

Australian Capital Territory

Building and Construction Industry Training Levy Amendment Regulation 2024 (No 1)

Subordinate Law SL2024–16

made under the

Building and Construction Industry Training Levy Act 1999, section 37 (Regulation-making powers)

EXPLANATORY STATEMENT

The ACT Building and Construction Industry Training Fund Authority (TFA) is established under section 4 of the *Building and Construction Industry Training Levy Act 1999* (the Act).

Part 4 of the Act establishes a Building and Construction Industry Training Fund. The TFA is responsible for the application and approval of funding for the training of eligible workers in the ACT building and construction industry.

The Building and Construction Industry Training Levy Amendment Regulation 2024 (No 1) (Amendment Regulation) amends the *Building and Construction Industry Training Levy Regulation 2001* (the Training Levy Regulation).

The Amendment Regulation makes a minor amendment to the Training Levy Regulation to include a declaration of approved training pursuant to section 28(4) of the Act.

The purpose of this regulation is to clarify the definition of approved training, as any training delivered by a Registered Training Organisation (RTO), such that section 28(3) may be interpreted without any doubt of the TFA's authority to approve funding for the purpose of approved training as defined in the regulation.

This definition will give greater effect to the purpose of the legislation, by clarifying the scope of the TFA established in the Act to approve funding from the Building and Construction Industry Training Fund for training delivered by an RTO.

CLAUSE NOTES

Clause 1 Name of regulation

Clause 1 provides that the name of the regulation is the *Building and Construction Industry Training Levy Amendment Regulation 2024 (No 1)*.

Clause 2 Commencement

This clause states that the commencement date of the regulation is the day after it is notified.

Clause 3 Legislation amended

This clause provides that the regulation amends the *Building and Construction Industry Training Levy Regulation 2001* (the Training Levy Regulation).

Clause 4 New section 4 - Approved training—Act, s 28 (4), def approved training

This clause provides a definition of approved training as any training delivered by a registered training organisation.

The purpose of this amendment is to clarify approved training pursuant to section 28(4) of the *Building and Construction Industry Training Levy Act 1999* (the Training Levy Act) so that the Training Fund Authority may approve funding for approved training pursuant to section 28(3) of the Training Levy Act.