



Queensland

Vocational Education, Training and Employment and Other Legislation Amendment Regulation (No. 1) 2012

Subordinate Legislation 2012 No. 103

made under the

Agricultural Chemicals Distribution Control Act 1966

Animal Care and Protection Act 2001

Building Act 1975

Chemical Usage (Agricultural and Veterinary) Control Act 1988

Child Care Act 2002

Education (Queensland Studies Authority) Act 2002

Explosives Act 1999

Health Act 1937

Industrial Relations Act 1999

Plumbing and Drainage Act 2002

Queensland Building Services Authority Act 1991

Transport Operations (Road Use Management) Act 1995

Travel Agents Act 1988

Vocational Education, Training and Employment Act 2000

Workers' Compensation and Rehabilitation Act 2003

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Vocational Education, Training and Employment and Other Legislation Amendment Regulation (No. 1) 2012*.

Part 2 Amendment of Vocational Education, Training and Employment Regulation 2000

2 Regulation amended

This part amends the *Vocational Education, Training and Employment Regulation 2000*.

3 Omission of pt 2 (Registering training organisations and accrediting courses)

Part 2—
omit.

4 Amendment of s 12 (Registering training contracts)

(1) Section 12(1) and (3), ‘the council’—
omit, insert—

‘Skills Queensland’.

(2) Section 12(2), (3) and (4), ‘The council’—
omit, insert—

‘Skills Queensland’.

5 Amendment of s 13 (Applying for approval to amend registered training contract)

(1) Section 13(1) and (3), ‘the council’—

omit, insert—

‘Skills Queensland’.

(2) Section 13(3) and (4), ‘The council’—

omit, insert—

‘Skills Queensland’.

6 Amendment of s 14 (How council may deal with application to amend registered training contract)

(1) Section 14, heading, ‘council’—

omit, insert—

‘**Skills Queensland**’.

(2) Section 14(1), ‘The council’—

omit, insert—

‘Skills Queensland’.

(3) Section 14(2) and (4), ‘the council’—

omit, insert—

‘Skills Queensland’.

7 Amendment of s 15 (Applying for approval to temporarily assign registered training contract)

(1) Section 15(1) and (3), ‘the council’—

omit, insert—

‘Skills Queensland’.

(2) Section 15(3) and (4), ‘The council’—

omit, insert—

‘Skills Queensland’.

8 Amendment of s 16 (How council may deal with application to temporarily assign registered training contract)

- (1) Section 16, heading, ‘council’—
omit, insert—
‘Skills Queensland’.
- (2) Section 16(1), (3) and (6), ‘The council’—
omit, insert—
‘Skills Queensland’.
- (3) Section 16(2), (4), (5)(c) and (6), ‘the council’—
omit, insert—
‘Skills Queensland’.

9 Amendment of s 21 (Falsifying training record)

Section 21—

insert—

- ‘(2) For an offence against subsection (1), it is enough to allege that the entry or record was ‘false or misleading’ without specifying which.’.

10 Amendment of s 23 (Application)

- (1) Section 23(1), ‘an administrator’—
omit, insert—
‘Skills Queensland’.
- (2) Section 23(2), ‘The administrator’—
omit, insert—
‘Skills Queensland’.
- (3) Section 23(3), ‘the administrator’—
omit, insert—

‘Skills Queensland’.

11 Amendment of s 24 (Timeliness)

Section 24, ‘The administrator’—

omit, insert—

‘Skills Queensland’.

12 Amendment of s 25 (Show cause notice)

(1) Section 25(1), ‘The administrator’—

omit, insert—

‘Skills Queensland’.

(2) Section 25(2)(a), ‘the administrator’—

omit, insert—

‘Skills Queensland’.

13 Amendment of s 26 (Representations about show cause notices)

(1) Section 26, ‘the administrator’—

omit, insert—

‘Skills Queensland’.

(2) Section 26(3), ‘The administrator’—

omit, insert—

‘Skills Queensland’.

14 Amendment of s 27 (Administrator may inform itself)

(1) Section 27, heading, ‘Administrator’—

omit, insert—

‘Skills Queensland’.

- (2) Section 27, ‘The administrator’—
omit, insert—
‘Skills Queensland’.

15 Amendment of s 28 (Administrator may ask for additional information)

- (1) Section 28, heading, ‘Administrator’—
omit, insert—
‘Skills Queensland’.
- (2) Section 28, ‘The administrator’—
omit, insert—
‘Skills Queensland’.
- (3) Section 28, ‘the administrator’—
omit, insert—
‘Skills Queensland’.

16 Amendment of s 29 (All representations and material to be considered)

- Section 29, ‘The administrator’—
omit, insert—
‘Skills Queensland’.

17 Amendment of s 31 (Fees)

- Section 31(2) to (5)—
omit.

18 Omission of ss 34–36

- Sections 34 to 36—
omit.

19 Replacement of sch 1 (Fees)

Schedule 1—

omit, insert—

‘Schedule 1 Fees

section 31

\$

Recognition of vocational placement scheme

1	Application under section 108 of the Act to recognise a vocational placement scheme	189.50
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Government funded subjects at TAFE institutes

2	Student contribution fee for each nominal hour of a subject	1.55
3	Application for re-evaluation of the result for a subject or part of a subject—	
	(a) re-evaluation taking 1 hour or less	38.25
	(b) re-evaluation taking more than 1 hour	at cost
4	Replacement qualification	18.25
5	Replacement statement of attainment	12.30
6	Replacement result of assessment for a unit of competency	12.30
7	Student academic history	12.30
8	Copy of another student record	12.30
9	Statement to the holder of—	
	(a) a qualification certifying the qualification as equivalent to another qualification or a statement of attainment	12.30
	(b) a statement of attainment certifying the statement of attainment as equivalent to a qualification or another statement of attainment	12.30
10	Late enrolment for 1 or more subjects enrolled in at the same time	15.35

	\$
11 Trade test, apprentice level test or trainee level test	at cost or \$378.40, whichever is less
12 Literacy or numeracy test for a special entry apprentice, payable by the person requesting the test	137.85
13 Student identification card	at cost
14 Supervising a student’s examination at a TAFE institute other than the institute at which the student is enrolled for the subject	at cost

ACE courses at TAFE institutes

15 ACE tuition fee—	
(a) for an ACE course that is an adult and community education course under the <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cwlth)—	
(i) if the fee is chargeable at an hourly rate and a tutor only is supplied—for each nominal hour for the course.	2.55
(ii) if the fee is chargeable at an hourly rate and a teacher only is supplied—for each nominal hour for the course	4.85
(iii) if the fee is chargeable at an hourly rate and a tutor and a teacher are supplied—for each nominal hour for the course	7.40
(iv) if the fee is not chargeable at an hourly rate . . .	at cost
(b) for any other ACE course—	
(i) if the fee is chargeable at an hourly rate and a tutor only is supplied—for each nominal hour for the course.	2.75
(ii) if the fee is chargeable at an hourly rate and a teacher only is supplied—for each nominal hour for the course	5.35
(iii) if the fee is chargeable at an hourly rate and a tutor and a teacher are supplied—for each nominal hour for the course	8.10

	\$
(iv) if the fee is not chargeable at an hourly rate . . .	at cost including any GST payable on the supply of the course
16 Enrolment fee—	
(a) for an ACE course that is an adult and community education course under the <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cwlth)	15.85
(b) for any other ACE course	17.50
17 Facilities fee for each course	the amount under section 30C

Apprenticeship and traineeship documents

18 Extract from the register of apprenticeships and traineeships	15.75
19 Certified copy of—	
(a) an indenture	17.00
(b) a certificate of completion of apprenticeship or traineeship	15.75
(c) a training contract or other training agreement	15.75
(d) a certificate of completion of training under a training contract or other training agreement	15.75’.

20 Amendment of sch 5 (Dictionary)

- (1) Schedule 5, definitions *accepted representations, administrator, manage, show cause notice, show cause period, transfer approval* and *TVET*—
omit.
- (2) Schedule 5—
insert—

‘*show cause notice* see section 25(1).’.

- (3) Schedule 5, definition *affected person*, paragraphs (a) to (d), (f) and (l)—

omit.

- (4) Schedule 5, definition *affected person*, paragraphs (e) to (k)—
renumber as paragraphs (a) to (f).

- (5) Schedule 5, definition *relevant section*, paragraphs (a) to (d), (j) and (q)—

omit.

- (6) Schedule 5, definition *relevant section*, paragraphs (e) to (p)—

renumber as paragraphs (a) to (k).

Part 3 **Amendment of Agricultural Chemicals Distribution Control Regulation 1998**

21 **Regulation amended**

This part amends the *Agricultural Chemicals Distribution Control Regulation 1998*.

22 **Amendment of s 8A (Commercial operator’s licence—relevant pest management qualification for pest management technician—Act, s 16A)**

Section 8A(2), definition *registered training organisation*—
omit, insert—

‘*registered training organisation* see the *Vocational Education, Training and Employment Act 2000*, schedule 3.’.

Part 9 **Amendment of Explosives Regulation 2003**

35 **Regulation amended**

This part amends the *Explosives Regulation 2003*.

36 **Amendment of sch 7 (Dictionary)**

Schedule 7, definition *registered training organisation*,
'section 19'—

omit, insert—

'schedule 3'.

Part 10 **Amendment of Health (Drugs and Poisons) Regulation 1996**

37 **Regulation amended**

This part amends the *Health (Drugs and Poisons) Regulation 1996*.

38 **Amendment of s 163AA (First aid providers)**

Section 163AA(3)—

omit.

39 **Amendment of appendix 9 (Dictionary)**

(1) Appendix 9, definition *registered training organisation*—
omit.

(2) Appendix 9—

[s 40]

insert—

‘**qualification**, for a hospital pharmaceutical assistant, see the *Vocational Education, Training and Employment Act 2000*, schedule 3.

registered training organisation see the *Vocational Education, Training and Employment Act 2000*, schedule 3.’.

- (3) Appendix 9, definition *hospital pharmaceutical assistant*, paragraph (a)—

omit, insert—

‘(a) has a qualification or statement of attainment recognising that the person has the skills and knowledge required to perform pharmaceutical impost duties in a hospital; and’.

- (4) Appendix 9, definition *statement of attainment*, ‘section 19’—

omit, insert—

‘schedule 3’.

Part 11 **Amendment of Industrial Relations (Tribunals) Rules 2011**

40 **Rules amended**

This part amends the *Industrial Relations (Tribunals) Rules 2011*.

41 **Amendment of r 133 (Record for particular appeals and WHS reviews)**

- (1) Rule 133(2)(b)(vi), after ‘attainment’—

insert—

‘as defined under the *Vocational Education, Training and Employment Act 2000*, schedule 3’.

- (2) Rule 133(2)(b)(viii), ‘the Training and Employment Recognition Council’—

omit, insert—

‘Skills Queensland’.

42 Amendment of r 135 (Service of applications)

- (1) Rule 135(4), ‘the Training and Employment Recognition Council’—

omit, insert—

‘Skills Queensland’.

- (2) Rule 135(4), ‘the council’—

omit, insert—

‘Skills Queensland’.

43 Amendment of r 136 (Service of application if respondent is Training and Employment Recognition Council)

- (1) Rule 136, heading, ‘Training and Employment Recognition Council’—

omit, insert—

‘Skills Queensland’.

- (2) Rule 136(1)(a), ‘the Training and Employment Recognition Council’—

omit, insert—

‘Skills Queensland’.

- (3) Rule 136(1)(b), ‘the council’—

omit, insert—

‘Skills Queensland’.

- (4) Rule 136(2), ‘The council’—

Part 13 **Amendment of Queensland Building Services Authority Regulation 2003**

46 **Regulation amended**

This part amends the *Queensland Building Services Authority Regulation 2003*.

47 **Amendment of s 5 (Work that is not building work)**

Section 5(1)(zh), ‘part 8.3.’—

omit, insert—

‘part 8.3;’.

48 **Amendment of s 15 (Qualifications and experience for contractor’s licence—Act, s 31)**

Section 15(2)(c), ‘issued by an approved authority’—

omit, insert—

‘of required competency’.

49 **Amendment of s 21 (Prescribed course—Act, s 43D, definition *owner-builder course*)**

Section 21, after, ‘section 43D’—

insert—

‘of the Act’.

50 **Amendment of sch 2 (Classes of licences and licence requirements)**

(1) Schedule 2, part 1, section 3(d), ‘issued by an approved authority’—

omit, insert—

‘of required competency’.

- (2) Schedule 2, part 2, section 3(c), ‘issued by an approved authority’—

omit.

- (3) Schedule 2, part 2, section 3(c), ‘national competency standards’—

omit, insert—

‘units of competency’.

- (4) Schedule 2, part 2, section 3(c), ‘standards’—

omit, insert—

‘units of competency’.

- (5) Schedule 2, part 3, section 3(d), ‘the required competency issued by an approved authority’—

omit, insert—

‘required competency’.

- (6) Schedule 2, part 4, section 3(d), ‘issued by an approved authority’—

omit.

- (7) Schedule 2, part 4, section 3A(b) and (c), ‘competencies’—

omit, insert—

‘units of competency’.

- (8) Schedule 2, part 4, section 3A(c), ‘to a course’—

omit, insert—

‘to the units of competency’.

- (9) Schedule 2, part 5, section 3(d), ‘issued by an approved authority’—

omit.

- (10) Schedule 2, part 5, section 3A(b) and (c), ‘competencies’—

omit, insert—

- ‘units of competency’.
- (11) Schedule 2, part 5, section 3A(c), ‘to a course’—
omit, insert—
‘to the units of competency’.
- (12) Schedule 2, part 6, section 3(1)(d), ‘issued by an approved authority’—
omit.
- (13) Schedule 2, part 6, section 4(b) and (c), ‘competencies’—
omit, insert—
‘units of competency’.
- (14) Schedule 2, part 7, sections 3(a) and (b) and 3A(a) and (b), ‘competencies’—
omit, insert—
‘units of competency’.
- (15) Schedule 2, part 7, section 3(d), ‘issued by an approved authority’—
omit.
- (16) Schedule 2, part 8, sections 3(a) and (b) and 3A(a) and (b), ‘competencies’—
omit, insert—
‘units of competency’.
- (17) Schedule 2, part 8, section 3(d), ‘issued by an approved authority’—
omit.
- (18) Schedule 2, part 8A, sections 3(3)(a) and (3)(b) and 3A(a) and (b), ‘competencies’—
omit, insert—
‘units of competency’.
- (19) Schedule 2, part 9, sections 3(a), (b) and (c) and 3A(a) and (b), ‘competencies’—

omit, insert—

‘units of competency’.

- (20) Schedule 2, part 9, section 3(e), ‘issued by an approved authority’—

omit.

- (21) Schedule 2, part 10, sections 3(a) and (b) and 3A(a) and (b), ‘competencies’—

omit, insert—

‘units of competency’.

- (22) Schedule 2, part 10, section 3(d), ‘issued by an approved authority’—

omit.

- (23) Schedule 2, part 11, section 3(d), ‘issued by an approved authority’—

omit.

- (24) Schedule 2, part 12, section 3(d), ‘issued by an approved authority’—

omit.

- (25) Schedule 2, part 13, section 3(d), ‘issued by an approved authority’—

omit.

- (26) Schedule 2, part 15, section 3(a)(i) and (ii), ‘competency’—

omit, insert—

‘unit of competency’.

- (27) Schedule 2, part 15, section 3(d), ‘issued by an approved authority’—

omit.

- (28) Schedule 2, part 16, section 3(d), ‘issued by an approved authority’—

omit.

- (29) Schedule 2, part 17, section 3(b), ‘competencies’—
omit, insert—
‘units of competency’.
- (30) Schedule 2, part 17, section 3(e), ‘issued by an approved authority’—
omit.
- (31) Schedule 2, part 20, section 3(f), ‘issued by an approved authority’—
omit.
- (32) Schedule 2, part 21, section 3(2)(a), ‘competencies’—
omit, insert—
‘units of competency’.
- (33) Schedule 2, part 22, section 3(a)(i), ‘competencies’—
omit, insert—
‘units of competency’.
- (34) Schedule 2, part 24, section 3(1)(a), (2)(a) and (4)(a), ‘competency units’—
omit, insert—
‘units of competency’.
- (35) Schedule 2, part 27, section 3(1)(a), ‘competency units’—
omit, insert—
‘units of competency’.
- (36) Schedule 2, part 28, section 3(2)(a), ‘competency units’—
omit, insert—
‘units of competency’.
- (37) Schedule 2, part 30, section 3(2)(a), ‘competency’—
omit, insert—
‘unit of competency’.

(38) Schedule 2, part 31, section 3(d), ‘issued by an approved authority’—

omit.

(39) Schedule 2, part 32, section 3(d), ‘issued by an approved authority’—

omit.

(40) Schedule 2, part 34, section 3(d), ‘issued by an approved authority’—

omit.

(41) Schedule 2, part 35, section 3(1)(b), ‘competency’—

omit, insert—

‘unit of competency’.

(42) Schedule 2, part 36, section 3(d), ‘issued by an approved authority’—

omit.

(43) Schedule 2, part 37, section 3(d), ‘issued by an approved authority’—

omit.

(44) Schedule 2, part 38, section 3(e), ‘issued by an approved authority’—

omit.

(45) Schedule 2, part 39, section 3(f), ‘issued by an approved authority’—

omit.

(46) Schedule 2, part 40, section 3(e), ‘issued by an approved authority’—

omit.

(47) Schedule 2, part 41, section 3(d), ‘issued by an approved authority’—

omit.

(48) Schedule 2, part 42, section 3(d), ‘issued by an approved authority’—

omit.

(49) Schedule 2, part 43, section 3(d), ‘issued by an approved authority’—

omit.

(50) Schedule 2, part 44, section 3(c), ‘issued by an approved authority’—

omit.

(51) Schedule 2, part 45, section 3(d), ‘issued by an approved authority’—

omit.

(52) Schedule 2, part 46, section 3(b), ‘national competency standards’—

omit, insert—

‘units of competency’.

(53) Schedule 2, part 46, section 3(e), ‘issued by an approved authority’—

omit.

(54) Schedule 2, part 47, section 3(d), ‘issued by an approved authority’—

omit.

(55) Schedule 2, part 48, section 3(1)(a)(i) and (1)(b), ‘competency’—

omit, insert—

‘unit of competency’.

(56) Schedule 2, part 48, section 3(1)(a)(iii), ‘issued by an approved authority’—

omit, insert—

‘of required competency’.

[s 50]

- (57) Schedule 2, part 49, section 3(d), ‘issued by an approved authority’—
omit.
- (58) Schedule 2, part 50, section 3(d), ‘issued by an approved authority’—
omit.
- (59) Schedule 2, part 51, section 3(a), ‘competencies’—
omit, insert—
‘units of competency’.
- (60) Schedule 2, part 51, section 3(f), ‘issued by an approved authority’—
omit.
- (61) Schedule 2, part 51, section 3(f), ‘national competency standards’—
omit, insert—
‘units of competency’.
- (62) Schedule 2, part 51A, section 3(1)(b), (2)(b) and (3)(b), ‘Statement of Attainment’—
omit, insert—
‘statement of attainment’.
- (63) Schedule 2, part 51A, section 3(1)(b), (1)(c), (2)(b), (2)(c), (3)(b) and (3)(c), ‘competencies’—
omit, insert—
‘units of competency’.
- (64) Schedule 2, part 51A, section 3(1)(d), (2)(d) and (3)(d), ‘issued by an approved authority’—
omit.
- (65) Schedule 2, part 52, section 3(1)(b), ‘competencies’—
omit, insert—
‘units of competency’.

- (66) Schedule 2, part 53, section 3(b), ‘competency’—
omit, insert—
‘unit of competency’.
- (67) Schedule 2, part 54, section 3(d), ‘issued by an approved authority’—
omit.
- (68) Schedule 2, part 55, section 3(d), ‘issued by an approved authority’—
omit.
- (69) Schedule 2, part 56, section 3(c), ‘issued by an approved authority’—
omit.
- (70) Schedule 2, part 56, section 3(c), ‘national competency standards’—
omit, insert—
‘units of competency’.
- (71) Schedule 2, part 56, section 3(c), ‘standards’—
omit, insert—
‘units of competency’.

51 Amendment of sch 2A (Classes and requirements of fire protection occupational licences)

- (1) Schedule 2A, part 1, section 3(2)(a), ‘competencies’—
omit, insert—
‘units of competency’.
- (2) Schedule 2A, part 2, section 3(a)(i), ‘competencies’—
omit, insert—
‘units of competency’.

- (3) Schedule 2A, part 4, section 3(1)(a), (2)(a) and (4)(a), ‘competency units’—
omit, insert—
‘units of competency’.
- (4) Schedule 2A, part 7, section 3(1)(a), ‘competency units’—
omit, insert—
‘units of competency’.
- (5) Schedule 2A, part 8, section 3(2)(a), ‘competency units’—
omit, insert—
‘units of competency’.
- (6) Schedule 2A, part 10, section 3(2)(a), ‘competency’—
omit, insert—
‘unit of competency’.

52 Amendment of sch 3 (Dictionary)

- (1) Schedule 3, definitions *approved authority, national competency standards, nationally endorsed, required competency, statement of attainment* and *training package—omit.*
- (2) Schedule 3—
insert—
‘required competency, for a class of licence, means units of competency approved by the authority as the minimum technical requirements for the class.
statement of attainment, for a class of licence, see the *Vocational Education, Training and Employment Act 2000*, schedule 3.’.
- (3) Schedule 3, definition *unit of competency*, ‘section 19’—
omit, insert—
‘schedule 3’.

Part 14 **Amendment of Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005**

53 **Regulation amended**

This part amends the *Transport Operations (Road Use Management—Accreditation and Other Provisions) Regulation 2005*.

54 **Amendment of s 30 (Definitions for pt 3)**

- (1) Section 30, definitions *council* and *registered training organisation*—
omit.
- (2) Section 30—
insert—
‘registered training organisation see the *Vocational Education, Training and Employment Act 2000*, schedule 3.’.

55 **Amendment of s 35 (Accrediting driver trainers)**

Section 35(2)(b), from ‘at least’—
omit, insert—

‘either of the following—

- (i) a driver training course conducted by a registered training organisation;
- (ii) a driver trainer competency assessment conducted by a registered training organisation.’.

56 Amendment of s 36 (Accrediting rider trainers)

Section 36(2)(b), from ‘at least’—

omit, insert—

‘a certificate IV in assessment and workplace training issued by a registered training organisation.’.

57 Amendment of sch 9 (Dictionary)

Schedule 9, definition *council*—

omit.

Part 15 Amendment of Travel Agents Regulation 1998

58 Regulation amended

This part amends the *Travel Agents Regulation 1998*.

59 Amendment of s 13 (Transitional provision for the Travel Agents Amendment Regulation (No. ...) 2009)

Section 13, heading, ‘(No. ...)’—

omit, insert—

‘(No. 1)’.

60 Amendment of sch 3 (Prescribed qualifications)

(1) Schedule 3, section 1(1)(a)—

omit, insert—

‘(a) the successful completion of a unit of competency approved by the commissioner; or’.

- (2) Schedule 3, section 1(2), definition *Australian Quality Training Framework*—
omit.
- (3) Schedule 3, section 1(2)—
insert—
'unit of competency see the *Vocational Education, Training and Employment Act 2000*, schedule 3.'

Part 16 **Amendment of Workers' Compensation and Rehabilitation Regulation 2003**

61 **Regulation amended**

This part amends the *Workers' Compensation and Rehabilitation Regulation 2003*.

62 **Amendment of s 26 (Insurance of vocational placement students)**

Section 26(1), definition *registered training organisation*—
omit.

63 **Amendment of s 99A (Criteria for rehabilitation and return to work coordinator—Act, s 41(a))**

Section 99A(1)(a), from 'accredited'—
omit, insert—

'conducted by a registered training organisation; and'.

64 **Amendment of sch 13 (Dictionary)**

Schedule 13—

insert—

*‘registered training organisation see the Vocational
Education, Training and Employment Act 2000, schedule 3.’*

ENDNOTES

- 1 Made by the Governor in Council on 19 July 2012.
- 2 Notified in the gazette on 20 July 2012.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Education, Training and Employment.

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