

Vocational Education and Training (Amendment) Bill

EXPLANATORY MEMORANDUM

Clause 1 states the purpose of the Bill which is to amend the **Vocational Education and Training Act 1990** (“the Principal Act”) to enable certain powers and functions of the State Training Board (“the Board”) in relation to apprenticeships and traineeships to be carried out by persons or bodies appointed by the Governor in Council.

Clause 2 provides for the commencement of the Bill on the day that it receives the Royal Assent.

Clause 3 inserts a new section 20B. The new section will enable the Board to delegate certain powers and functions in relation to apprenticeships and traineeships to persons or bodies, to be known as “approved training agents”, appointed by the Governor in Council on the recommendation of the Minister. Instruments of appointment of, and delegations to, approved training agents will be required to be published in the Government Gazette.

Clause 4 amends section 59 (5) (a) of the Principal Act to enable an employer to lodge a contract of training with an approved training agent as well as with the Board.

Clause 5 amends section 62 (1) of the Principal Act to delete the requirement for the Board to consent to a cancellation or variation of a contract of training agreed to by the employer and the apprentice. The requirement for the Board to consent to agreed variations to the contract of training will remain so as to prevent variations unacceptable to the Board.

Clause 6 inserts a new section 71. The new section provides for the review by the Board of decisions of approved training agents.

Clause 7 repeals section 72 of the Principal Act. That section currently empowers the Governor in Council to make regulations specifically in relation to Part 5 of the Act. The section is considered unnecessary in view of the general regulation making power contained in section 94 of the Act.

Clause 8 substitutes section 92 (1) to confirm that prosecutions for offences against the Act may only be taken by persons referred to in that section.

Clause 9 makes two statute law revision amendments to the **Accident Compensation Act 1985**.

Clause 10 makes two statute law revision amendments to the Principal Act.

