

Post-Secondary Education (Amendment) Bill

No.

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LEGISLATIVE ASSEMBLY

Read 1° 25 March 1987

(Brought in by Mr Cathie and Mr Fordham)

A BILL

to amend the *Post-Secondary Education Act* 1978 to constitute the Victorian Post-Secondary Education Accreditation Board and for other puposes.

Post-Secondary Education (Amendment) Act 1987

The Parliament of Victoria enacts as follows:

Purpose.

1. The main purpose of this Act is to amend the *Post-Secondary Education Act* 1978 to constitute the Victorian Post-Secondary
5 Education Accreditation Board.

Commencement.

2. This Act comes into operation on a day to be proclaimed.

Principal Act.

- 10 3. In this Act the *Post-Secondary Education Act* 1978 is called the Principal Act.

No 9145
Reprinted to
No. 10258
Subsequently
amended by
Nos. 13/1986,
20/1986,
24/1986, 118/19
and 121/1986

Definition of Accreditation Board.

4. In section 2 of the Principal Act before the definition of “Affiliated institution” insert—

“**Accreditation Board**” means the Victorian Post-Secondary Education Accreditation Board established under section 131.’; 5

New section 36 substituted.

5. For section 36 of the Principal Act substitute—

State Register of Accredited Courses.

“36. (1) The Commission must establish and maintain a State Register of Accredited Courses. 10

(2) If the Commission receives advice from—

(a) the Accreditation Board or a post-secondary education institution under section 35 that a course of study should be registered as accredited; or 15

(b) the Accreditation Board or a technical and further education institution under section 127 that a course of study should be registered as accredited—

the Commission must register the course as accredited in the State Register of Accredited Courses. 20

(3) The Commission must strike off the Register—

(a) any course of study which the Accreditation Board or a post-secondary education institution advises under section 35 should be struck off the Register; or

(b) with the consent of the post-secondary institution concerned, any course of study which the Commission is satisfied is not offered by the institution; or 25

(c) any course of study which the Accreditation Board or a technical and further education institution advises under section 127 should be struck off the Register. 30

(4) The Commission must not strike a course of study in a technical and further education institution off the Register unless it has consulted the Technical and Further Education Board.”.

New Part IV inserted.

6. After section 130 of the Principal Act insert—

**“PART IV—POST-SECONDARY EDUCATION ACCREDITATION
BOARD”**

5 Post-Secondary Education Accreditation Board.

“131. (1) The Governor in Council may, on the recommendation of the Minister, by Order published in the *Government Gazette* appoint twelve persons to be a board called the Post-Secondary Education Accreditation Board.

10 (2) When recommending members of the Accreditation Board the Minister must so far as the Minister is able to do so ensure that the Board represents the range of interests included in post-secondary education and technical and further education and must consult the Industrial Training Commission of Victoria.

15 (3) The Governor in Council may appoint one member of the Accreditation Board as its Chairperson and another member as its Deputy Chairperson.

(4) The members of the Accreditation Board hold office on the terms and conditions and are to be paid the fees and allowances that
20 are determined by the Minister.

(5) Seven members of the Accreditation Board form a quorum.

(6) The Chairperson must convene meetings of the Accreditation Board as often as are necessary for the proper discharge of its functions.

25 (7) The Chairperson of the Accreditation Board has a deliberative vote and, in the event of an equality of votes on any question, a casting vote.

(8) The Deputy Chairperson must perform the duties and may exercise the powers of the Chairperson whenever the Chairperson is unable to do so.

30 (9) The Governor in Council may at any time remove a member of the Accreditation Board from office.

(10) Members of the Accreditation Board are not in respect of their office as members subject to the *Public Service Act* 1974.

35 (11) The Accreditation Board may regulate its own procedure, subject to this section.

(12) The Governor in Council may at any time on the recommendation of the Minister dissolve the Accreditation Board.

(13) The Accreditation Board has any powers functions or duties that are conferred or imposed on it by the regulations.”.

Annual report.

“132. (1) The Accreditation Board must on or before 30 September in each year prepare and submit to the Minister a report of its operations for the year ending on the preceding 30 June. 5

(2) The Accreditation Board must make any other reports to the Minister as the Minister may from time to time request.”

Moneys of Commission and TAFE Board may be applied for purposes of Accreditation Board. 10

“133. (1) Any moneys of the Commission may be applied by the Commission to enable payments to be made in respect of any thing done with the approval of the Commission to enable the Accreditation Board to carry out its functions under this Act.

(2) Any moneys of the Technical and Further Education Board may be applied by the Board to enable payments to be made in respect of any thing done with the approval of the Board to enable the Accreditation Board to carry out its functions under this Act.” 15

Regulations.

“134. The Governor in Council may make regulations for or with respect to any matter or thing required or permitted to be prescribed or necessary to be prescribed to give effect to this Part.”. 20

Staff of Commission may assist Accreditation Board.

7. After section 18 (4) of the Principal Act insert—

“(5) The Commission may direct that the services of any officer appointed by the Commission shall be made available to and made use of by the Accreditation Board.”. 25

Consequential amendments.

8. The Principal Act is amended as follows:

- (a) Section 1 (2) is repealed; 30
- (b) Section 30 is repealed;
- (c) In section 34 (1) after “may” insert “after consultation with the Accreditation Board”;
- (d) In section 35 (1) and (2) before “Register” insert “State”;
- (e) Section 37 is repealed; 35
- (f) In section 120 (1A) for “Technical and Further Education Accreditation Board” substitute “Accreditation Board”;

(g) In section 121 (4A) for “Technical and Further Education Register of Accredited Courses kept under section 128” substitute “State Register of Accredited Courses kept under section 36”;

(h) Section 122 is repealed;

(i) In sections 123, 124, 125 and 127 (1) for “Technical and Further Education Accreditation Board” (wherever occurring) substitute “Accreditation Board”;

(j) In section 126 (1) after “may” insert “after consultation with the Accreditation Board”;

(k) In section 127—

(i) in sub-section (1) for “Technical and Further Education Register” substitute “State Register”;

(ii) for sub-section (2) substitute—

“(2) The Accreditation Board may, with the consent of the Technical and Further Education Board, advise the Commission that a course of study should be registered as accredited or struck off the State Register of Accredited Courses whether or not the course of study has been investigated under section 125.

(3) If the Accreditation Board receives advice under section 127, the Board must advise the Commission that the course of study should be registered as accredited or struck off the State Register of Accredited Courses.”.

(l) Sections 128 and 129 are repealed.

Transitional provision.

9. A course of study which was on a register of Accredited Courses under section 36 or 128 of the Principal Act immediately before the commencement of this Act continues to be registered on the State Register of Accredited Courses under section 36 of the Principal Act as amended by this Act subject to the Principal Act as amended by this Act.

