



Australian Capital Territory

Training and Tertiary Education Regulation 2004

SL2004-22

made under the

Training and Tertiary Education Act 2003

Republication No 5

Effective: 1 July 2008 – 1 November 2008

Republication date: 1 July 2008

Last amendment made by SL2008-26

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Training and Tertiary Education Regulation 2004*, made under the *Training and Tertiary Education Act 2003* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 July 2008. It also includes any amendment, repeal or expiry affecting the republished law to 1 July 2008.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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Australian Capital Territory

Training and Tertiary Education Regulation 2004

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Training and Tertiary Education Act 2003

1 Name of regulation

This regulation is the *Training and Tertiary Education Regulation 2004*.

3 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

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

- (1) The council may delegate the exercise of its function under the Act, section 8 (1) (b) to the director, CIT.

Note The function mentioned in the Act, s 8 (1) (b) is accreditation of vocational education and training courses and higher education courses.

- (2) In this section:

director, CIT means the director under the *Canberra Institute of Technology Act 1987*.

4A Delegation by council to TVET Australia Limited—Act, s 10 (d)

The council may delegate the exercise of its functions under the Act to—

- (a) Technical and Vocational Education and Training Australia Limited (ACN 062 758 632) (TVET Australia); or
(b) an officer or employee of TVET Australia.

**5 Cancellling accreditation of higher education course—
Act, s 76 (2)**

- (1) The council may cancel the accreditation of a higher education course if—
 - (a) the course does not meet the higher education standards; or
 - (b) the council is satisfied that the person providing the course does not have the educational or management capacity to provide the course.
- (2) Without limiting subsection (1), the council may cancel the accreditation of a higher education course that was taken to be an accredited course under the Act, section 116 (Accreditation of transitional vocational and higher education courses) if the person providing the course contravenes a condition of the accreditation.

Note The Act, s 116 is a transitional provision and has expired. Provisions of transitional effect are kept with the original provisions for a limited time to ensure people are aware of them. However, the expiry of transitional provisions does not end their effect (see Legislation Act, s 88).

- (3) Subsection (2) and this subsection expire on 1 November 2008.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	par = paragraph/subparagraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	pt = part
exp = expires/expired	r = rule/subrule
Gaz = gazette	renum = renumbered
hdg = heading	reloc = relocated
IA = Interpretation Act 1967	R[X] = Republication No
ins = inserted/added	RI = reissue
LA = Legislation Act 2001	s = section/subsection
LR = legislation register	sch = schedule
LRA = Legislation (Republication) Act 1996	sdiv = subdivision
mod = modified/modification	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

This regulation was originally the *Tertiary Accreditation and Registration Regulations 2004*. It was renamed under the *Legislation Act 2001* and by the *Training and Tertiary Education Legislation Amendment Act 2007* A2007-12 (see amdt 1.19).

Training and Tertiary Education Regulation 2004 SL2004-22

notified LR 25 June 2004
 s 1, s 2 commenced 25 June 2004 (LA s 75 (1))
 remainder commenced 26 June 2004 (s 2)

as amended by

Tertiary Accreditation and Registration Amendment Regulation 2005 (No 1) SL2005-6

notified LR 24 March 2005
 s 1, s 2 commenced 24 March 2005 (LA s 75 (1))
 remainder commenced 25 March 2005 (s 2)

Training and Tertiary Education Legislation Amendment Act 2007 A2007-12 sch 1 pt 1.13

notified LR 13 June 2007
 s 1, s 2 commenced 13 June 2007 (LA s 75 (1))
 sch 1 pt 1.13 commenced 1 July 2007 (s 2 and CN2007-3)

Training and Tertiary Education Amendment Regulation 2008 (No 1) SL2008-26

notified LR 30 June 2008
 s 1, s 2 commenced 30 June 2008 (LA s 75 (1))
 remainder commenced 1 July 2008 (s 2)

4 Amendment history

Name of regulation

s 1 am R2 LA
 sub A2007-12 amdt 1.19
 am R4 LA

Commencement

s 2 om LA s 89 (4)

Endnotes

5 Earlier republications

Delegation by council to TVET Australia Limited—Act, s 10 (d)
s 4A ins SL2008-26 s 4

Cancelling accreditation of higher education course—Act, s 76 (2)
s 5 ins SL2005-6 s 4
(2), (3) exp 1 November 2008 (s 5 (3))

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 26 June 2004	26 June 2004– 31 Oct 2004	not amended	new regulation
R2 1 Nov 2004	1 Nov 2004– 24 Mar 2005	not amended	editorial amendments under Legislation Act
R3 25 March 2005	25 March 2005– 30 June 2007	SL2005-6	amendments by SL2005-6
R4 1 July 2007	1 July 2007– 30 June 2008	A2007-12	amendments by A2007-12

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