Page
Part 1	Preliminary	
1	Short title	9
2	Commencement	9
3	Definitions	9
4	Meaning of contributing studies for QCE	9
Part 2	Accreditation of kindergarten guidelines	
Division 1	Preliminary	
5	Educational criteria for evaluation of a kindergarten guideline	10
6	Social responsibility criteria for evaluation of a kindergarten guideline 12	
Division 2	Applications for accreditation of guidelines	
7	Application of div 2	13
8	Who may apply for accreditation	13
9	Procedural requirements	13
10	Agreed change to guideline before accreditation	14
11	Withdrawal of an application	14
12	Authority must ensure compliance with procedural requirements	14
13	Authority may request further information or documents	14
14	Evaluation of a guideline for accreditation	15
15	Deciding an application for accreditation	16
16	Deciding accreditation period	16
17	When the authority must decide an application	16
18	Accreditation of a guideline	17
19	Refusal of accreditation	17
20	Authority does not decide an application	17
Division 3	Applications for renewal of accreditation	

Contents

21	Application of div 3	18
22	Renewal notice for accreditation	18
23	Who may apply for renewal of accreditation	18
24	When an application for renewal must be made	18
25	Procedural requirements	19
26	Authority must ensure compliance with procedural requirements	19
27	Authority may request further information or documents	20
28	Evaluation of a guideline for renewal of accreditation	20
29	Deciding an application for renewal of accreditation	21
30	Deciding accreditation period for renewal	21
31	When the authority must decide an application for renewal of accreditation	21
32	Renewal of accreditation of a guideline	22
33	Refusal to renew accreditation	22
34	Authority does not decide an application	22
35	Application of certain provisions to renewal of accreditation	22
Division 4	Approval of changes to accredited guidelines	
36	Application of div 4	23
37	Application for approval to change a guideline	23
38	Authority must ensure compliance with procedural requirements	24
39	Authority may request further information or documents	24
40	Deciding an application for approval of a change	25
41	Notices of decision and information notices	25
42	Authority does not decide an application	25
Division 5	Cancellation of accreditation	
43	Grounds for cancellation	25
44	Show cause notice for cancellation	26
45	Representations about show cause notices	26
46	Ending show cause process without further action	27
47	Cancellation	27
Division 6	Registration and records	
48	Accreditation register to be kept	28
49	Registration of the nominee for a guideline	29
50	Registration of the owner of a guideline	29
51	Copies of guidelines to be kept	29
Part 3	External senior examinations and core skills test	

Division 1	External senior examinations	
Subdivision 1	Available examinations	
52	External senior examinations available	30
Subdivision 2	Eligibility to take examinations	
53	Persons eligible to take examination	30
54	Application for declaration of eligibility	31
Subdivision 3	Number of examination subjects	
55	Number of examination subjects	32
56	Examination may be taken in more examination subjects	33
Subdivision 4	Application to take examinations	
57	Application	34
58	Decision about application to take examination	34
Subdivision 5	Deciding level of achievement in examinations	
59	Refusal to decide level of achievement	35
60	Grading of achievement in examination	37
61	Special consideration of medical condition or circumstances adversely affecting person's performance in examination	37
62	Reassessment of achievement in examination	37
63	Inspection of graded examination script	39
Division 2	Core skills test	
Subdivision 1	Core skills test to be developed	
64	Development of test	39
Subdivision 2	Eligibility to take test	
65	Persons eligible to take test	40
66	Application for declaration of eligibility	40
67	Decision about application for declaration of eligibility—application made on or before closing day	40
68	Decision about application for declaration of eligibility—application made after closing day	41
Subdivision 3	Deciding level of achievement in tests	
69	Refusal to grade test	42
70	Grading of test	43
Division 3	Other provisions for external examinations and core skills tests	
Subdivision 1	Places to take examinations or tests—general	
71	Application of sdiv 1	44
72	Where examination or test can be taken	44
73	Application to take examination or test at another place	44

Contents

Subdivision 2	Places to take examinations or tests—recognised school students	
74	Application of sdiv 2	46
75	Application to take examination or test—recognised school students	46
Subdivision 3	Special arrangements for taking examinations or core skills tests	
76	Special arrangements for person’s disability or medical condition	47
Subdivision 4	Refusal of entry to, or expulsion from, places of examination or core skills test	
77	Refusal of entry to, or expulsion from, places where examination or core skills test are taken	48
78	Application for exemption from requirement to take core skills test	49
79	Procedural requirements	49
80	Authority may request further information or documents	50
81	Appointment of officials for examination or test	51
Part 4	Queensland certificate of education	
Division 1	Preliminary	
82	Definitions for pt 4	51
83	References to contributing studies	51
Division 2	Eligibility requirements	
84	Eligibility for issue of QCE	52
85	Persons ineligible for issue of QCE	52
86	Authority may request further information for deciding whether person is ineligible for issue of QCE	53
Division 3	Equivalent qualifications	
87	Deciding whether a qualification is equivalent	54
88	Requirement to decide whether qualification is equivalent to QCE	54
89	Authority may request further information or documents	56
Division 4	Contributing studies and credits	
90	Categories of contributing studies	56
91	Requirement to record credits for contributing studies in a person’s student account	57
92	Credit value for contributing studies	58
93	Required standard of achievement for contributing studies	58
94	Completion of contributing studies	59
95	Partial completion of contributing studies	59
Division 5	Recognition of particular studies as contributing studies	
96	Purpose of div 5	59
97	Criteria for recognising particular studies as contributing studies	60

98	Definitions for div 5	60
99	Requirements for recognition	60
100	Procedure for recognising studies	61
101	Recognised studies	61
102	Conduct of review	61
103	Cancelling recognition other than because of review	62
104	Credits for recognised studies	63
105	Providing evidence of assessment for particular recognised studies	63
Division 6	Recognising non-Queensland studies	
106	Application of div 6	64
107	Authority may decide to recognise studies	64
108	Authority may request further information or documents	64
109	Deciding whether to recognise non-Queensland studies	65
110	Notice of decisions about credits	66
Division 7	Recognition of WCS learning projects as contributing studies	
111	Application for recognition of project as contributing studies . . .	66
112	Deciding an application for recognition of project as contributing studies 67	
113	Changing a project proposal	68
114	Requirement to record results and credits for project	68
Division 8	Issuing of QCE	
115	When QCE must be issued to a person	69
116	What must be stated on QCE	69
Division 9	Miscellaneous	
117	Day on which credits must take effect	70
Part 5	Other certificates of achievement	
118	Eligibility for Queensland certificate of individual achievement . .	70
119	Certification studies—contributing studies for Queensland certificate of individual achievement	71
120	When Queensland certificate of individual achievement must be issued 71	
121	What must be stated on Queensland certificate of individual achievement	71
Part 6	Statements of results	
Division 1	Senior statement	
122	Persons to whom a senior statement must be issued	72
123	What must be recorded on senior statement	72

Contents

Division 2	Record of results	
124	Persons to whom a record of results must be issued	73
125	Persons who may request a record of results	74
126	What must be recorded on record of results	74
Part 7	General provisions for student accounts	
Division 1	Prescribed information and notifications	
127	Prescribed information to open student accounts—compulsory participation phase	76
128	Prescribed information to open student accounts—particular young persons	77
129	Prescribed information to open student accounts—recognised schools 78	
130	Prescribed information for student accounts—other persons . . .	78
131	Prescribed information for obligation to notify enrolments	78
132	Notification of results	79
133	Notification of other matters	80
134	Prescribed information for access by providers	80
135	Prescribed information for disclosure to providers and recognised schools	80
Division 2	Notice of results for QCE	
136	Person for whom student account is open may give results notice	81
137	Authority must record results for contributing studies mentioned in s 4(1) etc.	82
Division 3	Information authority may disclose	
138	Information for disclosure to chief executive	83
139	Aggregated student account information	83
140	Disclosure to training chief executive	84
141	Closure of student accounts	85
Part 8	Tertiary entrance	
Division 1	Tertiary entrance ranking	
142	Persons eligible to receive a ranking	87
143	Exemption from requirement to take core skills test	88
144	Authority may request further information or documents	88
145	Deciding an application	88
146	Authority does not decide the application	89
147	Issue of tertiary entrance statement	89
148	Procedures for ranking persons and list of tertiary entrance subjects	89

149	Review of information in tertiary entrance statement	89
150	Authority may request further information or documents	90
151	Deciding an application	90
Division 2	Equivalent tertiary entrance ranking	
152	Eligibility for equivalent tertiary entrance ranking	91
153	Application of provisions	91
154	Issue of tertiary entrance statement	92
Division 3	Information about tertiary entrance rankings	
155	Rank order showing comparative achievement	92
156	Giving information to prescribed entities	92
Part 9	Verification and copies of certificates and statements	
157	Verification of information in Queensland certificate of individual achievement or statement of results	93
158	Authority may request further information or documents	93
159	Deciding an application	94
160	Issue of copy of certificate	94
161	Authority may request further information or documents	95
Part 10	Equivalence of level of school education or qualification	
162	Application for authority's decision on equivalence	96
163	Authority may request further information or documents	96
Part 11	Fees	
164	Fees in sch 1	97
165	Service fee payable by person who is not an Australian citizen or permanent resident	97
166	Refund of application fee for accreditation or renewal of accreditation 97	
167	Refund of application fee, or late application fee, for external senior examination because of illness	98
168	Refund of fees because of cancellation of application to take external senior examination	99
169	Refund of local expenses fee for external senior examination or core skills test	99
170	Refund of reassessment fee	100
171	Refund of script inspection fee	100
172	Copy of approved syllabus and certain other documents	100
Part 12	Guidelines	
173	Notification of guidelines	101
174	Guidelines for certification and tertiary entrance functions	101

Contents

Part 13	Miscellaneous provisions	
175	Principal to give information to authority about students who finish senior secondary education	101
Part 14	Transitional provisions for the Education (Queensland Curriculum and Assessment Authority) Regulation 2014	
176	Definitions for pt 14	102
177	Existing accreditation register	102
178	Decisions of QSA taken to be decisions of the authority	103
179	QCE relevant requests	104
180	Existing recognition of particular studies as contributing studies	104
181	Existing recognition of non-Queensland studies	104
182	Existing recognition of WCS learning projects as contributing studies 105	
183	Issue of copy of certificate	105
Schedule 1	Fees	106
Schedule 2	Dictionary	107

Education (Queensland Curriculum and Assessment Authority) Regulation 2014

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Education (Queensland Curriculum and Assessment Authority) Regulation 2014*.

2 Commencement

This regulation commences on 1 July 2014.

3 Definitions

The dictionary in schedule 2 defines particular words used in this regulation.

4 Meaning of *contributing studies* for QCE

- (1) For the Act, schedule 2, definition *certification studies*, the following studies are *contributing studies* for a QCE—
- (a) a syllabus developed, purchased or revised by the authority under the Act, or an Australian curriculum;
 - (b) vocational education and training;
 - (c) an apprenticeship or traineeship under the training Act undertaken by a person who is enrolled at a school;
 - (d) a departmental employment skills development program under the training Act;
 - (e) a subject that is—
 - (i) provided by a registered higher education provider under the *Tertiary Education Quality and Standards Agency Act 2011* (Cwlth); and

[s 5]

- (ii) part of an accredited course under that Act; and
 - (iii) undertaken by a person who is enrolled at a school;
 - (f) non-Queensland studies that are listed on the authority's website under section 107;
 - (g) studies recognised as contributing studies under part 4, division 5.
- (2) Also, a WCS learning project recognised as contributing studies under part 4, division 7 is included in ***contributing studies*** for a QCE for the person who applied for recognition of the studies.

Note—

Under part 4, a person's results in contributing studies may contribute to the issue of a QCE to the person.

Part 2 Accreditation of kindergarten guidelines

Division 1 Preliminary

5 Educational criteria for evaluation of a kindergarten guideline

- (1) The ***educational criteria*** for evaluation of a kindergarten guideline are the following—
- (a) the kindergarten guideline includes the rationale for the guideline;
 - (b) the kindergarten guideline is appropriate for the educational needs of the group of children provided for under the guideline;
 - (c) the kindergarten guideline describes the areas of learning and development within the guideline;

-
- (d) the kindergarten guideline describes the expected knowledge, skills and dispositions typical of children who have completed the relevant kindergarten year;
 - (e) the kindergarten guideline describes the expected learning behaviour typical of children who have completed the relevant kindergarten year;
 - (f) the kindergarten guideline promotes a balance, depth, quality and range (the *characteristics*) of learning experiences of a standard that achieves or exceeds the standard for the characteristics of learning experiences under related accredited kindergarten guidelines;
 - (g) the kindergarten guideline provides advice on, and a format for, monitoring and assessing children's learning to support reporting to parents and the transition into school;
 - (h) the kindergarten guideline does not encourage or condone discrimination on the basis of an attribute mentioned in the *Anti-Discrimination Act 1991*, section 7;
 - (i) the kindergarten guideline is based on the document called 'Belonging, Being and Becoming: The Early Years Learning Framework for Australia', published by the Department of Education, Employment and Workplace Relations of the Commonwealth for the Council of Australian Governments in 2009;
 - (j) the kindergarten guideline is based on another document detailing matters that the chief executive considers are equivalent to the matters contained in the document mentioned in paragraph (i).
- (2) In this section—

discrimination on the basis of an attribute see the *Anti-Discrimination Act 1991*, section 8.

related accredited kindergarten guidelines, for a kindergarten guideline under evaluation, means accredited kindergarten guidelines equivalent, or at least relevant, to the kindergarten guideline under evaluation.

[s 6]

relevant kindergarten year means any of the years immediately before the preparatory year provided for in a kindergarten guideline.

6 Social responsibility criteria for evaluation of a kindergarten guideline

- (1) The *social responsibility criteria* for evaluation of a kindergarten guideline are the following—
- (a) implementation of the guideline will not encourage or condone contravention of—
 - (i) a law of the State or the Commonwealth; or
 - (ii) an international treaty to which the Commonwealth is a party;
 - (b) implementation of the guideline will not be inconsistent with an agreement between the State or a representative of the State and another State or the Commonwealth or a representative of another State or the Commonwealth;
 - (c) implementation of the guideline will not be contrary to the public interest.

Example for paragraph (c) of an implementation of a guideline which would be contrary to the public interest—

a kindergarten guideline that would promote racial discrimination in play and everyday situations

- (2) In this section—

representative, of the State, another State or the Commonwealth, means—

- (a) a Minister or a person who was a Minister of the State, the other State or the Commonwealth; or
- (b) a person employed or engaged or previously employed or engaged by the State, the other State or the Commonwealth.

treaty includes a convention, protocol, agreement or arrangement.

Division 2 Applications for accreditation of guidelines

7 Application of div 2

This division applies to the accreditation of a kindergarten guideline.

8 Who may apply for accreditation

The following persons may apply for accreditation of the guideline—

- (a) a person (the *applicant*) who owns a kindergarten guideline;
- (b) someone else authorised by the person (also the *applicant*).

9 Procedural requirements

- (1) The application must—
 - (a) be in the approved form; and
 - (b) be accompanied by—
 - (i) the guideline; and
 - (ii) evidence that the applicant is eligible to apply under section 8; and
 - (iii) the prescribed application fee; and
 - (iv) documents identified in the approved form that the authority reasonably requires.
- (2) The authority may approve a form that specifies information that must be given and verified by statutory declaration.

[s 10]

10 Agreed change to guideline before accreditation

- (1) The authority and the applicant may agree, before the authority decides the application, to change the guideline.
- (2) However, if the applicant is not the owner of the guideline, the change can be made only if the owner agrees to the change.

11 Withdrawal of an application

The applicant may withdraw the application by giving a notice to the authority.

12 Authority must ensure compliance with procedural requirements

- (1) If the authority considers the application does not comply with a procedural requirement, the authority must give the applicant a notice stating that the applicant must comply with the requirement within a specified period of at least 28 days.
- (2) However, the authority and the applicant may, within the period stated in the notice, agree to extend the period to a day (the *agreed compliance day*) after the end of the period.
- (3) If the applicant does not comply with the requirement within the period stated in the notice or by the agreed compliance day, the authority may reject the application.
- (4) If the authority decides to reject the application, the authority must give the applicant an information notice about the decision.

13 Authority may request further information or documents

- (1) If the authority considers further information or a document is required for deciding the application, the authority may give the applicant a notice requesting information or a document be given to the authority within a specified period of at least 28 days.

- (2) However, the authority and the applicant may, within the period stated in the notice, agree to extend the period to a day (the *agreed compliance day*) after the end of the period.
- (3) The authority may also require the information or document to be verified by statutory declaration.
- (4) If the applicant does not comply with a request for further information or a document within the period stated in the notice or by the agreed compliance day, the authority may reject the application.
- (5) If the authority decides to reject the application, the authority must give the applicant an information notice about the decision.

14 Evaluation of a guideline for accreditation

- (1) Before deciding to grant, or to refuse to grant, accreditation of a guideline, the authority must conduct an evaluation of the guideline.
- (2) However, the authority must not start the evaluation unless the applicant has complied with—
 - (a) all procedural requirements for the application; and
 - (b) if the authority has given the applicant a notice under section 13(1)—all requests for further information or any document under the notice.
- (3) For evaluating a guideline, the authority must consider whether or not the guideline satisfies each of the educational criteria and social responsibility criteria.
- (4) The authority may require the applicant to give the authority further information or a document under section 13 after evaluation has started.
- (5) However, the authority may not reject the application only because the applicant does not comply with the requirement under subsection (4).

15 Deciding an application for accreditation

- (1) The authority must consider the application and decide to grant, or to refuse to grant, accreditation of the guideline.
- (2) The authority must decide to grant accreditation of the guideline if the authority considers the guideline satisfies each of the educational criteria and the social responsibility criteria.

16 Deciding accreditation period

- (1) If the authority decides to grant accreditation of the guideline, it must also decide the accreditation period for implementation of the guideline in an education and care service.
- (2) In deciding the accreditation period, the authority must have regard to the period for which the authority considers the guideline will continue to be appropriate and current, taking into account advancement in the area of learning.

17 When the authority must decide an application

- (1) If the application is made on or before 28 February in a year, the authority must decide the application as soon as practicable after evaluation of the guideline and not after 31 August in the year (the *decision day*).
- (2) If the application is made after 28 February in a year, the authority must decide the application as soon as practicable after evaluation of the guideline and not after 31 August in the next year (also the *decision day*).
- (3) Before the decision day, the authority and the applicant may agree in writing on a day (the *agreed extended day*), not more than 90 days after the decision day, by which the authority is to make the decision.

18 Accreditation of a guideline

If the authority decides to grant accreditation of the guideline, it must as soon as practicable give the applicant—

- (a) a notice about the decision; and
- (b) an information notice about the accreditation period for the guideline; and
- (c) a certificate of accreditation stating each of the following—
 - (i) the name of the guideline that was granted accreditation;
 - (ii) the name of the owner of the guideline;
 - (iii) if the applicant is not the owner—the name of the applicant;
 - (iv) the accreditation period.

19 Refusal of accreditation

If the authority decides to refuse to grant accreditation of the guideline, it must as soon as practicable give the applicant an information notice about the decision.

20 Authority does not decide an application

If the authority does not decide the application by the decision day, or the agreed extended day—

- (a) the authority is taken to have decided to refuse to grant the application; and
- (b) the authority must as soon as practicable give the applicant an information notice about the decision.

Division 3 Applications for renewal of accreditation

21 Application of div 3

This division applies to the renewal of accreditation of a kindergarten guideline.

22 Renewal notice for accreditation

- (1) The authority must give the person registered under section 49 as the nominee for a guideline (the *registered nominee*) a notice (a *renewal notice*) stating—
 - (a) when accreditation of the guideline will end; and
 - (b) that an application for renewal of accreditation may be made by the application day.
- (2) The authority must give the registered nominee the renewal notice by 1 December in the year before the year in which accreditation of the guideline ends.

23 Who may apply for renewal of accreditation

The following persons (each an *applicant*) may apply for renewal of accreditation of the guideline—

- (a) the owner of the guideline;
- (b) the registered nominee of the guideline;
- (c) someone else authorised by the owner.

24 When an application for renewal must be made

- (1) The application for renewal must be made to the authority by 28 February (the *application day*) in the year the accreditation ends.

-
- (2) If the application is made after the application day, the authority must deal with the application as if it were an application for accreditation of the guideline.

25 Procedural requirements

- (1) The application must—
- (a) be in the approved form; and
 - (b) be accompanied by—
 - (i) if the applicant proposes a change to the guideline—the guideline showing the change; and
 - (ii) evidence that the applicant is eligible to apply under section 23; and
 - (iii) the prescribed application fee; and
 - (iv) documents identified in the approved form that the authority reasonably requires.
- (2) The approved form may specify information that must be given and verified by statutory declaration.

26 Authority must ensure compliance with procedural requirements

- (1) If the authority considers the application does not comply with a procedural requirement, the authority must give the applicant a notice stating that the applicant must comply with the requirement within a specified period of at least 28 days.
- (2) However, the authority and the applicant may, within the period stated in the notice, agree to extend the period to a day (the *agreed compliance day*) after the end of the period.
- (3) If the applicant does not comply with the requirement within the period stated in the notice or by the agreed compliance day, the authority may reject the application.
- (4) If the authority decides to reject the application, the authority must give the applicant an information notice about the decision.

[s 27]

27 Authority may request further information or documents

- (1) If the authority considers further information or a document is required for deciding the application, the authority may give the applicant a notice requesting information or a document be given to the authority within a reasonable period of at least 28 days.
- (2) However, the authority and the applicant may, within the period stated in the notice, agree to extend the period to a day (the *agreed compliance day*) after the end of the period.
- (3) The authority may also require the information or document to be verified by statutory declaration.
- (4) If the applicant does not comply with a request for further information or a document within the period stated in the notice or by the agreed compliance day, the authority may reject the application.
- (5) If the authority decides to reject the application, the authority must give the applicant an information notice about the decision.

28 Evaluation of a guideline for renewal of accreditation

- (1) Before deciding to renew, or to refuse to renew, accreditation of the guideline, the authority must conduct an evaluation of the guideline.
- (2) However, the authority must not start the evaluation unless the applicant has complied with—
 - (a) all procedural requirements for the application; and
 - (b) if the authority has given the applicant a notice under section 27(1)—all requests for further information or any document under the notice.
- (3) For evaluating the guideline, the authority must consider whether or not the guideline satisfies each of the educational criteria and social responsibility criteria.

- (4) The authority may require the applicant to give the authority further information or a document under section 27 after evaluation has started.
- (5) However, the authority may not reject the application only because the applicant does not comply with the requirement under subsection (4).

29 Deciding an application for renewal of accreditation

- (1) The authority must consider the application and decide to renew, or to refuse to renew, accreditation of the guideline.
- (2) The authority must decide to renew accreditation of a guideline if the authority considers the guideline satisfies each of the educational criteria and the social responsibility criteria.

30 Deciding accreditation period for renewal

- (1) If the authority decides to renew accreditation of the guideline, it must also decide the accreditation period for implementation of the guideline in an education and care service.
- (2) In deciding the accreditation period, the authority must have regard to the period for which the authority considers the guideline will continue to be appropriate and current, taking into account advancement in the area of learning.

31 When the authority must decide an application for renewal of accreditation

- (1) The authority must decide to renew, or to refuse to renew, accreditation of the guideline as soon as practicable after evaluation and not after 31 August in the year the accreditation ends (the *decision day*).
- (2) Before the decision day, the authority and the applicant may agree in writing on a day (the *agreed extended day*), not more

[s 32]

than 90 days after the decision day, by which the authority is to make the decision.

32 Renewal of accreditation of a guideline

If the authority decides to renew accreditation of a guideline, it must as soon as practicable give the applicant—

- (a) a notice about the decision; and
- (b) an information notice about the accreditation period for the guideline; and
- (c) a certificate of accreditation.

33 Refusal to renew accreditation

If the authority decides to refuse to renew accreditation of a guideline, it must as soon as practicable give the applicant an information notice about the decision.

34 Authority does not decide an application

If the authority does not decide the application by the decision day, or the agreed extended day, the authority is taken to have decided to refuse to renew accreditation of the guideline.

35 Application of certain provisions to renewal of accreditation

Sections 10 and 11 apply to an application for renewal of accreditation of a guideline as if a reference to an application for accreditation were a reference to an application for renewal of accreditation.

Division 4 Approval of changes to accredited guidelines

36 Application of div 4

This division applies to changes to a kindergarten guideline that is accredited under this part.

37 Application for approval to change a guideline

- (1) If the owner of the guideline proposes to change the guideline, the owner, or the registered nominee authorised by the owner, may apply to the authority for approval of the proposed change.
- (2) The application must be made on or before 28 February in the year before the year in which accreditation of the guideline ends.
- (3) The application must—
 - (a) be in the approved form; and
 - (b) show the proposed change to the guideline; and
 - (c) state any reason for the proposed change; and
 - (d) if the registered nominee is not the owner of the guideline—include the agreement of the owner to the proposed change.
- (4) The approved form may specify information that must be given and verified by statutory declaration.
- (5) The authority must not accept an application under this section if the authority has issued a show cause notice for cancellation of the guideline and has not decided to end the show cause process without further action.

38 Authority must ensure compliance with procedural requirements

- (1) If the authority considers the application does not comply with a procedural requirement, the authority must give the applicant a notice stating that the applicant must comply with the requirement within a specified period of at least 28 days.
- (2) However, the authority and the applicant may, within the period stated in the notice, agree to extend the period to a day (the *agreed compliance day*) after the end of the period.
- (3) If the applicant does not comply with the requirement within the period stated in the notice or by the agreed compliance day, the authority may reject the application.
- (4) If the authority decides to reject the application, the authority must give the applicant an information notice about the decision.

39 Authority may request further information or documents

- (1) If the authority considers further information or a document is required for deciding the application, the authority may give the applicant a notice requesting information or a document be given to the authority within a specified period of at least 28 days.
- (2) However, the authority and the applicant may, within the period stated in the notice, agree to extend the period to a day (the *agreed compliance day*) after the end of the period.
- (3) The authority may also require the information or document to be verified by statutory declaration.
- (4) If the applicant does not comply with a request for further information or a document within the period stated in the notice or by the agreed compliance day, the authority may reject the application.
- (5) If the authority decides to reject the application, the authority must give the applicant an information notice about the decision.

40 Deciding an application for approval of a change

- (1) If the applicant has complied with all procedural requirements and any request for further information or a document under section 39(1), the authority must consider the application and decide—
 - (a) to approve the proposed change to the guideline; or
 - (b) to refuse to approve the proposed change.
- (2) The authority must refuse to approve the proposed change if the authority considers the change requires the guideline to be evaluated for accreditation.
- (3) The authority must make the decision as soon as practicable and not after 1 December in the year before the year in which accreditation of the guideline ends (the *decision day*).

41 Notices of decision and information notices

- (1) If the authority decides to approve a change to a guideline, it must as soon as practicable give the applicant a notice about the decision.
- (2) If the authority decides to refuse to approve a change to a guideline, it must as soon as practicable give the applicant an information notice about the decision.

42 Authority does not decide an application

If the authority does not decide the application for approval of a proposed change to a guideline by the decision day, the authority is taken to have decided to refuse to approve the change.

Division 5 Cancellation of accreditation

43 Grounds for cancellation

The authority may cancel accreditation of a guideline if—

[s 44]

- (a) the authority—
 - (i) becomes aware of a matter relating to the guideline; and
 - (ii) considers it would have refused to grant or renew accreditation of the guideline if it had been aware of the matter before granting or renewing accreditation; or
- (b) the authority considers accreditation of the guideline was granted or renewed because of a materially false or misleading representation or declaration.

44 Show cause notice for cancellation

- (1) The authority must give the registered nominee a notice (a *show cause notice*) before taking action to cancel the accreditation.
- (2) The show cause notice must—
 - (a) state the authority proposes to cancel the accreditation; and
 - (b) state the ground for the proposed cancellation; and
 - (c) outline the facts and circumstances forming the basis for the ground; and
 - (d) invite the registered nominee to show within a stated period (the *show cause period*) why the accreditation should not be cancelled.
- (3) The show cause period must be a period ending at least 28 days after the show cause notice is given to the registered nominee.

45 Representations about show cause notices

- (1) The registered nominee may make written representations about the show cause notice to the authority in the show cause period.

- (2) The authority must consider all written representations made under subsection (1).

46 Ending show cause process without further action

- (1) This section applies if the registered nominee makes any written representations and the authority no longer considers a ground exists to cancel the accreditation.
- (2) The authority must not take any further action about the show cause notice.
- (3) The authority must also, as soon as practicable after considering the ground no longer exists, give notice to the registered nominee that the authority will take no further action about the show cause notice.

47 Cancellation

- (1) This section applies if, after considering any written representations by the registered nominee, the authority—
 - (a) still considers the ground exists to cancel the accreditation; and
 - (b) considers cancellation of the accreditation is warranted.
- (2) The authority may decide to cancel the accreditation.
- (3) If the authority decides to cancel the accreditation, it must as soon as practicable give the registered nominee an information notice about the decision.
- (4) The decision takes effect on the day the information notice is given to the registered nominee.
- (5) The registered nominee must return the certificate of accreditation to the authority within 14 days after receiving the information notice.

Division 6 Registration and records

48 Accreditation register to be kept

- (1) The authority must keep a register about accredited guidelines (the *accreditation register*).
- (2) The register may be kept in the way the authority considers appropriate, including, for example, in an electronic form.
- (3) The register must contain the following details for each kindergarten guideline accredited under this part—
 - (a) the title and a short description of the guideline;
 - (b) the name of the nominee for the guideline;
 - (c) the business address of the nominee for the guideline;
 - (d) the name of the owner of the guideline;
 - (e) the areas of learning and development provided for in the guideline;
 - (f) the relevant years before the preparatory year provided for in the guideline;
 - (g) the day the current accreditation period for the guideline ends.
- (4) The authority must enter in the register the details mentioned in subsection (3) for an accredited guideline within 14 days of deciding to grant or renew accreditation of the guideline.
- (5) The authority must enter in the register the details of a change of the business address of the registered nominee for an accredited guideline within 14 days of receiving notice of the change from the nominee.
- (6) If the authority cancels accreditation of a guideline, the authority must immediately enter in the register a statement of the cancellation, including the day the cancellation took effect.

- (7) The authority must keep the register open for inspection by members of the public, free of charge, at its office during ordinary office hours.

Editor's note—

The address of the authority is 154 Melbourne Street, South Brisbane.

49 Registration of the nominee for a guideline

- (1) If the authority grants accreditation of a guideline, the authority must register the applicant for the accreditation as the nominee for the guideline.
- (2) If the authority renews accreditation of a guideline, the authority must register the applicant for renewal of the accreditation as the nominee for the guideline.
- (3) If the owner of an accredited guideline gives the authority a notice in the approved form nominating a person to be the nominee for the guideline, the authority must, within 14 days of receiving the notice, register the person as the nominee for the guideline.

50 Registration of the owner of a guideline

If the owner of a guideline gives the authority a notice in the approved form stating that the owner has transferred ownership of the guideline to another person, the authority must, within 14 days of receiving the notice, register the other person as the owner of the guideline.

51 Copies of guidelines to be kept

The authority must keep a copy of each accredited guideline, including changes to any guideline that are approved by the authority.

Part 3 External senior examinations and core skills test

Division 1 External senior examinations

Subdivision 1 Available examinations

52 External senior examinations available

- (1) The authority may make an external senior examination, for a syllabus (an *examination subject*) developed, purchased or revised by the authority under the Act, available to be taken by persons each year.
- (2) The authority must publish on the authority's website an examination subject mentioned in subsection (1).

Subdivision 2 Eligibility to take examinations

53 Persons eligible to take examination

- (1) A person is eligible to take an external senior examination for an examination subject if the person—
 - (a) has not finished the year 12 year of schooling; and
 - (b) has not obtained—
 - (i) a record of results stating the person's results for any examination subject; or
 - (ii) a senior certificate; and
 - (c) will be at least 17 years by the end of the year in which the person proposes to take the examination.
- (2) Also, a person is eligible to take an external senior examination for an examination subject if the person—
 - (a) has finished the year 12 year of schooling; and

-
- (b) has obtained—
 - (i) a senior statement stating the person’s results for any examination subject; or
 - (ii) a senior certificate.
 - (3) Further, a person is eligible to take an external senior examination for an examination subject if—
 - (a) the person is undertaking senior secondary education at a school; and
 - (b) the authority is satisfied the person can not reasonably study a corresponding subject for the examination subject at the school.
 - (4) For subsection (3)(b), a person can not reasonably study the corresponding subject for the examination subject at the school if, for example—
 - (a) the corresponding subject is not taught at the school; or
 - (b) the corresponding subject is taught at the school, but only at the same times as another subject being studied by the person at the school.
 - (5) In this section—

corresponding subject, for an examination subject, means a syllabus developed, purchased or revised by the authority under the Act or an Australian curriculum that is substantially the same as the examination subject.

54 Application for declaration of eligibility

- (1) Despite section 53, a person may apply to the authority to be declared to be eligible to take an external senior examination for an examination subject in the year in which the application is made.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) accompany an application under section 57 to take the examination.

[s 55]

- (3) The authority must consider the application and either grant, or refuse to grant, the application.
- (4) The authority may grant the application only if it is reasonably satisfied exceptional circumstances exist that justify the decision.
- (5) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.
- (6) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.
- (7) If the authority does not decide the application within 14 days after the application was made—
 - (a) the authority is taken to have decided to refuse to grant the application; and
 - (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.

Subdivision 3 Number of examination subjects

55 Number of examination subjects

- (1) An eligible person not mentioned in subsections (2) or (3) may take external senior examinations in the number of examination subjects the person wishes.
- (2) An eligible person who is not undertaking senior secondary education at a school may not take external senior examinations in more than 3 examination subjects in 1 year if the person—
 - (a) will be less than 17 years at the end of the year in which the person proposes to take the examinations; and
 - (b) has not finished the year 12 year of schooling; and
 - (c) has not obtained a QCE or senior certificate.

-
- (3) An eligible person who is undertaking senior secondary education at a school may not take external senior examinations—
- (a) before the year 12 year of schooling; or
 - (b) in more than 2 examination subjects in the year 12 year of schooling.

56 Examination may be taken in more examination subjects

- (1) Despite section 55(2) or (3), an eligible person may take external senior examinations in more than the number of examination subjects stated in that section if the person has the authority's approval.
- (2) The person may apply to the authority for its approval under this section.
- (3) The application must—
- (a) be in the approved form; and
 - (b) accompany an application under section 57 to take the examinations.
- (4) The authority must consider the application and either grant, or refuse to grant, the application.
- (5) The authority may grant the application only if it is reasonably satisfied exceptional circumstances exist that justify the decision.
- (6) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.
- (7) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.
- (8) If the authority does not decide the application within 14 days after the application was made—
- (a) the authority is taken to have decided to refuse to grant the application; and

[s 57]

- (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.

Subdivision 4 Application to take examinations

57 Application

- (1) A person who wishes to take an external senior examination for an examination subject must apply to the authority to take the examination.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) be accompanied by—
 - (i) if the application is made on or before the relevant day—the application fee; or
 - (ii) if the application is made after the relevant day—the late application fee.
- (3) In this section—

relevant day means—

 - (a) for an application made by an eligible person undertaking senior secondary education at a school—30 April in the year in which the application is made; or
 - (b) for any other application—30 June in the year in which the application is made.

58 Decision about application to take examination

- (1) The authority must consider the application and either grant, or refuse to grant, the application.
- (2) The authority may grant the application only if—
 - (a) the applicant is an eligible person; and
 - (b) the applicant has—

-
- (i) applied to take external senior examinations for a number of examination subjects permitted under section 55; or
 - (ii) applied for or been granted an application under section 56.
 - (3) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.
 - (4) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.
 - (5) If the authority does not decide the application within 14 days after the application was made—
 - (a) the authority is taken to have decided to refuse to grant the application; and
 - (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.

Subdivision 5 Deciding level of achievement in examinations

59 Refusal to decide level of achievement

- (1) The authority may refuse to decide to give a person who took an external senior examination for the subject a level of achievement for an examination subject if it is satisfied—
 - (a) the person cheated; or
 - (b) the person was refused entry to a place where the test was held; or
 - (c) the person was expelled from a place where the test was held; or
 - (d) there are exceptional circumstances for not deciding the grading of the person.

[s 59]

- (2) If the authority proposes to refuse to decide to give the level of achievement, for an examination subject, of a person who took an external senior examination for the subject (the ***proposed decision***), the authority must first give the person a notice (a ***show cause notice***) stating the following—
 - (a) the proposed decision;
 - (b) the grounds for the proposed decision;
 - (c) an outline of the facts and circumstances forming the basis for the grounds;
 - (d) an invitation to the person to show within a stated period (a ***show cause period***) why the proposed decision should not be made.
- (3) The show cause period must be a period ending at least 14 days after the show cause notice is given to the person.
- (4) The person may make written representations about the proposed decision to the authority in the show cause period.
- (5) The authority must consider all written representations made under subsection (4) before making the proposed decision.
- (6) If, after considering the representations for the show cause notice, the authority no longer proposes to make the proposed decision, the authority must as soon as practicable—
 - (a) give the person notice of its decision; and
 - (b) decide the person's level of achievement.
- (7) If, after considering the representations for the show cause notice, the authority still proposes to make the proposed decision, the authority must as soon as practicable give the person an information notice about the decision.
- (8) Subsection (7) also applies if there are no accepted representations for the show cause notice.

60 Grading of achievement in examination

- (1) The authority must decide the level of achievement, for an examination subject, of a person who took an external senior examination for the subject.
- (2) Before making its decision, the authority must allow enough time for the person to give a notice under section 61.
- (3) If there is a student account open for the person, the authority must record the level of the person's achievement in the account.
- (4) This section is subject to section 59.

61 Special consideration of medical condition or circumstances adversely affecting person's performance in examination

- (1) This section applies if a person who took an external senior examination believes the person's performance in the examination was adversely affected because of a medical condition of the person or circumstances beyond the person's control.
- (2) The person may notify the authority of the condition or circumstances within 7 days after taking the examination.
- (3) If the authority receives a notice under subsection (2), it must consider the condition or circumstances when deciding the person's level of achievement for the examination subject.

62 Reassessment of achievement in examination

- (1) A person who has taken an external senior examination for an examination subject may ask the authority to reassess the person's level of achievement for the subject stated in the relevant statement of results.
- (2) The request must—
 - (a) be in the approved form; and

[s 62]

- (b) be made within 21 days after the person is issued with the relevant statement of results; and
 - (c) be accompanied by the reassessment fee.
- (3) The authority must as soon as practicable reassess the person's level of achievement for the examination subject.
- (4) If, after reassessing the person's level of achievement, the authority decides to increase or decrease the level of achievement, the authority must—
- (a) issue the person with a replacement statement of results that includes the increased or decreased level of achievement; and
 - (b) refund the reassessment fee to the person; and
 - (c) if the level of achievement is increased—give the person notice of the decision; and
 - (d) if the level of achievement is decreased—give the person an information notice about the decision.
- (5) If, after reassessing the person's level of achievement, the authority decides not to increase or decrease the level of achievement, the authority must as soon as practicable give the person an information notice about the decision.
- (6) If the authority does not reassess the person's level of achievement within 21 days after the request was made—
- (a) the authority is taken to have decided not to increase or decrease the level of achievement; and
 - (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.
- (7) In this section—

relevant statement of results means the first statement of results issued to the person on which the person's level of achievement for the examination subject is stated.

63 Inspection of graded examination script

- (1) A person who has taken an external senior examination for an examination subject may ask the authority for permission to inspect the person's graded examination script.
- (2) A request under subsection (1) must—
 - (a) be in the approved form; and
 - (b) be made within 21 days after the person is issued with the relevant statement of results; and
 - (c) be accompanied by the script inspection fee.
- (3) If the person makes the request, the authority must make the person's examination script available for inspection, within a reasonable time, at its office or another suitable place during normal business hours.

Editor's note—

The address of the authority is 154 Melbourne Street, South Brisbane.

- (4) In this section—

relevant statement of results see section 62(7).

Division 2 Core skills test

Subdivision 1 Core skills test to be developed

64 Development of test

The authority must develop a core skills test.

Subdivision 2 Eligibility to take test

65 Persons eligible to take test

- (1) A person is eligible to take a core skills test if the person will finish the year 12 year of schooling in the year in which the test is proposed to be taken.
- (2) Also, a person is eligible to take a core skills test if the authority declares the person to be eligible under section 67 or 68.

66 Application for declaration of eligibility

- (1) A person may apply to the authority to be declared to be eligible to take a core skills test in the year in which the application is made.
- (2) The application must be made before 21 May of the year in which the application is made.
- (3) However, the authority may at any time extend the time for making the application.
- (4) The application must—
 - (a) be in the approved form; and
 - (b) be accompanied by—
 - (i) if the application is made on or before the closing day—the application fee; or
 - (ii) if the application is made after the closing day—the late application fee.

67 Decision about application for declaration of eligibility—application made on or before closing day

- (1) This section applies if the application is made on or before the closing day.
- (2) The authority must consider the application and either grant, or refuse to grant, the application.

-
- (3) The authority may grant the application only if it is satisfied the applicant—
 - (a) finished the year 12 year of schooling before the year in which the application is made; or
 - (b) will be at least 18 years at the end of the year in which the application is made.
 - (4) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.
 - (5) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.
 - (6) If the authority does not decide the application within 21 days after the application was made—
 - (a) the authority is taken to have decided to refuse to grant the application; and
 - (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.

68 Decision about application for declaration of eligibility—application made after closing day

- (1) This section applies if the application is made after the closing day.
- (2) The authority must consider the application and either grant, or refuse to grant, the application.
- (3) The authority may grant the application only if it is satisfied—
 - (a) the applicant—
 - (i) finished the year 12 year of schooling before the year in which the application is made; or
 - (ii) will be at least 18 years at the end of the year in which the application is made; and
 - (b) the application was made after the closing day because of exceptional circumstances.

[s 69]

- (4) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.
- (5) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.
- (6) If the authority does not decide the application within 21 days after the application was made—
 - (a) the authority is taken to have decided to refuse to grant the application; and
 - (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.

Subdivision 3 Deciding level of achievement in tests

69 Refusal to grade test

- (1) The authority may refuse to decide the grading of a person who took a core skills test if it is satisfied—
 - (a) the person cheated; or
 - (b) the person was refused entry to a place where the test was held; or
 - (c) the person was expelled from a place where the test was held; or
 - (d) there are exceptional circumstances.
- (2) If the authority proposes to refuse to decide the grading of a person who took a core skills test (the *proposed decision*), the authority must first give the person a notice (a *show cause notice*) stating the following—
 - (a) the proposed decision;
 - (b) the grounds for the proposed decision;
 - (c) an outline of the facts and circumstances forming the basis for the grounds;

- (d) an invitation to the person to show within a stated period (a *show cause period*) why the proposed decision should not be made.
- (3) The show cause period must be a period ending at least 14 days after the show cause notice is given to the person.
- (4) The person may make written representations about the proposed decision to the authority in the show cause period.
- (5) The authority must consider all written representations made under subsection (4) before making the proposed decision.
- (6) If, after considering the representations for the show cause notice, the authority no longer proposes to make the proposed decision, the authority must as soon as practicable—
 - (a) give the person notice of its decision; and
 - (b) decide the person's grading in the test.
- (7) If, after considering the representations for the show cause notice, the authority still proposes to make the proposed decision, the authority must as soon as practicable give the person an information notice about the decision.
- (8) Subsection (7) also applies if there are no accepted representations for the show cause notice.

70 Grading of test

- (1) The authority must decide the grading of a person who took a core skills test.
- (2) If there is a student account open for the person, the authority must record the grading in the account.
- (3) This section is subject to section 69.

Division 3 Other provisions for external examinations and core skills tests

Subdivision 1 Places to take examinations or tests—general

71 Application of sdiv 1

This subdivision does not apply to a student at a recognised school.

72 Where examination or test can be taken

- (1) The authority must decide the places at which an external senior examination for an examination subject or a core skills test can be taken.
- (2) The places must be published on the authority’s website.
- (3) Subject to section 73, an eligible person for an external senior examination for an examination subject or a core skills test may only take the examination or test at a place decided under subsection (1).

73 Application to take examination or test at another place

- (1) An eligible person may apply to the authority to take the examination or test at a place other than a place decided under section 72(1).
- (2) The application must be in the approved form.
- (3) The application must be made—
 - (a) for an external senior examination—on or before 31 August of the year in which the application is made; and
 - (b) for a core skills test—on or before 21 May of the year in which the application is made.

- (4) However, the authority may at any time extend the time for making the application.
- (5) The authority must consider the application and either grant, or refuse to grant, the application.
- (6) The authority may grant the application only if it is satisfied—
 - (a) there are extenuating circumstances for the applicant needing to take the examination or test at the other place; and
 - (b) adequate supervisory arrangements can be provided, at the other place, for the conduct of the examination or test; and
 - (c) adequate arrangements can be made, at the other place, for safeguarding—
 - (i) the examination or test papers before the examination or test is taken; and
 - (ii) the examination or test scripts.
- (7) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of—
 - (a) the decision; and
 - (b) the local expenses fee payable by the applicant.
- (8) The local expenses fee is the amount that—
 - (a) the authority considers to be reasonable; and
 - (b) is not more than the reasonable cost of providing for the examination or test to be taken at the other place.
- (9) The applicant may only take the examination or test at the other place if the local expenses fee has been paid to the authority before the day of the examination or test.
- (10) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.
- (11) If the authority does not decide the application within 21 days after the application was made—

[s 74]

- (a) the authority is taken to have decided to refuse to grant the application; and
- (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.

Subdivision 2 Places to take examinations or tests—recognised school students

74 Application of sdiv 2

This subdivision applies to students (*recognised school students*) of a recognised school.

75 Application to take examination or test—recognised school students

- (1) The governing body or nominee of a recognised school may apply to the authority for its recognised school students to take an external senior examination or the core skills test at a place.
- (2) The authority must consider the application and either grant, or refuse to grant, the application.
- (3) The authority may grant the application only if it is satisfied—
 - (a) adequate supervisory arrangements can be provided, at the place, for the conduct of the examination or test; and
 - (b) adequate arrangements can be made, at the place, for safeguarding—
 - (i) the examination or test papers before the examination or test is taken; and
 - (ii) the examination or test scripts; and
 - (c) the agreement between the governing body of the recognised school and the State allows for the taking of the examination or test by recognised school students.

- (4) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.
- (5) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant a notice about the decision.

Subdivision 3 Special arrangements for taking examinations or core skills tests

76 Special arrangements for person's disability or medical condition

- (1) This section applies if a person has a disability or medical condition the person believes is likely to adversely affect the person's capacity to perform in an external senior examination for an examination subject or a core skills test.
- (2) The person may apply to the authority to allow the person to take the examination or test under special arrangements that take account of the person's disability or medical condition.
- (3) The application must be in the approved form.
- (4) The application must be made—
 - (a) for an external senior examination—on or before 30 June of the year in which the application is made; and
 - (b) for a core skills test—on or before 21 May of the year in which the application is made.
- (5) However, the authority may at any time extend the time for making the application.
- (6) The authority must consider the application and either grant, or refuse to grant, the application.
- (7) The authority may grant the application only if it is satisfied of the need for the special arrangements.
- (8) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.

[s 77]

- (9) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.
- (10) If the authority does not decide the application within 42 days after the application was made—
 - (a) the authority is taken to have decided to refuse to grant the application; and
 - (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.

Subdivision 4 Refusal of entry to, or expulsion from, places of examination or core skills test

77 Refusal of entry to, or expulsion from, places where examination or core skills test are taken

- (1) An appointed official may refuse an eligible person entry to a place at which the examination or test can be taken if—
 - (a) the official considers that the eligible person had an opportunity for cheating while outside the test room; or
 - (b) the eligible person is not listed on the attendance roll for the test centre; or
 - (c) the eligible person attempts to bring unauthorised material into a test room or refuses to leave his or her personal belongings and unauthorised material in the area designated by the official; or
 - (d) the eligible person arrives—
 - (i) for an examination—1 hour after the start of the examination; or
 - (ii) for a test—30 minutes after the start of the test; or
 - (e) the eligible person had prior access to test content.

-
- (2) An appointed official may expel a person from a place at which the examination or test is being taken if the person—
- (a) gains prior access to the examination or test content; or
 - (b) copies from or communicates with another eligible person; or
 - (c) brings unauthorised material into the place; or
 - (d) disturbs other eligible persons; or
 - (e) impersonates an eligible person; or
 - (f) acts in a way that prevents the exam or test from being conducted fairly.
- (3) In this section—
- appointed official* means an official appointed, under section 81, to ensure the proper conduct of the examination.

78 Application for exemption from requirement to take core skills test

- (1) This section applies to an eligible person for a core skills test who—
- (a) under section 77(1), has been refused entry to a place at which the test can be taken; or
 - (b) under section 77(2), has been expelled from a place at which the test is being taken.
- (2) The person may apply to the authority for an exemption from the requirement mentioned in section 142(d) on the basis that the refusal or expulsion was unjustified in the circumstances.

79 Procedural requirements

- (1) An application under section 78 must—
- (a) be in the approved form; and

[s 80]

- (b) state the grounds on which the applicant believes the refusal or expulsion was unjustified in the circumstances.
- (2) The application must be made within 7 days after the refusal or expulsion.
 - (3) The authority may, by notice given to the applicant, require the applicant to give the authority, within a reasonable time of at least 14 days stated in the notice, further information or a document the authority reasonably requires to consider the application.
 - (4) The applicant is taken to have withdrawn the application if, within the stated time, the applicant does not comply with the requirement.
 - (5) The authority must consider the application and either grant, or refuse to grant, the application.
 - (6) The authority may grant the application only if it is satisfied the refusal or expulsion was unjustified in the circumstances.
 - (7) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.
 - (8) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.
 - (9) If the authority does not decide the application within 28 days after the application was made—
 - (a) the authority is taken to have decided to refuse to grant the application; and
 - (b) the authority must, as soon as practicable, give the applicant an information notice about the decision.

80 Authority may request further information or documents

- (1) If the authority considers further information or a document is required for deciding an application under section 78, the authority may give the applicant a notice requesting

information or a document be given to the authority within a specified period of at least 14 days.

- (2) If the applicant does not comply with the request for further information or a document within the period stated in the notice, the applicant is taken to have withdrawn the application.

81 Appointment of officials for examination or test

The authority may appoint appropriately qualified persons to ensure the proper conduct of an examination or a core skills test.

Part 4 Queensland certificate of education

Division 1 Preliminary

82 Definitions for pt 4

In this part—

category see section 90(5).

core studies means contributing studies belonging to the category known as core studies under section 90(5).

credit means the basic unit of value attributed to the successful completion, or partial completion, of contributing studies.

required standard of achievement see section 93(1).

83 References to contributing studies

In this part, a reference to contributing studies is a reference to contributing studies for a QCE.

Division 2 Eligibility requirements

84 Eligibility for issue of QCE

- (1) A person is eligible for the issue of a QCE if—
 - (a) a student account is open for the person; and
 - (b) at least 20 credits are recorded in the person’s student account—
 - (i) in the required pattern; and
 - (ii) for contributing studies completed, or partially completed; and
 - (c) the person satisfies the school study eligibility requirement; and
 - (d) the person satisfies the literacy and numeracy requirements stated in a guideline.
- (2) For subsection (1)(b)(i), credits recorded in a person’s student account are in the *required pattern* if at least 12 of the credits are for completed core studies.
- (3) For subsection (1)(c), the *school study eligibility requirement* is satisfied if at least one of the credits mentioned in subsection (1)(b) is for—
 - (a) core studies completed, or partially completed, by the person—
 - (i) while enrolled at an assessing school; or
 - (ii) while the person was provisionally registered, or registered, for home education under the E(GP) Act, chapter 9, part 5; or
 - (b) non-Queensland studies that are core studies undertaken by the person at an interstate or overseas school.

85 Persons ineligible for issue of QCE

- (1) Despite section 84, a person is not eligible for the issue of a QCE if the authority reasonably believes the person has been

issued with, or becomes eligible for the issue of, any of the following—

- (a) a QCE;
 - (b) a senior certificate;
 - (c) a certificate about the completion of the person's studies under the repealed *Education Act 1964* or the repealed *Education (Senior Secondary School Studies) Act 1988*;
 - (d) an equivalent qualification, other than an excluded qualification.
- (2) If, after a student account is opened for a person, the person becomes ineligible for the issue of a QCE under subsection (1)(d), the authority must notify the person of the ineligibility and the reason for the ineligibility.
 - (3) Subsection (2) does not apply if the authority gave the person an information notice under section 88(3) in relation to the qualification that is the basis for the ineligibility.
 - (4) In this section—

excluded qualification means an International Baccalaureate diploma authorised by the International Baccalaureate Organization and completed at an assessing school, other than a recognised school.

86 Authority may request further information for deciding whether person is ineligible for issue of QCE

- (1) This section applies if—
 - (a) a student account is opened for a person; and
 - (b) the authority has been notified, under section 51(3) of the Act, that the person has been issued with, or become eligible for the issue of, any of the following—
 - (i) a senior certificate;
 - (ii) a certificate about the completion of the person's studies under the repealed *Education Act 1964* or

[s 87]

the repealed *Education (Senior Secondary School Studies) Act 1988*;

- (iii) an equivalent qualification other than an excluded qualification.
- (2) For deciding whether the person is ineligible for the issue of a QCE under section 85(1)(d), the authority may give the applicant a notice requesting information or a document be given to the authority within a specified period of at least 28 days.
- (3) A notice given by the authority under subsection (2) must be given to the person within 7 days after the authority receives the information mentioned in subsection (1)(b).
- (4) Despite subsection (2), the authority and the person may, within 28 days, agree to extend the period for complying with the request to a day after the end of the 28-day period.

Division 3 Equivalent qualifications

87 Deciding whether a qualification is equivalent

- (1) The authority may decide that a qualification issued in another State or in a foreign country is equivalent to the QCE if it is satisfied that—
 - (a) the qualification relates to a level of schooling that is equivalent to senior secondary education; and
 - (b) the extent of the studies contributing to the issue of the qualification is comparable to the extent of studies contributing to the issue of a QCE.
- (2) The authority may publish on the authority's website the qualifications it considers to be equivalent to the QCE.

88 Requirement to decide whether qualification is equivalent to QCE

- (1) This section applies if—

-
- (a) a student account is opened for a person; and
 - (b) the authority has been notified, under section 51(3) of the Act, that the person has been issued with, or become eligible for the issue of, a qualification issued or to be issued in a foreign country, other than an equivalent qualification.
 - (2) The authority must, within 28 days after the relevant day, decide under section 87 whether the qualification is equivalent to the QCE.
 - (3) If the authority decides the qualification is equivalent to the QCE, the authority must give the person an information notice about the decision.
 - (4) If the authority decides the qualification is not equivalent to the QCE, the authority must give the person notice of the decision.
 - (5) If the authority does not decide whether the qualification is equivalent to the QCE within 28 days after the relevant day, the authority—
 - (a) is taken to have decided that the qualification is not equivalent to the QCE; and
 - (b) must give the person notice of the decision.
 - (6) If the authority decides the qualification is not equivalent to the QCE, the person can not become ineligible for the issue of a QCE only because the qualification later becomes an equivalent qualification.
 - (7) Subsection (6) applies despite section 85(1)(d).
 - (8) In this section—

relevant day means—

 - (a) the day the authority received the information mentioned in subsection (1)(b); or
 - (b) if the authority gives the person a notice under section 86(2)—the last day of the 28-day period under the notice or, if the period is extended under section 86(4), the day to which the period is extended.

[s 89]

89 Authority may request further information or documents

- (1) If the authority considers further information or a document is required for deciding an application under section 88, the authority may give the applicant a notice requesting information or a document be given to the authority within a specified period of at least 28 days.
- (2) A notice given by the authority must be given to the person within 7 days after the authority receives the information mentioned in section 88(1)(b).
- (3) Despite subsection (2), the authority and the person may, within 28 days, agree to extend the period for complying with the request to a day after the end of the 28-day period.

Division 4 Contributing studies and credits

90 Categories of contributing studies

- (1) The categories of contributing studies are—
 - (a) core studies; and
 - (b) any other categories provided for in the criteria guideline.
- (2) The authority must make and publish a guideline (the *criteria guideline*) stating, for each category of contributing studies, the criteria that contributing studies must meet to belong to the category.
- (3) The authority must apply the criteria stated in the criteria guideline and decide the category to which contributing studies belong.
- (4) The authority must make and publish a guideline (the *contributing studies guideline*) stating the category to which contributing studies belong.
- (5) The *category* to which contributing studies belong is the category provided for under the contributing studies guideline.

91 Requirement to record credits for contributing studies in a person's student account

- (1) The authority must record credits for contributing studies in a person's student account if the requirements stated in subsection (2) are satisfied.
- (2) The requirements are—
 - (a) for an examination subject, each of the following—
 - (i) the person has taken an external senior examination for the subject;
 - (ii) the authority has decided, under section 60, the level of the person's achievement for the subject;
 - (iii) the level of the person's achievement is recorded in the person's student account;
 - (iv) the level of the person's achievement satisfies the required standard of achievement for the studies; or
 - (b) for non-Queensland studies, each of the following—
 - (i) the results of the person's assessment for the studies are recorded in the person's student account under part 7, division 2;
 - (ii) the completion requirement for the studies is satisfied;
 - (iii) the person has achieved the required standard of achievement for the studies; or
 - (c) for a WCS learning project, the requirements stated in section 114(2); or
 - (d) for any other contributing studies, each of the following—
 - (i) the results of the person's assessment for the studies are recorded in the person's student account;
 - (ii) the completion requirement for the studies is satisfied;

[s 92]

- (iii) the person has achieved the required standard of achievement for the studies.
- (3) For subsection (2)(b)(ii) and (d)(ii), the **completion requirement** for the studies is satisfied if—
 - (a) the person has completed the studies as required under section 94; or
 - (b) for the studies that are core studies—the person has partially completed the studies as required under section 95(2).
- (4) If credits for contributing studies must be recorded in a person’s student account under this section, the authority must record in the student account the number of credits equivalent to the credit value for the studies.
- (5) This section applies subject to section 104.

92 Credit value for contributing studies

- (1) The authority must make a guideline (the **criteria guideline**) stating the criteria to be applied by the authority for deciding the credit value for contributing studies.
- (2) Also, the authority must apply the criteria stated in the criteria guideline and decide the credit value for contributing studies, including partially completed core studies.
- (3) The authority must publish on the authority’s website the number of credits for contributing studies, including partially completed core studies.

93 Required standard of achievement for contributing studies

- (1) The authority must decide, for contributing studies, the standard of achievement (the **required standard of achievement**) a person must achieve in order for credits for the studies to be recorded in the person’s student account.
- (2) The authority must make a guideline stating the required standard of achievement for contributing studies.

- (3) This section does not apply to WCS learning projects.

94 Completion of contributing studies

- (1) A person completes contributing studies if—
- (a) for non-Queensland studies—the authority is satisfied the person has completed the studies; or
 - (b) for other contributing studies—the person complies with the requirements of the provider or recognised school for the studies about completion of the studies.
- (2) If the authority decides for subsection (1)(a) that a person has not completed non-Queensland studies, the authority must, as soon as practicable after making the decision, give the person an information notice about the decision.
- (3) This section does not apply to the following contributing studies—
- (a) examination subjects;
 - (b) WCS learning projects.

95 Partial completion of contributing studies

- (1) The authority must make a guideline about partial completion of contributing studies that states the requirements a person must satisfy to partially complete the studies.
- (2) A person partially completes contributing studies if the person complies with the requirements stated in the guideline mentioned in subsection (1).

Division 5 Recognition of particular studies as contributing studies

96 Purpose of div 5

The purpose of this division is to enable the authority to recognise studies as contributing studies for section 4(1)(g).

[s 97]

97 Criteria for recognising particular studies as contributing studies

The authority must publish in a guideline the criteria that must be met in order for the authority to decide to recognise, or continue to recognise, studies under this division.

98 Definitions for div 5

In this division—

cancel, recognition of studies, means remove the studies from the recognised studies list.

consenting entity see section 99(2).

recognised, in relation to studies, means the studies are published on the authority's website under this division.

recognised studies list means a list published under section 101.

review day see section 100(a) or 102(4)(a).

99 Requirements for recognition

- (1) The authority may decide to recognise studies under this division if—
 - (a) the authority reasonably believes the studies are appropriate for senior secondary education; and
 - (b) the authority is satisfied the studies meet the criteria stated in the guideline under section 97; and
 - (c) a relevant entity for the studies has given the authority written consent to the studies being recognised under this division.
- (2) The entity that issues results to persons who undertake the studies and gives the consent mentioned in subsection (1)(c) is the *consenting entity* for the studies.

100 Procedure for recognising studies

If the authority decides to recognise studies under this division, it must—

- (a) decide the day (the *review day*) by which recognition of the studies will first be reviewed by the authority; and
- (b) give a notice to the consenting entity for the studies stating—
 - (i) that the authority has decided to recognise the studies under this division; and
 - (ii) the review day for the studies; and
- (c) include details of the studies on the authority's website.

101 Recognised studies

The authority must publish on the authority's website a current list of studies recognised under this division, including each of the following—

- (a) the name of the studies;
- (b) the category to which the studies belong;
- (c) the required standard of achievement for the studies;
- (d) the credit value for the studies;
- (e) the next review day for the studies.

102 Conduct of review

- (1) The authority must review the recognition of studies recognised under this division not earlier than 6 months before the review day, and not later than the review day, for the studies.
- (2) The purpose of the review is for the authority to decide whether to continue recognition of the studies.
- (3) The authority may decide to continue recognition of the studies if—

[s 103]

- (a) the authority reasonably believes the studies continue to be appropriate for senior secondary education; and
 - (b) the authority is satisfied the studies continue to meet the criteria published in the guideline under section 97; and
 - (c) the consenting entity for the studies has not revoked its consent to the studies being recognised under this division.
- (4) If the authority decides to continue recognition of the studies, it must—
- (a) decide the day (also the *review day*) by which it will next review the recognition of the studies; and
 - (b) give a notice to the consenting entity for the studies stating—
 - (i) that the authority has decided to continue to recognise the studies under this division; and
 - (ii) the next review day for the studies.
- (5) If the authority decides not to continue recognition of the studies—
- (a) the authority must give the consenting entity for the studies an information notice that also states the day on which the recognition will be cancelled; and
 - (b) the authority must give any school providing the studies a notice that states the day on which the recognition will be cancelled.
- (6) The authority must not cancel the recognition of the studies before the day stated in the notice given under subsection (5).

103 Cancelling recognition other than because of review

- (1) The authority may at any time decide to cancel the recognition of studies recognised under this division if—
- (a) the authority reasonably believes the studies are not appropriate for senior secondary education; or

-
- (b) the authority is not satisfied the studies meet the criteria published in the guideline under section 97.
- (2) If the authority decides to cancel recognition of studies under this section, the authority—
 - (a) must give the consenting entity for the studies an information notice, at least 1 month before the day on which the recognition is cancelled, that also states the day on which the recognition will be cancelled; and
 - (b) must not cancel recognition of the studies before the day mentioned in the notice given under paragraph (a).
 - (3) The authority must cancel the recognition of studies recognised under this division if the consenting entity for the studies gives the authority a written request.

104 Credits for recognised studies

- (1) Credits for studies recognised under this division may be recorded in a person's student account only if the person's results for the studies are achieved while the studies are recognised.
- (2) However, if a person is enrolled in studies recognised under this division immediately before the recognition is cancelled under section 102 or 103, credits for the studies may be recorded in the person's student account even if the person's results for the studies are achieved after the recognition is cancelled.
- (3) For subsection (2), section 57 of the Act and this part apply as if the studies were recognised when the person's results for the studies are achieved.

105 Providing evidence of assessment for particular recognised studies

- (1) This section applies if—

[s 106]

- (a) a person for whom a student account is open is or was enrolled with a provider or recognised school for studies recognised under this division; and
 - (b) before the person's results in the studies are issued, the provider or recognised school stops issuing results for the studies; and
 - (c) the provider or recognised school has carried out some assessment of the person for the studies.
- (2) If evidence of the results of the assessment mentioned in subsection (1)(c) is provided to the authority, the authority may record the results in the person's student account.

Division 6 Recognising non-Queensland studies

106 Application of div 6

This division applies if the authority receives a results notice for non-Queensland studies that are not listed on the authority's website under section 107 as studies the authority has decided to recognise.

107 Authority may decide to recognise studies

- (1) The authority may decide to recognise non-Queensland studies as contributing studies if the authority is satisfied the studies relate to a level of schooling that is equivalent to senior secondary education.
- (2) If the authority decides to recognise studies under this section, the authority must list the studies on its website.

108 Authority may request further information or documents

- (1) Before deciding whether to recognise the non-Queensland studies as contributing studies, the authority may, by notice, require the person who gave the results notice (the *applicant*)

to give the authority, within 28 days after the giving of the notice by the authority, further information or a document the authority reasonably requires to make the decision.

- (2) Despite subsection (1), the authority and the applicant may, before the end of the 28-day period, agree to extend the period for complying with the requirement to a day (the *extended compliance day*) after the end of the 28-day period.
- (3) The applicant is taken to have withdrawn the results notice, to the extent the notice is for the non-Queensland studies, if—
 - (a) the authority gives the applicant a notice under subsection (1); and
 - (b) the applicant does not give the authority the information or document required within the 28-day period or by the extended compliance day.

109 Deciding whether to recognise non-Queensland studies

- (1) Within 60 days after the relevant day, the authority must decide whether to recognise the non-Queensland studies as contributing studies.
- (2) If the authority decides to recognise the non-Queensland studies as contributing studies, the authority must—
 - (a) record the applicant's results for the studies in the applicant's student account; and
 - (b) give the applicant a notice stating—
 - (i) that the authority has decided to recognise the studies as contributing studies; and
 - (ii) the results for the studies that have been recorded in the applicant's student account; and
 - (iii) whether or not the applicant satisfies the school study eligibility requirement under section 84(3)(b) in relation to the studies; and
 - (c) amend the list of studies the authority has decided to recognise that is published on the authority's website.

[s 110]

- (3) Subsection (2)(b)(iii) does not apply if there are results already recorded in the applicant's student account for studies in relation to which the applicant satisfies the school study eligibility requirement.
- (4) If the authority decides not to recognise the non-Queensland studies as contributing studies, the authority must give the applicant an information notice about the decision.
- (5) In this section—
relevant day means—
 - (a) the day the authority received the applicant's results notice; or
 - (b) if the authority gives the applicant a notice under section 108(1)—the last day of the 28-day period under the notice or the extended compliance day.

110 Notice of decisions about credits

- (1) This section applies if—
 - (a) the authority decides under section 109 to recognise non-Queensland studies as contributing studies; and
 - (b) credits for the studies must be recorded in the applicant's student account under section 91.
- (2) The authority must, as soon as practicable after deciding the matters mentioned in sections 90(3) and 92(2) for the studies, give the applicant an information notice about the decisions.

Division 7 Recognition of WCS learning projects as contributing studies

111 Application for recognition of project as contributing studies

- (1) A person for whom a student account is open may apply to the authority for recognition of a workplace, community or

self-directed learning project for which there is no provider (a **WCS learning project**) as contributing studies.

Note—

A WCS learning project recognised as contributing studies is contributing studies for a QCE only for the person who successfully applied under this division for the recognition.

- (2) The application must—
 - (a) be made at least 28 days before the person starts the project; and
 - (b) be in the approved form; and
 - (c) be accompanied by a copy of the project proposal for the project.
- (3) A **project proposal**, for a WCS learning project, is a document including the following information about the project—
 - (a) the date on which the person proposes to start it;
 - (b) the date by which it will be completed;
 - (c) a description of the learning achievements that must be achieved for the project to be completed;
 - (d) the evidence of the person's learning achievements that will be provided to the authority;
 - (e) the date by which the evidence of the person's learning achievements will be provided to the authority.

112 Deciding an application for recognition of project as contributing studies

- (1) The authority must consider an application for recognition of a WCS learning project as contributing studies and decide to grant, or refuse to grant, the application.
- (2) The authority must grant the application if the authority reasonably believes the project is appropriate for senior secondary education.
- (3) If the authority decides to grant the application, it must immediately give the applicant notice of the decision.

[s 113]

- (4) If the authority decides to refuse to grant the application, it must immediately give the applicant an information notice about the decision.
- (5) If the authority does not decide the application within 28 days after receiving it, the authority is taken to have decided to refuse to grant the application and must as soon as practicable give the applicant an information notice about the decision.

113 Changing a project proposal

- (1) This section applies if—
 - (a) the authority decides under section 112 to recognise a WCS learning project as contributing studies; and
 - (b) the person who applied for the recognition wishes to change the project proposal for the project before it is completed.
- (2) The person may change the project proposal by giving the authority a notice of the change.

114 Requirement to record results and credits for project

- (1) This section applies if—
 - (a) the authority decides under section 112 to recognise a WCS learning project as contributing studies; and
 - (b) the person who applied for the recognition—
 - (i) completes the project within the date provided for under the project proposal for the project; and
 - (ii) gives the authority, within the date provided for under the project proposal, the evidence of the person's learning achievements provided for under the project proposal.
- (2) The authority must record in the person's student account—
 - (a) the person's results for the project, indicating the project has been completed; and

- (b) credits for the project.

Division 8 Issuing of QCE

115 When QCE must be issued to a person

- (1) The authority must issue a QCE to a person who meets the eligibility requirements for a QCE—
 - (a) if the person meets the eligibility requirements during the person's year 12 year of schooling and finishes senior secondary education in that year—in December of that year; or
 - (b) if the person meets the eligibility requirements before the finishing day for the person's year 12 year of schooling but does not finish senior secondary education in that year—in the first July or December, whichever occurs first, after the authority receives a relevant request from the person; or
 - (c) otherwise—in the first July or December, whichever occurs first, after the person meets the eligibility requirements, or an earlier time decided by the authority.
- (2) In this section—

relevant request means a written request for the authority to issue a QCE to the person received by the authority on or after 1 January of the year after the person's year 12 year of schooling.

116 What must be stated on QCE

A QCE must state each of the following—

- (a) the name of the person to whom it is issued;
- (b) the date it is issued;
- (c) that the person has met the eligibility requirements for a QCE.

[s 117]

Division 9 Miscellaneous

117 Day on which credits must take effect

The authority must ensure that if credits for contributing studies are required under section 91 to be recorded in a person's student account, the credits are recorded with effect from—

- (a) for a WCS learning project—the day the person gave the authority the evidence of learning achievements provided for under the project proposal for the project; or
- (b) for other contributing studies—the day the person's results for the studies were achieved.

Part 5 Other certificates of achievement

118 Eligibility for Queensland certificate of individual achievement

A person is eligible for the issue of a Queensland certificate of individual achievement if—

- (a) the person is nominated for the issue of the certificate by the principal of a school at which the person is enrolled; and
- (b) the person has completed at least 24 semesters of schooling, other than schooling in the preparatory year; and
- (c) at least 1 result for contributing studies for the certificate is recorded in a student account kept for the person.

119 Certification studies—contributing studies for Queensland certificate of individual achievement

- (1) For the Act, schedule 2, definition *certification studies*, an activity that complies with the requirements stated in subsection (2) is prescribed as contributing studies.
- (2) The requirements for the activity are—
 - (a) the activity is published on the authority’s website as an achievement activity for the Queensland certificate of individual achievement; and
 - (b) the activity is completed by a person—
 - (i) while enrolled at a school; and
 - (ii) as part of an individual learning program developed for the person at the school.

120 When Queensland certificate of individual achievement must be issued

A Queensland certificate of individual achievement must be issued in December of the year during which the person meets the eligibility requirements for the certificate.

121 What must be stated on Queensland certificate of individual achievement

A Queensland certificate of individual achievement must state each of the following—

- (a) the name of the person to whom it is issued;
- (b) the date it is issued.

Part 6 **Statements of results**

Division 1 **Senior statement**

122 **Persons to whom a senior statement must be issued**

- (1) The authority must issue a senior statement to a person who finishes senior secondary education unless the person does not have credits recorded in the person's student account.
- (2) If a person does not have credits recorded under part 4 in the person's student account, the authority may refuse to issue a senior statement to the person.
- (3) If the authority issues a senior statement under this section, the senior statement must be issued in December of the year in which the person finishes senior secondary education.

123 **What must be recorded on senior statement**

For the Act, schedule 2, definition *statement of results*, paragraph (b), a senior statement must record each of the following—

- (a) the name of the person to whom it is issued;
- (b) the date it is issued;
- (c) that the person has finished senior secondary education;
- (d) for contributing studies for a QCE for which the results of the person's assessment are recorded in the person's student account—
 - (i) the name of the studies; and
 - (ii) the results of the person's assessment; and
 - (iii) the number of credits recorded under part 4 for the studies; and
 - (iv) the name of the provider for the studies if relevant; and

-
- (v) if the studies are non-Queensland studies—
 - (A) the name of the State or country in which the result issuer for the studies operates; and
 - (B) the name of the result issuer; and
 - (vi) if the studies are studies mentioned in section 4(1)(a) or (e)—the number of semester units for which the studies were undertaken; and
 - (vii) the year in which the person's results were achieved;
 - (e) for contributing studies for a Queensland certificate of individual achievement for which the person's results are recorded in the person's student account—
 - (i) the person's results for the studies; and
 - (ii) the year in which the results were achieved;
 - (f) the name of any qualification issued to the person and recorded in the person's student account;
 - (g) if the person has taken a core skills test—the person's results for the test;
 - (h) if the person meets the eligibility requirements for a QCE—that the person meets the eligibility requirements for a QCE.

Division 2 Record of results

124 Persons to whom a record of results must be issued

- (1) The authority must issue a record of results to a person who—
 - (a) is issued with a QCE or Queensland certificate of individual achievement, if the person is not also issued with a senior statement in the same month as a QCE or Queensland certificate of individual achievement is issued to the person; or

[s 125]

- (b) takes an external senior examination for an examination subject, if—
 - (i) the authority decides under section 60 the level of the person's achievement for the subject; and
 - (ii) the person is not issued with a senior statement in the year in which the person takes the examination.
- (2) The authority must issue a record of results to the person—
 - (a) for a person mentioned in subsection (1)(a)—when a QCE or Queensland certificate of individual achievement is issued to the person; or
 - (b) for a person mentioned in subsection (1)(b)—in December of the year in which the person takes the external senior examination.

125 Persons who may request a record of results

- (1) A person for whom a student account is open may give a written request to the authority at any time for a record of results be issued to the person.
- (2) The authority must issue a record of results to the person within 7 days after the authority receives the request.

126 What must be recorded on record of results

For the Act, schedule 2, definition *statement of results*, paragraph (b), a record of results must record each of the following—

- (a) the name of the person to whom it is issued;
- (b) the date it is issued;
- (c) for contributing studies for a QCE for which the results of the person's assessment are recorded in the person's student account—
 - (i) the name of the studies; and
 - (ii) the results of the person's assessment; and

- (iii) the number of credits recorded under part 4 for the studies; and
 - (iv) the name of the provider or recognised school for the studies if relevant; and
 - (v) if the studies are non-Queensland studies—
 - (A) the name of the State or country in which the result issuer for the studies operates; and
 - (B) the name of the result issuer; and
 - (vi) if the studies are studies mentioned in section 4(1)(a) or (e)—the number of semester units for which the studies were undertaken; and
 - (vii) the year in which the person's results were achieved;
- (d) for contributing studies for a Queensland certificate of individual achievement for which the person's results are recorded in the person's student account—
 - (i) the person's results for the studies; and
 - (ii) the year in which the results were achieved;
 - (e) the name of any qualification issued to the person and recorded in the person's student account;
 - (f) if the person has taken a core skills test—the person's results for the test;
 - (g) if the person meets the eligibility requirements for a QCE—that the person meets the eligibility requirements for a QCE.

- (2) If the person has been issued with, or becomes eligible for the issue of, a relevant qualification, each of the following is prescribed—
- (a) the name of the qualification;
 - (b) if the qualification has been issued—the date the qualification was issued to the person;
 - (c) the name of the entity that issued, or will issue, the qualification.
- (3) In this section—

relevant qualification means any of the following—

- (a) a senior certificate;
- (b) a certificate about the completion of the person's studies under the repealed *Education Act 1964* or the repealed *Education (Senior Secondary School Studies) Act 1988*;
- (c) an equivalent qualification;
- (d) a qualification, other than an equivalent qualification, issued or to be issued in a foreign country, if the person opening the student account reasonably believes the qualification relates to a level of schooling equivalent to senior secondary education.

student visa holder means a person who holds a student visa issued under the *Migration Act 1985* (Cwlth).

128 Prescribed information to open student accounts—particular young persons

For section 52(2)(a) of the Act, the following information is prescribed—

- (a) the information mentioned in section 127(1)(a) to (j) and (2);
- (b) the eligible option of the provider in which the person is participating or proposes to participate;
- (c) whether the person's participation in the eligible option is, or will be, full-time;

[s 129]

- (d) any other eligible options in which the person is participating, or has participated, since starting the compulsory participation phase of which the provider is aware.

129 Prescribed information to open student accounts—recognised schools

For section 53(2) of the Act, the following information is prescribed—

- (a) the information mentioned in section 127(1)(a) to (e) and (2);
- (b) details of the certification studies in which the person is enrolled when the notice is given to the authority.

130 Prescribed information for student accounts—other persons

For section 54(2) of the Act, the following information is prescribed—

- (a) the information mentioned in section 127(1)(a) to (f), (j) and (2);
- (b) details of each of the certification studies in which the person is enrolled when the required information is given to the provider or chief executive, including the name and type of the provider for the studies, of which the provider or chief executive is aware.

131 Prescribed information for obligation to notify enrolments

- (1) For section 56(1) of the Act, the following information is prescribed—
 - (a) the information mentioned in section 127(1)(a) to (d);
 - (b) if a student account is open for the person and the provider has the account number for the account—the account number;

-
- (c) the eligible option in which the person is participating, or proposes to participate, by enrolling in the program or course;
 - (d) the components of the eligible option being undertaken, or proposed to be undertaken, by the person;
 - (e) the date of enrolment in the program or course;
 - (f) the date the person started, or proposes to start, to comply with the provider's attendance requirements for the program or course;
 - (g) whether the person's participation in the eligible option is, or will be, full-time;
 - (h) the name and type of the provider.
- (2) For section 56(3) of the Act, the following information is prescribed—
- (a) the information mentioned in subsection (1)(a);
 - (b) the account number for the person's student account;
 - (c) the certification studies in which the person is enrolled;
 - (d) the date of the person's enrolment in the studies;
 - (e) the name and type of the provider.
- (3) For section 56(4) of the Act, the information mentioned in subsection (2)(a) to (e) is prescribed.

132 Notification of results

For section 57(2) of the Act, the result information must be given—

- (a) within the following days in each year—
 - (i) 30 June;
 - (ii) the first Thursday in December; and
- (b) by written notice, email or other electronic means.

133 Notification of other matters

- (1) For section 58(2)(a) of the Act, the prescribed time is within 3 months after the provider or recognised school becomes aware of the new or correct information.
- (2) For section 58(2)(b) of the Act, the prescribed time is within 30 days after the provider or recognised school becomes aware of the new or correct information.
- (3) For section 58(2)(c) of the Act, the prescribed time is within 30 days after the provider or recognised school becomes aware the person stopped being enrolled with the provider or recognised school.
- (4) For section 58(2)(d) of the Act, the prescribed time is within 30 days after the provider or recognised school becomes aware of the death.

134 Prescribed information for access by providers

For section 62(3)(a) and (5) of the Act, the following information is prescribed—

- (a) the person's name;
- (b) the person's sex;
- (c) the account number for the person's student account;
- (d) the person's date of birth.

135 Prescribed information for disclosure to providers and recognised schools

For section 65(1) of the Act, the following information for a student account is prescribed—

- (a) if the student account is kept for a young person in the student account phase—the account number for the account and the information recorded in the account;
- (b) otherwise—the account number for the student account and the following information recorded in the account—

- (i) the person's name;
- (ii) the person's address;
- (iii) information about the person's enrolment or results in certification studies.

Division 2 Notice of results for QCE

136 Person for whom student account is open may give results notice

- (1) A person for whom a student account is open may give notice (a *results notice*) to the authority of results information from the first account day to the day the student account is open for—
- (a) contributing studies mentioned in section 4(1) completed, or partially completed, by the person; or
 - (b) non-Queensland studies completed, or partially completed, by the person.

- (2) In this section—

first account day see section 141(6).

results information, for studies, means each of the following—

- (a) the name of the studies and, for studies other than non-Queensland studies, the name of the provider or recognised school;
- (b) the period for which the studies were undertaken;
- (c) for non-Queensland studies—
 - (i) the name of the State or foreign country in which the result issuer for the studies operates; and
 - (ii) the name of the result issuer; and
 - (iii) the level of schooling the studies relate to;

[s 137]

- (d) whether the person completed or partially completed the studies;
- (e) if the person partially completed the studies—the number of semesters completed by the person;
- (f) the results of the person’s assessment for the studies;
- (g) when the results were achieved;
- (h) any qualifications conferred on the person to which the studies contributed;
- (i) for qualifications mentioned in paragraph (h)—
 - (i) when the qualifications were conferred; and
 - (ii) the name of the entity that conferred the qualifications; and
 - (iii) if the qualifications were conferred in another State or a foreign country—the State or country in which the qualifications were conferred.

137 Authority must record results for contributing studies mentioned in s 4(1) etc.

- (1) This section applies if the authority receives from a person under section 136 a results notice for contributing studies mentioned in section 4(1).
- (2) The authority must record the results of the person’s assessment for the studies in the person’s student account.
- (3) Also, the authority must give the person a notice if—
 - (a) any of the studies are non-Queensland studies; and
 - (b) there are no results already recorded in the person’s student account for studies in relation to which the person satisfies the school study eligibility requirement, including under section 84(3)(b).
- (4) The notice must state whether or not the person satisfies the school study eligibility requirement under section 84(3)(b) in relation to the non-Queensland studies.

Division 3 Information authority may disclose

138 Information for disclosure to chief executive

For section 66(2) of the Act, the following information recorded in the person's student account is prescribed—

- (a) the account number;
- (b) name and any previous names;
- (c) address and telephone number;
- (d) date of birth;
- (e) the date the person stopped being enrolled with the provider in the course or program;
- (f) any eligible option in which the person was participating immediately before the person stopped being enrolled with the provider in the course or program and the components of the eligible option that were being undertaken by the person;
- (g) the name and type of the provider for an eligible option mentioned in paragraph (f);
- (h) any eligible option in which the person is participating and the components of the eligible option being undertaken by the person;
- (i) the name and type of the provider for an eligible option mentioned in paragraph (h).

139 Aggregated student account information

For section 67(1) and (2) of the Act—

- (a) the prescribed time is within 1 month of receiving a request from a relevant entity; and
- (b) the prescribed information is the following—
 - (i) for ISQ—aggregated information about persons enrolled annually at a non-State school that is a member of ISQ;

[s 140]

- (ii) for QCEC—aggregated student account information about persons enrolled annually at a non-State school represented by QCEC;
- (iii) for the training chief executive—aggregated student account information about persons enrolled annually in vocational education and training.

140 Disclosure to training chief executive

- (1) For section 68(1) of the Act, the following agreements in force between the Commonwealth and the State are prescribed—
 - (a) an agreement under the *Skilling Australia's Workforce Act 2005* (Cwlth), section 7(1);
 - (b) an agreement under the *Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act 2004* (Cwlth), section 14(1)(b).
- (2) Also, for section 68(1) of the Act, the following information for a student account is prescribed—
 - (a) the student's name;
 - (b) the account number for the student account;
 - (c) the student's sex;
 - (d) the student's date of birth;
 - (e) the student's address;
 - (f) whether the student is an Aboriginal person or Torres Strait Islander;
 - (g) whether the student is from a non-English speaking background;
 - (h) each vocational education and training course and, if recorded in the account, each unit of competency that is a component of the course in which the student was enrolled during the year to which the relevant information relates;

-
- (i) the date of the student's enrolment in the vocational education and training course;
 - (j) the name and type of the provider for the vocational education and training course;
 - (k) if the student stopped being enrolled in the vocational education and training course during the year and the date the student stopped being enrolled is recorded in the account—the date the student stopped being enrolled in the course;
 - (l) any results of the student for the vocational education and training course or a unit of competency that is a component of the course.
- (3) For section 68(2) of the Act, the prescribed way and time for information given on the request made by the training chief executive is—
- (a) by 1 March of the following year; and
 - (b) by email or other electronic means.

141 Closure of student accounts

- (1) The authority must close a person's student account—
 - (a) if the authority issues a QCE to the person; or
 - (b) within 9 years of the first account day; or
 - (c) if a provider or recognised school informs the authority about the person's death under section 58(2)(d) of the Act.
- (2) However, the person may give the authority a notice stating that the person wishes to continue his or her student account before the account is closed.
- (3) If the person's student account is closed, the person may give the authority a notice stating the person wishes to open his or her student account.
- (4) If the authority receives a notice under subsection (2)—

[s 141]

- (a) the person's student account continues for a period of 9 years from the date the authority received the notice from the person; and
 - (b) any credits recorded in the student account continue to be recorded in the account for the period mentioned in paragraph (a).
- (5) If the authority receives a notice under subsection (3)—
- (a) the authority must open the person's student account for a period of 9 years from the date the authority received the notice from the person; and
 - (b) the authority must record any credits previously recorded in the student account in the opened account.

(6) In this section—

compulsory school age see the E(GP) Act, section 9.

first account day means one of the following days—

- (a) if the person is, or has been, in the student account phase and is not a non-Queensland student—1 January of the year in which the person stopped being of compulsory school age;
- (b) if the person is a non-Queensland student—1 January of the year in which the relevant time falls;
- (c) otherwise—1 January of the year in which a student account is opened for the person.

non-Queensland student means a person—

- (a) who did not live in Queensland at the relevant time; and
- (b) for whom a student account would have been required to be opened under a student account provision if the person had lived in Queensland at the relevant time.

relevant time, for a non-Queensland student, means the time the student would have stopped being of compulsory school age if the student had lived in Queensland.

student account provision means—

-
- (a) section 51 of the Act; or
 - (b) the E(GP) Act, section 253, as in force before its repeal under the *Education Legislation Amendment Act 2006*, section 18; or
 - (c) the *Youth Participation in Education and Training Act 2003*, section 38, as in force before its repeal under the E(GP) Act, section 435; or
 - (d) the *Education (Queensland Studies Authority) Act 2002*, section 21D, as in force before its repeal under section 93 of the Act.

Part 8 Tertiary entrance

Division 1 Tertiary entrance ranking

142 Persons eligible to receive a ranking

A person is eligible to receive a tertiary entrance ranking by the authority as a basis for tertiary entrance if—

- (a) the person is an Australian citizen or permanent resident; and
- (b) the person has completed, or is taken under a guideline to have completed, 20 semester units in the study of tertiary entrance subjects, including 4 semester units in each of 3 particular tertiary entrance subjects; and
- (c) the person finished senior secondary education at an assessing school; and
- (d) subject to sections 78 and 143—
 - (i) the person has taken the core skills test in the year the person finished senior secondary education; and
 - (ii) the person's grading in the test has been decided by the authority.

143 Exemption from requirement to take core skills test

- (1) A person may apply to the authority for an exemption from the requirement to take the core skills test.
- (2) The application must be made before, or within 7 days after, the day of the core skills test unless the authority extends the day for the person to apply.
- (3) The application must—
 - (a) be in the approved form; and
 - (b) state the grounds on which the applicant believes the exemption should be given.

144 Authority may request further information or documents

- (1) If the authority considers further information or a document is required for deciding the application, the authority may give the applicant a notice requesting information or a document be given to the authority within a specified period of at least 14 days.
- (2) If the applicant does not comply with the request for further information or a document within the period stated in the notice, the applicant is taken to have withdrawn the application.

145 Deciding an application

- (1) The authority must consider the application and either grant, or refuse to grant, the application.
- (2) The authority may grant the application only if it is satisfied the grounds stated in the application are reasonable grounds for giving the exemption.
- (3) If the authority decides to grant the application, it must as soon as practicable give the applicant notice of the decision.
- (4) If the authority decides to refuse to grant the application, it must as soon as practicable give the applicant an information notice about the decision.

146 Authority does not decide the application

- (1) This section applies if the authority does not decide the application within 28 days after the application was made.
- (2) The authority is taken to have decided to refuse to grant the application.
- (3) The authority must as soon as practicable give the applicant an information notice about the decision.

147 Issue of tertiary entrance statement

- (1) The authority must issue a tertiary entrance statement to a person who is eligible to receive, under section 142, a ranking as a basis for tertiary entrance.
- (2) The statement must state the person's ranking.

148 Procedures for ranking persons and list of tertiary entrance subjects

- (1) The authority must publish in a guideline the procedures for ranking a person as a basis for tertiary entrance.
- (2) The authority must publish on its website a list of tertiary entrance subjects that the authority uses for ranking a person as a basis for tertiary entrance.

149 Review of information in tertiary entrance statement

- (1) A person who receives the person's tertiary entrance statement from the authority may apply to the authority for a review of information in the statement.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) be made, unless the authority decides to accept it at a later date—
 - (i) before the first Tuesday 7 weeks after the finishing day for the applicant's final year of schooling; or

[s 150]

- (ii) if the Monday immediately before the day mentioned in subparagraph (i) is a public holiday—before the first Wednesday 7 weeks after the finishing day for the applicant’s final year of schooling; or
 - (iii) if the day mentioned in subparagraph (i) is less than 20 days after the applicant is given the applicant’s tertiary entrance statement—within 21 days after the applicant is given the statement; and
- (c) be accompanied by the review fee.

150 Authority may request further information or documents

- (1) If the authority considers further information or a document is required for deciding the application, the authority may give the applicant a notice requesting information or a document be given to the authority within a specified period of at least 7 days.
- (2) If the applicant does not comply with the request for further information or a document within the period stated in the notice, the applicant is taken to have withdrawn the application.

151 Deciding an application

- (1) The authority must consider the application and decide whether the information in the applicant’s tertiary entrance statement is fair or unfair.
- (2) The authority must give the applicant a notice as soon as practicable after deciding the decision.
- (3) If the authority decides the information is unfair, the authority must also—
 - (a) issue a replacement tertiary entrance statement, containing the corrected information, to the applicant; and
 - (b) refund the review fee to the applicant; and

- (c) if the information that is the subject of the application was made available to an entity under section 155—notify the entity of the corrected information.

Division 2 Equivalent tertiary entrance ranking

152 Eligibility for equivalent tertiary entrance ranking

A person is eligible to receive an equivalent tertiary entrance ranking by the authority as a basis for tertiary entrance if—

- (a) the person is not an Australian citizen nor permanent resident; and
- (b) the person has completed, or is taken under a guideline to have completed, 20 semester units in the study of tertiary entrance subjects, including 4 semester units in each of 3 particular tertiary entrance subjects; and
- (c) the person finished senior secondary education at an assessing school; and
- (d) subject to sections 78 and 153—
 - (i) the person has taken the core skills test made available by the authority in the year the person finished senior secondary education; and
 - (ii) the person’s grading in the test has been decided by the authority.

153 Application of provisions

Sections 143 to 146 and 149 to 151 apply to a person who is eligible to receive an equivalent tertiary entrance ranking as if—

- (a) the person were an eligible person under division 1; and
- (b) the person’s equivalent tertiary entrance ranking was a tertiary entrance ranking; and

[s 154]

- (c) the person's equivalent tertiary entrance statement was a tertiary entrance statement.

154 Issue of tertiary entrance statement

- (1) The authority must issue a tertiary entrance statement to a person who is eligible to receive, under section 152, an equivalent tertiary entrance ranking.
- (2) The statement must state the person's ranking.

Division 3 Information about tertiary entrance rankings

155 Rank order showing comparative achievement

- (1) The authority must prepare a list (a *rank order*) of persons who have finished senior secondary education in a year, showing the comparative achievement of the persons in the study of tertiary entrance subjects.
- (2) The authority must publish on the authority's website the information to be included in the rank order.
- (3) The authority may make the rank order available to the Queensland Tertiary Admissions Centre ACN 050 542 633 and any entity in another State that performs a similar function.

156 Giving information to prescribed entities

- (1) For section 92(2)(f) of the Act, the following entities are prescribed—
 - (a) the Queensland Tertiary Admissions Centre ACN 050 542 633 and any entity in another State that performs a similar function;
 - (b) the Commonwealth;

- (c) if the information is about a person who completed secondary education at a school—the principal of the school;
 - (d) a registered higher education provider under the *Tertiary Education Quality and Standards Agency Act 2011* (Cwlth).
- (2) In this section—
secondary education see the E(GP) Act, schedule 4.

Part 9 **Verification and copies of certificates and statements**

157 Verification of information in Queensland certificate of individual achievement or statement of results

- (1) A person who is issued with a Queensland certificate of individual achievement or statement of results may apply to the authority for verification of information in the certificate or statement.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) be made within 28 days after the certificate or statement is issued to the applicant unless the authority decides to accept it at a later date; and
 - (c) be accompanied by the verification fee.

158 Authority may request further information or documents

- (1) If the authority considers further information or documents are required for deciding the application, the authority may give the applicant a notice requesting information or a document be given to the authority within a specified period of at least 7 days.

[s 159]

- (2) If the applicant does not comply with a request within the period stated in the notice, the applicant is taken to have withdrawn the application.

159 Deciding an application

- (1) After making appropriate inquiries about the information in the certificate or statement to be verified, the authority must decide whether the information is correct or incorrect.
- (2) The authority must consider the application and as soon as practicable give the applicant an information notice.
- (3) If the authority decides the information is correct, the notice must also state the reasons for the decision.
- (4) If the authority decides the information is incorrect, the authority must—
 - (a) issue a replacement Queensland certificate of individual achievement or statement of results, containing the corrected information, to the applicant; and
 - (b) refund the verification fee to the applicant.

160 Issue of copy of certificate

- (1) A person may request a copy of a certificate.
- (2) The request must—
 - (a) be in the approved form; and
 - (b) be accompanied by—
 - (i) the prescribed fee; and
 - (ii) documents identified in the approved form that the authority reasonably requires.
- (3) The authority must issue the copy of the certificate to the person within 7 days after the request is made if the certificate relates to the person.
- (4) In this section—

certificate means—

- (a) any of the following issued to the person—
 - (i) a certificate of achievement;
 - (ii) a senior statement;
 - (iii) a certificate about the completion of the person's studies under the repealed *Education Act 1964* or the repealed *Education (Senior Secondary School Studies) Act 1988*;
 - (iv) a senior certificate; or
- (b) a tertiary entrance statement issued to the person under the repealed *Education (Tertiary Entrance Procedures Authority) Act 1990*; or
- (c) a core skills test statement of achievement issued to the person under the repealed *Education (Senior Secondary School Studies) Act 1988*; or
- (d) a certificate of achievement, senior statement or tertiary entrance statement issued under the repealed *Education (Queensland Studies Authority) Act 2002*.

core skills test statement of achievement means a document—

- (a) certifying that a person has taken a core skills test; and
- (b) stating the person's grade for the test.

161 Authority may request further information or documents

- (1) If the authority considers further information or documents are required for deciding the request, the authority may give the person a notice requesting information or a document be given to the authority within a specified period of at least 7 days.
- (2) If the person does not comply with a request within the period stated in the notice, the person is taken to have withdrawn the request.

Part 10 Equivalence of level of school education or qualification

162 Application for authority’s decision on equivalence

- (1) A person may apply to the authority for its decision on the equivalent level of school education, or school qualification, in the State of a level of education reached, or qualification obtained, by the person at an educational institution established outside the State.
- (2) The application must—
 - (a) be in the approved form; and
 - (b) be accompanied by—
 - (i) the prescribed fee; and
 - (ii) satisfactory evidence of the level of school education or school qualification; and
 - (iii) documents identified in the approved form that the authority reasonably requires.
- (3) The approved form may specify information that must be given and verified by statutory declaration.
- (4) The authority must consider the application and as soon as practicable give the applicant an information notice.

163 Authority may request further information or documents

- (1) If the authority considers further information or documents are required for deciding the application, the authority may give the applicant a notice requesting information or a document be given to the authority within a specified period of at least 7 days.
- (2) If the applicant does not comply with a request within the period stated in the notice, the applicant is taken to have withdrawn the application.

Part 11 Fees

164 Fees in sch 1

The fees payable under this regulation are stated in schedule 1.

165 Service fee payable by person who is not an Australian citizen or permanent resident

- (1) This section applies to a person who is—
 - (a) undertaking senior secondary education at an assessing school other than a recognised school; and
 - (b) not an Australian citizen or permanent resident.
- (2) The person must pay the authority a service fee in consideration of the authority performing its functions, under section 9, 10, 13 or 15 of the Act, in relation to the person.
- (3) The authority must give the person a notice requiring payment of the fee within a stated period of at least 30 days after the notice is given.
- (4) The authority may waive payment of the fee—
 - (a) for a person undertaking senior secondary education at a State school—if the cost of the person’s education at the school is being defrayed by the State; or
 - (b) for a person undertaking senior secondary education at a non-State school—if the cost of the person’s education would be defrayed by the State if the person were undertaking the education at a State school.

166 Refund of application fee for accreditation or renewal of accreditation

- (1) This section applies if—
 - (a) a person withdraws an application for accreditation, or renewal of accreditation, of a kindergarten guideline; or

[s 167]

- (b) the authority rejects an application for accreditation, or renewal of accreditation, of a kindergarten guideline.
- (2) However, the section only applies if the authority has not started evaluation of the guideline.
- (3) The authority must refund to the person the application fee, less the administrative component mentioned in schedule 1.

167 Refund of application fee, or late application fee, for external senior examination because of illness

- (1) A person who was granted an application, under section 58, to take an external senior examination for an examination subject and failed to take the examination because of illness may apply to the authority for a refund of the application fee, or late application fee, for the application.
- (2) The application for a refund must—
 - (a) be in the approved form; and
 - (b) be made within 1 month after the day of the examination.
- (3) The authority must consider the application and either grant, or refuse to grant, the application.
- (4) The authority may grant the application only if it is reasonably satisfied the applicant failed to take the examination because of the illness.
- (5) If the authority grants the application, it must refund to the applicant the following—
 - (a) the application fee, or late application fee, less the administration fee mentioned in schedule 1;
 - (b) any local expenses fee paid in relation to the examination, less the administration fee mentioned in schedule 1.

168 Refund of fees because of cancellation of application to take external senior examination

- (1) This section applies if—
 - (a) a person was granted an application under section 58 to take an external senior examination for an examination subject; and
 - (b) the person has cancelled the application within 1 month after the relevant day for the application.
- (2) The authority must refund to the person the following—
 - (a) the application fee, or late application fee, for the application, less the administration fee mentioned in schedule 1;
 - (b) any local expenses fee paid in relation to the examination, less the administration fee mentioned in schedule 1.

169 Refund of local expenses fee for external senior examination or core skills test

- (1) This section applies if—
 - (a) a person has paid the local expenses fee in relation to the taking of an external senior examination for an examination subject or core skills test; and
 - (b) the person has notified the authority that the person no longer wishes to take the examination or test at another place—
 - (i) for an examination or test to be taken in Australia—at least 1 month before the day of the examination or test; or
 - (ii) otherwise—at least 3 months before the day of the examination or test.
- (2) The authority must refund to the person the local expenses fee, less the administration fee mentioned in schedule 1.

170 Refund of reassessment fee

- (1) This section applies if—
 - (a) a person has made a request, under section 62, to reassess the person's level of achievement for a subject; and
 - (b) the person has cancelled the request.
- (2) The authority must refund to the person the reassessment fee, less the administration fee mentioned in schedule 1.

171 Refund of script inspection fee

- (1) This section applies if—
 - (a) a person has made a request, under section 63, to inspect the person's graded examination script; and
 - (b) the person has cancelled the request.
- (2) The authority must refund to the person the script inspection fee mentioned in schedule 1.

172 Copy of approved syllabus and certain other documents

- (1) A person may give the authority a request for a copy of—
 - (a) a syllabus developed, revised or purchased by the authority under sections 9 and 10 of the Act; or
 - (b) a kindergarten guideline accredited under section 15; or
 - (c) a part of the accreditation register.
- (2) The authority must, on payment of the appropriate fee, give a person a copy of a document requested by the person under subsection (1).
- (3) In this section—

appropriate fee means a fee, decided by the authority, that is not more than the reasonable cost of providing a copy of the syllabus, kindergarten guideline, or the part of the accreditation register to the person.

Part 12 Guidelines

173 Notification of guidelines

- (1) The authority must as soon as practicable after making a guideline publish the guideline on the authority's website.
- (2) If the authority makes a guideline, the authority must notify any relevant entity about the making of the guideline.
- (3) In this section—

making, a guideline, includes amending a guideline.

relevant entity means an entity that may be affected by the guideline.

Examples of a relevant entity—

the chief executive or a provider

174 Guidelines for certification and tertiary entrance functions

The authority may make or amend a guideline mentioned in sections 90(2) and (4), 92(1), 93(2) and 95(1) only with the written approval of the Minister.

Part 13 Miscellaneous provisions

175 Principal to give information to authority about students who finish senior secondary education

- (1) The principal of a school must give the authority notice of the names of the students enrolled at the school who finish senior secondary education.
- (2) The authority may by notice require the principal to give it the names at the time and in the way stated in the notice.
- (3) The principal must comply with the requirement.

Part 14 Transitional provisions for the Education (Queensland Curriculum and Assessment Authority) Regulation 2014

176 Definitions for pt 14

In this part—

commencement means the commencement of this section.

QSA means the Queensland Studies Authority under the repealed *Education (Queensland Studies Authority) Act 2002*.

repealed regulation means the *Education (Queensland Studies Authority) Regulation 2002*.

177 Existing accreditation register

- (1) The authority must register the details about kindergarten guidelines kept in the accreditation register under the repealed regulation, section 3ZR, in the accreditation register under section 48.
- (2) The authority must register a person as a nominee of a kindergarten guideline if, before the commencement—
 - (a) the owner of the guideline gave the authority a notice under the repealed regulation, section 3ZS; and
 - (b) the person had not been registered as the nominee.
- (3) The authority must register a person as an owner of a kindergarten guideline if, before the commencement—
 - (a) an owner of the guideline gave the authority a notice under the repealed regulation, section 3ZT stating the owner had transferred the ownership of the guideline to the person; and
 - (b) the person had not been registered as the owner.

178 Decisions of QSA taken to be decisions of the authority

A decision made by the QSA for an application or request under the section of the repealed regulation mentioned in column 1 of the following table is taken to be a decision of the authority for an application or request under the section of this regulation shown opposite in column 2 of the table—

Table

Column 1	Column 2
1 section 6 (Application for declaration of eligibility)	section 54
2 section 8 (Examination may be taken in more examination subjects because of exceptional circumstances)	section 56
3 section 9 (Application)	section 57
4 section 13 (Application to take examination at another place)	section 73
5 section 14 (Special consideration of person's disability or medical condition)	section 76
6 section 20 (Reassessment of achievement in examination)	section 62
7 section 21 (Inspection of graded examination script)	section 63
8 section 26 (Application for declaration of eligibility)	section 66
9 section 30 (Application to take test at another place)	section 73
10 section 31 (Special consideration of person's disability or medical condition)	section 76
11 section 33 (Exemption from requirement to take core skills test)	section 78
12 section 43D (Application for recognition of project as contributing studies)	section 111

	Column 1	Column 2
13	section 53 (Exemption from requirement to take core skills test)	section 143
14	section 56 (Review of information in tertiary entrance statement)	section 149
15	section 56A (Verification of information in Queensland certificate of individual achievement or statement of results)	section 157
16	section 58 (Application for authority's decision on equivalence)	section 162

179 QCE relevant requests

A relevant request given to the QSA under the repealed regulation, section 41C, is taken to be a relevant request given to the authority under section 115.

180 Existing recognition of particular studies as contributing studies

- (1) This section applies to studies if, before the commencement—
 - (a) the studies were recognised under the repealed regulation, part 4, division 6; and
 - (b) the recognition of the studies was not cancelled by the QSA.
- (2) The studies are taken to be recognised by the authority under part 4, division 5 until the authority publishes a list of studies recognised under that division.

181 Existing recognition of non-Queensland studies

- (1) This section applies to studies if, before the commencement, the studies were recognised under the repealed regulation, part 4, division 4, subdivision 3.

- (2) The studies are taken to be recognised by the authority under part 4, division 6.

182 Existing recognition of WCS learning projects as contributing studies

- (1) This section applies to studies if, before the commencement, the studies were recognised under the repealed regulation, part 4, division 7.
- (2) The studies are taken to be recognised by the authority under part 4, division 7.

183 Issue of copy of certificate

- (1) This section applies to studies if, before the commencement—
 - (a) the QSA received a written request from a person under the repealed regulation, section 57; and
 - (b) the copy was not issued to the person.
- (2) The written request is taken to be a written request given to the authority under section 160.

Schedule 1 Fees

section 164

	\$
1 Application fee for accreditation or renewal of accreditation of a kindergarten guideline (ss 9(1)(b)(iii) and 25(1)(b)(iii))	4623.10
2 Application fee to take an external senior examination for an examination subject (s 57(2)(b)(i))	61.15
3 Late application fee to take an external senior examination for an examination subject (s 57(2)(b)(ii))	67.10
4 Reassessment fee for an examination subject (s 62(2)(c))	25.55
5 Script inspection fee for an examination subject (s 63(2)(c))	16.65
6 Application fee for declaration of eligibility to take a core skills test (s 66(4)(b)(i))	61.15
7 Late application fee for declaration of eligibility to take a core skills test (s 66(4)(b)(ii))	135.50
8 Review fee (s 149(2)(c))	51.70
9 Verification fee (s 157(2)(c))	51.70
10 Copy of certificate (s 160(2)(b)(i))	30.85
11 Application fee for decision on equivalence of level of education or qualification (s 162(2)(b)(i))—	
(a) for interstate school education or qualification	30.85
(b) for overseas school education or qualification	54.05
12 Service fee for 1 year (s 165(2))	423.40
13 Administrative component (s 166(3))	1147.50
14 Administration fee (ss 167(5), 168(2), 169(2) and 170(2))	16.65

Schedule 2 Dictionary

section 3

accreditation period, for implementation of an accredited kindergarten guideline, means a period—

- (a) of between 2 and 6 years, decided by the authority; and
- (b) that starts on 1 January first occurring after the day the authority decides to grant or renew accreditation of the kindergarten guideline.

accreditation register see section 48(1).

agreed extended day—

- (a) for an application for accreditation of a kindergarten guideline—see section 17(3); or
- (b) for an application for renewal of accreditation of a kindergarten guideline—see section 31(2).

approval, of the authority, means the written approval of the authority.

assessing school means a school or a recognised school—

- (a) that provides senior secondary education to a person enrolled at the school; and
- (b) that assesses the person for any syllabus developed, purchased or revised by the authority under the Act or an Australian curriculum.

Australian citizen means an Australian citizen under the *Australian Citizenship Act 2007* (Cwlth), section 4.

Australian Qualifications framework means the Australian Qualifications Framework within the meaning of the *National Vocational Education and Training Regulator Act 2011* (Cwlth), section 3.

cancel, for part 4, division 5, see section 98.

category, for part 4, see section 82.

certificate of accreditation means a certificate stating the matters mentioned in section 18(c)(i) to (iv).

closing day, for an application to take a core skills test, means the first Friday in April in the year in which the application is made or, if that day is a public holiday, the following Monday.

consenting entity, for part 4, division 5, see section 98.

contributing studies—

- (a) for a QCE—see section 4; or
- (b) for a Queensland certificate of individual achievement—see section 119.

core studies, for part 4, see section 82.

credit, for part 4, see section 82.

December student vacation, in a year, means the student vacation, starting in December in the year, approved for State schools under the *Education (General Provisions) Regulation 2006*, section 64.

decision day—

- (a) for an application for accreditation of a kindergarten guideline—see section 17(1) and (2); or
- (b) for an application for renewal of accreditation of a kindergarten guideline—see section 31(1); or
- (c) for an application for approval of a change to a kindergarten guideline—see section 40(3).

educational criteria, for evaluation of a kindergarten guideline, section 5.

eligibility requirements, for a QCE, means the requirements stated in section 84(1).

eligible person, for part 3, means—

- (a) for an external senior examination for an examination subject—a person eligible, under section 53, to take the examination for the examination subject; or
- (b) for a core skills test—a person eligible to take the test under section 65.

equivalent qualification means an equivalent qualification published on the authority's website under section 87(2).

evaluation means—

- (a) for accreditation of a kindergarten guideline—an evaluation under section 14; or
- (b) for renewal of accreditation of a kindergarten guideline—an evaluation under section 28.

examination subject means a syllabus developed, purchased or revised by the authority under the Act for which an external senior examination is available under section 52.

finishing, of senior secondary education, means attending school in the year 12 year of schooling up to and including the finishing day for the year.

finishing day, for a year, means—

- (a) if the first Monday of the December student vacation in the year is not more than 9 days before Christmas day—the Friday of the fifth last week before the vacation starts; or
- (b) otherwise—the Friday of the fourth last week before the vacation starts.

guideline—

- (a) for part 2—means a kindergarten guideline; or
- (b) otherwise—means a guideline made under section 91 of the Act.

interstate or overseas school means a school operating in another State or a foreign country that is—

- (a) operated by the government of that State or country; or
- (b) required to comply with education standards for the school decided by the government of that State or country.

local expense fee means the fee payable under section 73(8).

non-Queensland studies means studies for which the results of a person's assessment are issued by—

- (a) an interstate or overseas school; or
- (b) another entity operating in another State or a foreign country.

permanent resident means—

- (a) the holder of a permanent visa as defined by the *Migration Act 1958* (Cwlth), section 30(1); or
- (b) a New Zealand citizen who is the holder of a special category visa as defined by the *Migration Act 1958* (Cwlth), section 32.

procedural requirement means—

- (a) for an application for accreditation of a kindergarten guideline—a requirement mentioned in section 9; or
- (b) for an application for renewal of accreditation of a kindergarten guideline—a requirement mentioned in section 25; or
- (c) for an application for approval of a proposed change to a kindergarten guideline—a requirement mentioned in section 37(3) and (4).

project proposal see section 111(3).

QCE means a certificate issuable to a person who meets the eligibility requirements provided for the issue of the certificate.

Queensland certificate of individual achievement means a certificate of achievement of that type provided for under part 5.

recognised, for part 4, division 5, see section 98.

record of results means a statement of results of that type provided for under part 6, division 2.

registered nominee, for an accredited kindergarten guideline, means the person entered, under section 48, in the accreditation register as the nominee for the kindergarten guideline.

required standard of achievement, for part 4, see section 82.

result issuer, for non-Queensland studies, means the interstate or overseas school, or other entity, that issued the results of a person's assessment for the studies.

results notice see section 136(1).

review day, for part 4, division 5, see section 98.

school study eligibility requirement see section 84(3).

senior certificate means a senior certificate issued under the repealed *Education (Queensland Studies Authority) Regulation 2002*, part 4, division 1 as in force before its replacement under the *Education Legislation Amendment Regulation (No. 2) 2007*.

senior secondary education means secondary education offered in the years 11 and 12 of schooling.

senior statement means a statement of results of that type provided for under part 6, division 1.

show cause notice—

- (a) for part 2, division 5—see section 44(1); and
- (b) for part 3, division 1—see section 59(2); and
- (c) for part 3, division 2—see section 69(2).

show cause period—

- (a) for part 2, division 5—see section 44(2)(d); and
- (b) for part 3, division 1—see section 59(2)(d); and
- (c) for part 3, division 2—see section 69(2)(d).

social responsibility criteria, for evaluation of a kindergarten guideline, see section 6.

tertiary entrance subject means a subject published on the authority's website under section 148.

vocational education and training means a qualification by the name certificate I, certificate II, certificate III, certificate IV, diploma or advanced diploma under the Australian Qualifications framework that is recorded in the national register on vocational education and training by the Department of Industry (Cwlth).

WCS learning project see section 111(1).

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

Endnotes

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

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.

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

Current as at	Amendments included	Notes
1 January 2016	2015 SL No. 132	
1 January 2017	2016 SL No. 180	

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.

Education (Queensland Curriculum and Assessment Authority) Regulation 2014 SL No. 126

made by the Governor in Council on 26 June 2014
 notfd <www.legislation.qld.gov.au> 27 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, 6

notfd <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)

Education Legislation (Fees) Amendment Regulation (No. 1) 2015 SL No. 132 pts 1, 6

notfd <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)

Education Legislation (Fees) Amendment Regulation 2016 SL No. 180 ss 1, 2(2), pt 6

notfd <www.legislation.qld.gov.au> 30 September 2016
 ss 1–2 commenced on date of notification
 pt 6 commenced 1 January 2017 (see s 2(2))

5 List of annotations

SCHEDULE 1—FEES

sub 2014 No. 228 s 17; 2015 SL No. 132 s 14; 2016 SL No. 180 s 15

© State of Queensland 2017