



Further Education and Training Act 2014

Further Education and Training Regulation 2014

Current as at 1 January 2018



Queensland

Further Education and Training Regulation 2014

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
Part 2	Prescribed matters for Act, chapters 2 and 8	
3	Requirements for apprenticeship or traineeship—Act, s 8(3)(c) .	3
4	Keeping training record	4
4A	Prescribed documents—Act, s 195	5
5	Fees	6
Schedule 1	Fees	7

Further Education and Training Regulation 2014

Part 1 Preliminary

1 Short title

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

2 Commencement

This regulation commences on 1 July 2014.

Part 2 Prescribed matters for Act, chapters 2 and 8

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

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

[s 4]

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

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

Examples of regulatory authorities—

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

4 Keeping training record

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

Maximum penalty—20 penalty units.

- (2) The training record must be kept by the parties in any way the supervising registered training organisation considers appropriate.

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

Maximum penalty—20 penalty units.

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

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

4A Prescribed documents—Act, s 195

The documents mentioned in schedule 1, item 1 are prescribed for the Act, section 195(1).

5 Fees

- (1) The fees payable under the Act are stated in schedule 1.
- (2) The chief executive may waive payment of a fee stated in schedule 1 if the chief executive considers that there are exceptional circumstances to do so.
- (3) A reference in schedule 1 to an apprenticeship or traineeship includes—
 - (a) employment-based training that was, but is no longer, declared to be an apprenticeship or traineeship under the Act, section 8(2); and
 - (b) employment-based training (however described), of a type similar to an apprenticeship or traineeship, provided for by the repealed Act or another repealed Act relating to apprenticeships or traineeships.

Schedule 1 Fees

section 5

\$

- | | | |
|---|--|-------|
| 1 | Providing copies of the following documents, for each application for copies of the documents relating to a particular person (Act, s 195(2))— | |
| | (a) a completion certificate; | |
| | (b) a training contract; | |
| | (c) a completion certificate or training contract under the repealed Act | 19.35 |
| 2 | Giving copies of the following documents, for each request for copies of the documents relating to a particular person— | |
| | (a) a certificate of achievement; | |
| | (b) a recognition certificate under the repealed Act; | |
| | (c) a document (however described), of a type similar to a document mentioned in item 1 or paragraph (a) or (b), provided for by a repealed Act, other than the repealed <i>Vocational Education, Training and Employment Act 2000</i> | 19.35 |
| 3 | Giving a certificate signed by the chief executive certifying a matter relating to an apprenticeship or traineeship | 19.35 |

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

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 m	= 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. 133	
1 January 2017	2016 SL No. 189	
1 January 2018	2017 SL No. 207	

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.

Further Education and Training Regulation 2014 SL No. 103

made by the Governor in Council on 19 June 2014

notfd <www.legislation.qld.gov.au> 20 June 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2014 (see s 2)

exp 1 September 2024 (see SIA s 54)

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

amending legislation—

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

notfd <www.legislation.qld.gov.au> 3 October 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2015 (see s 2)

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

notfd <www.legislation.qld.gov.au> 2 October 2015

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2016 (see s 2)

Further Education and Training (Fees) Amendment Regulation 2016 SL No. 189

notfd <www.legislation.qld.gov.au> 28 October 2016

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2017 (see s 2)

Further Education and Training (Fees) Amendment Regulation 2017 SL No. 207

notfd 6 October 2017

ss 1–2 comm on date of notification

ss 3–4 comm 1 January 2018 (see s 2)

5 List of annotations

Prescribed documents—Act, s 195

s 4A ins 2016 SL No. 189 s 4

Fees

s 5 amd 2016 SL No. 189 s 5

SCHEDULE 1—FEES

sch 1 sub 2014 SL No. 228 s 19; 2015 SL No. 133 s 4; 2016 SL No. 189 s 6
amd 2017 SL No. 207 s 4

© State of Queensland 2018