



Further Education and Training Act 2014

Further Education and Training Regulation 2014

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Queensland

Further Education and Training Regulation 2014

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Further Education and Training Regulation 2014

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Further Education and Training Regulation 2014*.

2 Commencement

This regulation commences on 1 July 2014.

Part 2 Prescribed matters for Act, chapters 2 and 8

3 Requirements for apprenticeship or traineeship—Act, s 8(3)(c)

- (1) For section 8(3)(c) of the Act, a declaration of an apprenticeship or traineeship under section 8(2) of the Act may include the following prescribed requirements for the apprenticeship or traineeship—
 - (a) the level of education a person must have reached before starting the apprenticeship or traineeship;
 - (b) that a person can not start the apprenticeship or traineeship without the prior approval in writing of a nominated entity for the apprenticeship or traineeship;
 - (c) that a person completing the apprenticeship or traineeship (the *relevant apprentice or trainee*) must be supervised;
 - (d) if the relevant apprentice or trainee must be supervised—

[s 4]

- (i) the qualifications and experience the supervisor must have; and
 - (ii) that the supervisor—
 - (A) may also, at a place the apprenticeship or traineeship is being completed, supervise other apprentices or trainees; or
 - (B) must not, at a place the apprenticeship or traineeship is being completed, supervise any other apprentices or trainees; and
 - (iii) for a supervisor who may supervise other apprentices or trainees under subparagraph (ii)(A)—the number of other apprentices or trainees the supervisor may supervise;
 - (e) other requirements relating to the nature and quality of the supervision the chief executive considers relevant.
- (2) In this section—

nominated entity, for an apprenticeship or traineeship, means an employer group, industry body or regulatory authority nominated in the declaration of the apprenticeship or traineeship under section 8(2) of the Act.

Examples of regulatory authorities—

Office of Fair and Safe Work Queensland, Queensland Building and Construction Commission, Maritime Safety Queensland

4 Keeping training record

- (1) Within 14 days after a training plan for an apprentice or trainee is signed by the parties to the training plan, the supervising registered training organisation must give the apprentice or trainee the appropriate training record to be kept for the apprenticeship or traineeship.

Maximum penalty—20 penalty units.

- (2) The training record must be kept by the parties in any way the supervising registered training organisation considers appropriate.

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- (3) The training record is to be in the possession of the apprentice or trainee except when it is required to be produced to a person under the Act.
 - (4) The employer, the supervising registered training organisation or the chief executive may, by reasonable notice, require the apprentice or trainee to produce the training record to the employer, supervising registered training organisation or chief executive—
 - (a) for inspection; or
 - (b) to enable the record to be kept as required by subsection (6)(b).
 - (5) The apprentice or trainee must not contravene the requirement, unless the apprentice or trainee has a reasonable excuse.

Maximum penalty—20 penalty units.

- (6) Where training is required to be delivered by the employer or the supervising registered training organisation, the employer or the supervising registered training organisation must, at reasonable intervals of not more than 3 months—
 - (a) require the apprentice or trainee to produce the training record to have the particulars of the training completed by the apprentice or trainee during the interval entered in it; and
 - (b) if the training record is produced—keep the record complete, accurate and up-to-date by entering the particulars in it.

Maximum penalty for subsection (6)—20 penalty units.

4A Prescribed documents—Act, s 195

The documents mentioned in schedule 1, item 1 are prescribed for the Act, section 195(1).

5 Fees

- (1) The fees payable under the Act are stated in schedule 1.
- (2) The chief executive may waive payment of a fee stated in schedule 1 if the chief executive considers that there are exceptional circumstances to do so.
- (3) A reference in schedule 1 to an apprenticeship or traineeship includes—
 - (a) employment-based training that was, but is no longer, declared to be an apprenticeship or traineeship under the Act, section 8(2); and
 - (b) employment-based training (however described), of a type similar to an apprenticeship or traineeship, provided for by the repealed Act or another repealed Act relating to apprenticeships or traineeships.

Schedule 1 Prescribed documents and fees

sections 4A and 5

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| 1 | Providing copies of the following documents, for each application for copies of the documents relating to a particular person (Act, s 195(2))— | |
| | (a) a completion certificate; | |
| | (b) a training contract; | |
| | (c) a completion certificate or training contract under the repealed Act | 20.10 |
| 2 | Giving copies of the following documents, for each request for copies of the documents relating to a particular person— | |
| | (a) a certificate of achievement; | |
| | (b) a recognition certificate under the repealed Act; | |
| | (c) a document (however described), of a type similar to a document mentioned in item 1 or paragraph (a) or (b), provided for by a repealed Act, other than the repealed <i>Vocational Education, Training and Employment Act 2000</i> | 20.10 |
| 3 | Giving a certificate signed by the chief executive certifying a matter relating to an apprenticeship or traineeship | 20.10 |