

1995

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**VOCATIONAL EDUCATION AND TRAINING
(CONSEQUENTIAL PROVISIONS) BILL 1995**

EXPLANATORY MEMORANDUM

Circulated by authority of

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Minister for Education and Training

VOCATIONAL EDUCATION AND TRAINING (CONSEQUENTIAL PROVISIONS) BILL 1995

Outline

This Bill repeals the Vocational Training Act 1989 and the Australian National Training Authority (Territory Functions) Act 1993. It also makes a minor change to the Canberra Institute of Technology Act 1987 as well as making some transitional arrangements following the enactment of the Vocational Education and Training Act 1995

Financial Considerations

There are no financial considerations

Explanation of Clauses

Clause 1 provides for the short title

Clause 2 provides for the commencement of the Act on the day on which Section 3 of the Vocational Education and Training Act commences

Clause 3 provides for the interpretation of the commencement day and the legislation referred to in the Bill

Clause 4 provides for the repeal of the Australian National Training Authority (Territory Functions) Act 1993 and the Vocational Training Act 1989. The objectives of both these Acts have been subsumed into the Bill

Clause 5 provides for the amendment of section 30 of the Canberra Institute of Technology Act 1987. Section 30 deals with the membership of the Canberra Institute of Technology Advisory Council which includes the Chairperson of the Vocational Training Authority. The amendment makes provision for the member to be the Chairperson of the Vocational Education and Training Authority

Clause 6 provides for the annual report under section 8 of the 1995 Act to include activities of and directions given to the Vocational Training Authority during the financial year in which section 8 commences

Clause 7 provides that a training program approved under subsection 40 (1) of the 1989 Act and in force before the commencement day of the 1995 Act shall be taken to be a sequence of training determined under section 25 of the 1995 Act. Section 40 of the 1989 Act provides for the Authority to determine that a specified training program is an approved training program in relation to a prescribed vocation. Clause 7 also provides for approved training schemes under subsection 90 (1) of the 1989 Act to be covered by section 25 of the 1995 Act

Clause 8 provides for trades and vocations prescribed by regulation under the 1989 Act to be prescribed under section 26 of the 1995 Act

Clause 9 provides that until the amounts payable to trainees as travelling and accommodation expenses are determined under paragraph 32 (1) (a) and 32 (1) (b) of the 1995 Act, the amount determined under paragraph 59 (1) (a) of the 1989 Act shall be payable

Clause 10 covers the situation of the Vocational Training Authority terminating a contract of training under subsection 50 (1) of the 1989 Act immediately before the commencement of the 1995 Act. The termination would take effect from the date specified in the notice issued under subsection 50 (2)

Clause 11 (1) provides for a contract of training under subsection 41 (1) of the 1989 Act in force on or after the commencement day to be an approved training agreement under section 30 of the 1995 Act

Clause 11 (2) provides for an application to undertake an approved training program under a contract of training that was pending immediately before the commencement day to be an application for approval under subsection 30 (1) of the 1995 Act

Clause 11 (3) provides for the terms of a contract of training in force immediately before the commencement day to be the terms of a training agreement under section 33 of the 1995 Act

Clause 11 (4) provides for an approved variation to a contract of training under subsection 48 (1) of the 1989 Act in force immediately before the commencement day to be a variation to an approved training agreement under section 36 of the 1995 Act

Clause 11 (5) provides for an approved variation to a contract of training under section 48 of the 1989 Act that was pending immediately before the commencement day to be an application on or after that day for approval under subsection 36 (1) of the 1995 Act for a variation to an approved training agreement

Clause 11 (6) provides for an application under subsection 50 (1) of the 1989 Act for the termination of a contract of training that was pending immediately before the commencement day to be an application for approval under subsection 36 (1) of the 1995 Act for a variation of an approved training agreement