

Queensland



**VOCATIONAL EDUCATION,
TRAINING AND
EMPLOYMENT
AMENDMENT BILL 1995**

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VOCATIONAL EDUCATION, TRAINING AND EMPLOYMENT AMENDMENT BILL 1995

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MINOR AMENDMENTS

1995

A BILL

FOR

***An Act to amend the Vocational Education, Training and Employment
Act 1991***

*Vocational Education, Training and
Employment Amendment*

The Parliament of Queensland enacts—

Short title

Clause **1.** This Act may be cited as the *Vocational Education, Training and Employment Amendment Act 1995*.

Commencement

Clause **2.** This Act commences on a day to be fixed by proclamation.

Act amended

Clause **3.** This Act amends the *Vocational Education, Training and Employment Act 1991*.

Insertion of new ss 20A and 20B

Clause **4.** After section 20—
 insert—

‘Establishment of Nagi Binanga

‘20A.(1) An Aboriginal and Torres Strait Islander Council (**“Nagi Binanga”**) is to be established as a standing committee of the commission.

‘(2) Nagi Binanga is established to consist of—

- (a) 1 member of the commission nominated by the Minister; and
- (b) 1 person representing aboriginal communities; and
- (c) 1 person representing Torres Strait islander communities; and
- (d) 1 person representing the Queensland Aboriginal and Torres Strait Islander Education Consultative Committee; and
- (e) 1 person representing the Aboriginal and Torres Strait Islander Commission; and

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(f) 2 persons representing employers, at least 1 of whom represents an industrial organisation of employers; and	1 2
(g) 2 persons representing industrial organisations of employees; and	3
(h) 1 person nominated by the Minister; and	4
(i) 1 person nominated by the Minister responsible for administering the <i>Community Services (Aborigines) Act 1984</i> or the <i>Community Services (Torres Strait) Act 1984</i> ; and	5 6 7
(j) 1 person nominated by the Minister responsible for administering the <i>Education (General Provisions) Act 1989</i> ; and	8 9
(k) 1 person nominated by the Minister responsible for administering the <i>Employment, Education and Training Act 1988</i> (Cwlth).	10 11
‘(3) The members of Nagi Binanga are to be appointed by the commission.	12 13
‘(4) The Minister is to appoint an indigenous member to be the chairperson for a specified period of no longer than the member’s term of appointment to Nagi Binanga.	14 15 16
‘(5) The members of Nagi Binanga are to appoint a member to be the deputy chairperson for a specified period of no longer than the member’s term of appointment to Nagi Binanga.	17 18 19
‘Functions and powers of Nagi Binanga	20
‘20B.(1) The functions of Nagi Binanga are—	21
(a) to consult with aboriginal and Torres Strait islander communities, departments of government, statutory bodies or anyone else on the vocational education, training and employment of aboriginal people or Torres Strait islanders; and	22 23 24 25
(b) to advise the commission on policy matters relating to the vocational education, training and employment of aboriginal people or Torres Strait islanders; and	26 27 28
(c) to advise the commission on strategies for increasing the participation of aboriginal people or Torres Strait islanders in vocational education, training and employment programs; and	29 30 31

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- (d) to advise the commission on needs and priorities for the development of vocational education and training facilities or resources for aboriginal people or Torres Strait islanders; and 1
2
3
- (e) to advise the commission on strategies for increasing employment opportunities for aboriginal people or Torres Strait islanders; and 4
5
6
- (f) to advise the commission on strategies for ensuring the relevance of vocational education, training and employment programs available to aboriginal people or Torres Strait islanders. 7
8
9

‘(2) Nagi Binanga has the power to do all things necessary or convenient to be done for, or in connection with, the performance of its functions. 10
11

‘(3) In this section— 12

“statutory bodies” means bodies established under an Act.’. 13

Amendment of s 52 (Establishment and constitution of councils) 14

Clause 5.(1) Section 52(1) to (3)— 15

omit, insert— 16

‘52.(1) A council may be established for each State institute in the way decided by the Minister. 17
18

‘(2) A council is to be made up of a maximum of 15 members. 19

‘(3) A council consists of— 20

(a) the institute’s director; and 21

(b) the chairperson of the council of any college associated with the institute; and 22
23

(c) persons who have knowledge of, or experience in— 24

(i) education or training; or 25

(ii) the areas of commerce, the community or industry served by the institute; and 26
27

(d) 1 representative of a relevant industrial organisation of employees; and 28
29

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- (e) 1 person representing employers; and 1
- (f) 1 staff member representing the institute's staff; and 2
- (g) 1 person representing the institute's students. 3

'(4) The constitution of a council may be changed in the way decided by the Minister.' 4
5

(2) Section 52(4)— 6
renumber as section 52(5). 7

Insertion of new pt 2, div 7, sdivs 2 and 3 8

Clause 6. After section 53— 9
insert— 10

'Subdivision 2—Colleges 11

'Establishment, membership and functions 12

'53A.(1) A council may be established for a college or campus if— 13

- (a) for a college—the Minister considers it is appropriate to the 14
institute's needs; or 15
- (b) for a campus—the institute's director considers it is appropriate to 16
the institute's needs. 17

'(2) A council is to be made up of a maximum of 15 members. 18

'(3) A council consists of— 19

- (a) the institute's director; and 20
- (b) persons who have knowledge of, or experience in— 21
 - (i) education or training; or 22
 - (ii) the areas of commerce, the community or industry served 23
by the college or campus; and 24
- (c) 1 representative of a relevant industrial organisation of 25
employees; and 26

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(d) 1 person representing employers; and 1

(e) 1 staff member representing the staff of the college or campus; 2
and 3

(f) 1 person representing the students of the college or campus. 4

‘(4) The function of the council is to provide advice to the institute’s 5
council on the way to improve service delivery of the college or campus. 6

‘Subdivision 3—Common provisions 7

‘Definition 8

‘53B. In this subdivision— 9

“appointor” means— 10

(a) for a council for an institute or college—the Minister; or 11

(b) for a council for a campus—the institute’s director.’. 12

Amendment of s 54 (Appointment of members) 13

Clause 7.(1) Section 54(1)— 14

omit, insert— 15

‘54.(1) The members of a council are to be appointed by the appointor. 16

‘(2) The appointor must seek to appoint both men and women members 17
to a council.’. 18

(2) Section 54(2)— 19

renumber as section 54(3). 20

(3) Section 54(3), as renumbered, ‘State college’— 21

omit. 22

Replacement of ss 127 and 128 23

Clause 8. Sections 127 and 128— 24

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omit, insert—

‘State college references

‘127.(1) In an Act or document, a reference to a State college may, if the context permits, be taken to be a reference to a State institute.

(2) This section expires on the date of the next reprint of the Act produced under the *Reprints Act 1992*.’

SCHEDULE

1

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2

section 3

3

1. Section 4—

4

insert—

5

‘ “college” includes a State institute.’

6

2. Section 4, definition “State college”—

7

omit, insert—

8

‘ “State institute”—

9

(a) means an institute or other means of technical and further education provided by the State (the “**institute**”); and

10

11

(b) may consist of the institute and a number of colleges or campuses.’

12

13

3. Section 4, definitions “director”, “student” and “vocational education and training establishment”, ‘college’—

14

15

omit, insert—

16

‘institute’.

17

4. Section 4, definition “vocational education”, ‘colleges’—

18

omit, insert—

19

‘institutes’.

20

5. Section 33—

21

SCHEDULE (continued)

<i>insert—</i>	1
‘(4) The Corporation may (and always has been able to) perform its functions inside and outside Queensland, including outside Australia.’	2 3
6. Section 36—	4
<i>insert—</i>	5
‘(2) The Corporation may (and always has been able to) exercise its power under subsection (1) inside and outside Queensland, including outside Australia.’	6 7 8
7. Section 37, ‘colleges’—	9
<i>omit, insert—</i>	10
‘institutes’.	11
8. Section 38(1) and heading, ‘colleges’—	12
<i>omit, insert—</i>	13
‘institutes’.	14
9. Section 38(1)(g), ‘college’—	15
<i>omit, insert—</i>	16
‘institute’.	17
10. Section 38(1)(h), ‘colleges’ ’—	18
<i>omit, insert—</i>	19
‘institutes’ ’.	20
11. Section 39, heading, ‘colleges’—	21

SCHEDULE (continued)

<i>omit, insert—</i>	1
‘institutes’.	2
12. Sections 39(1) and (2)(a) and 40(2), ‘college’—	3
<i>omit, insert—</i>	4
‘institute’.	5
13. Part 2, division 7, heading—	6
<i>omit, insert—</i>	7
‘Division 7—Councils	8
‘Subdivision 1—State institutes’.	9
14. Section 53, ‘college’—	10
<i>omit, insert—</i>	11
‘institute’.	12
15. Section 53(a)(i)(F)—	13
<i>omit.</i>	14
16. Section 53(c)(iii), ‘colleges’—	15
<i>omit, insert—</i>	16
‘institutes’.	17
17. Section 55, ‘State college council, other than a member ex officio,’—	18
<i>omit, insert—</i>	19
	20

SCHEDULE (continued)

‘council who was nominated for appointment’.	1
18. Sections 55, 56 and 58(1), ‘Minister’—	2
<i>omit, insert—</i>	3
‘appointor’.	4
19. Sections 56, 57 and 58(1), ‘State college’—	5
<i>omit.</i>	6
20. Section 66(1), ‘college’—	7
<i>omit, insert—</i>	8
‘institute’.	9
21. Section 67(1), definition “vocational education and training establishment”, ‘college’—	10
	11
<i>omit, insert—</i>	12
‘institute’.	13
22. Section 75(2)(a), ‘State college, another college or a’—	14
<i>omit, insert—</i>	15
‘college or’.	16
23. Section 75(2)(b), ‘college’—	17
<i>omit, insert—</i>	18
‘institute’.	19

SCHEDULE (continued)

24. Section 81(1), ‘State college or any other’—	1
<i>omit.</i>	2
25. Section 81(4), ‘State college or other’—	3
<i>omit.</i>	4
26. Section 118(b), ‘college’—	5
<i>omit, insert—</i>	6
‘institute’.	7
27. Section 123(1)(g), ‘college’—	8
<i>omit, insert—</i>	9
‘institute’.	10
28. Section 126, heading—	11
<i>omit, insert—</i>	12
‘Regulation making power’.	13
29. Section 126(1), ‘for the purpose of’—	14
<i>omit, insert—</i>	15
‘under’.	16
30. Section 126(2), ‘be made with respect to’—	17
<i>omit, insert—</i>	18
‘provide about the following’.	19

SCHEDULE (continued)

31. Section 126(2)(n), ‘college’—

1

omit, insert—

2

‘institute’.

3

4