



Further Education and Training Act 2014

Further Education and Training Regulation 2024

Current as at 1 September 2024

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Queensland

Further Education and Training Regulation 2024

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Further Education and Training Regulation 2024

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Further Education and Training Regulation 2024*.

2 Commencement

This regulation commences on 1 September 2024.

Part 2 Requirements for apprenticeship or traineeship

3 Requirements for apprenticeship or traineeship—Act, s 8

- (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 prior written approval 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 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 of the apprenticeship or traineeship that 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.

Part 3 Training records

4 Prescribed training records

For section 41 of the Act, definition *misconduct*, paragraph (b)(i), a record of the apprentice's or trainee's progress towards, and achievement of, the competencies outlined in the apprentice's or trainee's training plan, is prescribed as a training record.

5 Requirement to give training records

- (1) The supervising registered training organisation for the apprentice or trainee must give a training record mentioned in section 4 to the apprentice or trainee within 14 days after all parties sign a training plan for the apprentice or trainee.

Maximum penalty—20 penalty units.

- (2) This section does not apply if—
 - (a) a training plan for the apprentice or trainee is signed because of the permanent, temporary or statutory transfer of the registered training contract; and
 - (b) the apprentice or trainee has a training record for the apprenticeship or traineeship that was provided by the supervising registered training organisation under subsection (1).

6 Keeping training records

- (1) For section 41 of the Act, definition *misconduct*, paragraph (b)(i), the prescribed way to keep a training record is as follows—
 - (a) the record must be in the form decided by the supervising registered training organisation for the apprentice or trainee;
 - (b) the record must be complete and accurate with the particulars of training completed by the apprentice or trainee;
 - (c) the record must be in the possession of the apprentice or trainee unless the apprentice or trainee has produced it to a person under the Act;
 - (d) the record must be kept by the apprentice or trainee for the duration of the apprenticeship or traineeship.
- (2) If training is required to be delivered by the employer, for subsection (1)(b), the employer must, at reasonable intervals

of not more than 3 months, require the apprentice or trainee to produce the training record to the employer to be updated.

- (3) The chief executive may, by reasonable notice, require the apprentice or trainee to produce the training record to the chief executive for inspection.

Note—

See also section 41 of the Act, definition *misconduct*, paragraph (b)(ii).

7 Recording training delivered by supervising registered training organisation

If training is required to be delivered by the supervising registered training organisation for an apprenticeship or traineeship, the supervising registered training organisation must, at reasonable intervals of not more than 3 months—

- (a) require the apprentice or trainee to produce a training record mentioned in section 4; and
- (b) if the training record is produced—update and keep the record complete and accurate with the particulars of training completed by the apprentice or trainee.

Maximum penalty—20 penalty units.

Part 4 Prescribed documents and fees

8 Prescribed documents—Act, s 195

- (1) For section 195(1) of the Act, a document mentioned in schedule 1, column 1 is prescribed.
- (2) A reference in schedule 1 to a document includes a same or similar document that was issued under the repealed Act or another repealed Act relating to apprenticeships or traineeships.

- (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 section 8(2) of the Act; 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.

9 Prescribed fees—Act, ss 195 and 197

- (1) The fees payable under the Act are stated in schedule 1, column 2.
- (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.

Part 5 Repeal and transitional provisions

10 Definition for part

In this part—

repealed regulation means the repealed *Further Education and Training Regulation 2014*.

11 Repeal

The Further Education and Training Regulation 2014, SL No. 103 is repealed.

12 Requirements included in existing declaration

Requirements included in a declaration of an apprenticeship or traineeship under section 8(2) of the Act that were prescribed under the repealed regulation are taken to be requirements prescribed under this regulation.

13 Continuation of training record

- (1) This section applies to a training record given to an apprentice or trainee under the repealed regulation for an apprenticeship or traineeship that has not ended.
- (2) The training record is taken to be a training record under this regulation.
- (3) If training is required to be delivered by the employer or supervising registered training organisation for the apprenticeship or traineeship, any interval of not more than 3 months, in which a training record must be updated, continues from the date that interval started even if the start date was before the commencement of this regulation.

Schedule 1 Prescribed documents and fees

sections 8 and 9

| Column 1 | Column 2 |
|--|------------------|
| Documents | Fee units |
| 1 a completion certificate | 20.45 |
| 2 a training contract | 20.45 |
| 3 a certificate signed by the chief executive certifying a matter relating to the person's apprenticeship or traineeship | 20.45 |
| 4 a certificate of achievement | 20.45 |
| 5 a recognition certificate under the repealed Act | 20.45 |
| 6 a document, however described, of a type similar to a completion certificate or training contract relating to the person's apprenticeship or traineeship | 20.45 |