

2004

The Legislative Assembly for the Australian Capital Territory

Tertiary Accreditation and Registration Regulations 2004

Explanatory Statement

Circulated by the authority of

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TERTIARY ACCREDITATION AND REGISTRATION REGULATIONS 2004

EXPLANATORY STATEMENT

Outline

The purpose of the regulation is to grant a delegation of specific ACT Accreditation and Registration Council power to the Canberra Institute of Technology (CIT). The delegation is to accredit vocational education and training courses.

Background

The Canberra Institute of Technology has held a delegation from the ACT Accreditation and Registration Council (ARC) for more than six years. With the introduction of new legislation in 2003¹ the delegation was reviewed and the ARC agreed that the Canberra Institute of Technology (CIT) be granted a further delegation to accredit vocational education and training courses. The previous agreement was endorsed under the council's previous legislation, the Vocational Education and Training Act 1995.

The council is able to delegate its functions to outside bodies, under S.10 of the Tertiary Accreditation and Registration Act 2003. It has agreed to grant the Canberra Institute of Technology a specific delegation to accredit courses in the vocational education and training sector.

Accordingly, regulations pursuant to Section 10 of the Tertiary Accreditation and Registration Act 2003 have been drafted and require presentation to the Legislative Assembly, in order for a new delegation to proceed.

The CIT has demonstrated over a number of years and at a recent audit their capacity to meet the course accreditation requirements of the Australian Quality Training Framework, ie the national standards for registering/course accrediting bodies.

In terms of risk managing the proposed delegation, council will retain an official observer role on the CIT internal accreditation committee. All accreditation outcomes from the delegated process will be passed to council's secretariat for entry to the national register. The volume of courses accredited by the CIT under the previous delegation was relatively low, at 8 to 10 programs per year. This volume of activity is expected to remain stable.

¹ Tertiary Accreditation and Registration Act 2003

To effect the proposed delegation, a regulation pursuant to the Tertiary Accreditation and Registration Act 2003 must be presented to the Assembly, as a disallowable instrument.

Details

Detailed explanation of each section of the Regulation follows.

1. Name of regulations

Names the Regulations.

2. Commencement

These regulations commence on the day after their notification day.

3. Notes

States that the notes provided in the Regulation are not part of the law and are intended to assist readers with additional information or explanation.

4. Delegation by council to director, CIT—Act, s 10 (d)

States that the council may delegate the exercise of its function under the Act, section 8 (1) (b) to the director, CIT. A note to this section indicates to the reader that the delegated function is the accreditation of vocational education and training courses and higher education courses. This section also defines “director, CIT” as the Director under the *Canberra Institute of Technology Act 1987*.

The Regulation will be supported by an instrument of delegation that is to specify the administrative matters to support operation of the delegation by CIT, including how the Council will continue to maintain an overseeing role in course accreditations. While the function to be delegated includes both vocational and higher education course accreditation, the Council decision covers only vocational courses. The instrument will restrict the function to be delegated to courses currently described under the Australian Qualifications Framework.

The instrument of delegation will be drafted with input from the ACT Government Solicitor, to ensure consistency with the Tertiary Accreditation and Registration Act 2003 and this Regulation.