

# Further Education and Training Bill 2014

## Explanatory Notes

### Short title

The short title of the Bill is the Further Education and Training Bill 2014.

### Policy objectives and the reasons for them

The Queensland Government is progressing significant reforms to the vocational education and training (VET) sector in Queensland. This began in June 2012 with the establishment of the independent Queensland Skills and Training Taskforce (the Taskforce). The Taskforce found that the State's apprenticeship system required reform and modernisation to improve its responsiveness to a quickly changing economy.

In November 2012, the Government accepted all 11 of the Taskforce's recommendations pertaining to apprenticeships and traineeships. This was followed in June 2013 by the release of *Great skills. Real opportunities – The Queensland Government reform action plan for further education and training* (the VET action plan), which outlines the Government's five year plan for sector reform. Legislative amendments are considered necessary to support the VET action plan commitments.

The objectives of the Further Education and Training Bill 2014 (the Bill), which supports the commitments made in the VET action plan, are to:

1. establish a new regulatory framework for apprenticeships and traineeships;
2. reduce legislative barriers to employment and training opportunities;
3. modernise apprenticeship and traineeship provisions through: changes to restricted callings; reducing duplication regarding employment related matters; introducing permanent transfers; and encouraging parties to resolve disputes themselves;
4. recognise alternative training pathways by providing for the issuing of a certificate of achievement by the chief executive;
5. establish a new regulatory framework for group training organisations (GTOs) and principal employer organisations (PEOs); and
6. repeal legislation regulating vocational placements.

The Bill will also repeal the *Higher Education (General Provisions) Act 2008*.

#### New regulatory framework for apprenticeships and traineeships

The current provisions in the *Vocational Education, Training and Employment Act 2000* (VETE Act) for apprenticeships and traineeships do not meet the needs of industry and require amendment to reduce red tape and increase flexibility. The provisions were first

introduced in 2000 and it is time to establish a new regulatory framework that encourages employers to take on apprentices and trainees. The VETE Act also includes unnecessary duplication of employment rights for apprentices and trainees. It is proposed to remove this duplication while retaining similar protections for apprentices and trainees.

The existing VETE Act will be repealed as a consequence of the Bill.

#### Reduce legislative barriers to employment and training opportunities

The VETE Act is not sufficiently flexible to allow for alternative training pathways and employment options. The VETE Act includes a restriction on employing persons less than 21 years of age in a restricted calling, which is most recognised trades, unless they are an apprentice or trainee. With the range of different employment and training pathways available, this requirement that they must be engaged in an apprenticeship or traineeship is unduly restrictive. The Bill will enable young persons to access more flexible pathways to becoming a tradesperson, including using training packages to gain a necessary qualification rather than working as an apprentice or trainee

In addition, it is proposed to recognise for the first time an alternative training pathway which allows persons to combine employment and training in a flexible way under programs administered by the Department of Education, Training and Employment (DETE). This will allow persons who cannot commit to a 3-4 year apprenticeship or locate an employer able to offer a 3-4 year apprenticeship to access employment based training and have their achievement recognised by a certificate issued by the chief executive.

#### New regulatory framework for GTOs and PEOs

The legislative provisions regulating GTOs and PEOs require amendment to reflect current regulatory practice in this area. Currently, the regulatory framework for these organisations is mostly in guidelines issued by the chief executive under the VETE Act, as well as some requirements in the VETE Act and Regulation. It is proposed to consolidate all of these requirements to provide a single source of requirements for GTO and PEOs. The Bill will ensure that the high standard of employment and training opportunities currently provided by these organisations is maintained.

#### Repeal of legislation regulating vocational placements

The *Vocational Education and Training (Commonwealth Powers) Act 2012* (the 2012 Act) referred the Queensland Parliament's power to legislate with respect to registered training organisations (RTOs) and accreditation of VET courses. It allowed a Commonwealth agency, the Australian Skills Quality Authority (ASQA), to become the national regulator. When the 2012 Act was passed it was identified that the current regulation of vocational placements was not consistent with the referral of powers. The 2012 Act included a two year transitional arrangement which allowed the current provisions to continue in force while the VETE Act was reviewed and a new approach to regulation was developed.

As it is not possible to regulate vocational placements after the referral of power, it is now proposed to repeal the existing regulatory framework for vocational placements. The regulation of vocational placements involves the regulation of RTOs and the training that RTOs deliver. This is now the responsibility of the Commonwealth Government and it is not

necessary for the Queensland Government to continue to regulate vocational placements. Organisations that arrange vocational placements will continue to have access to insurance through WorkCover Queensland.

### Repeal the *Higher Education (General Provisions) Act 2008*

In 2012, the Tertiary Education Quality and Standards Agency (TEQSA) commenced operations regulating higher education providers across Australia. TEQSA replaced the existing system of state regulators. It is no longer necessary for Queensland to maintain a regulatory framework for higher education providers as all higher education providers operating in Queensland are regulated by TEQSA.

## **Achievement of policy objectives**

### New regulatory framework for apprenticeships and traineeships

The Bill repeals the VETE Act and introduces a new regulatory framework for apprenticeships and traineeships in order to implement the Government's reform commitment to reduce barriers to attracting and retaining apprentices and trainees. The Bill retains the key concepts for apprenticeships and traineeships contained in the VETE Act, but makes a number of reforms including the following.

1. The Bill reduces timeframes for the lodgement of a training contract to ensure that the employment status of apprentices and trainees is formalised as soon as possible and to bring Queensland into line with other jurisdictions.
2. The Bill replaces the current complex system for the suspension and cancellation of training contracts by introducing a new simplified model which emphasises resolution of matters by consent of the parties rather than by decision of the chief executive. The three separate processes for suspending a training contract will be replaced with one overarching process for suspension by mutual consent. Similar changes will be made to the cancellation and disciplinary powers of the chief executive to ensure that the legislation is consistent with the policy that the parties are best placed to resolve issues during a training contract. The Government will continue to provide support to parties to resolve issues in dispute.
3. The Bill removes duplication between the current regulatory framework and the industrial relations legislation in relation to the employment of apprentices/trainees by ensuring that employment-related remedies can only be sought by apprentices/trainees under a single legislative instrument. Apprentices/trainees employed by Queensland system employers, such as state and local governments, will have access to notice of termination and unfair dismissal under the *Industrial Relations Act 1999* (IR Act). Other apprentices will continue to have access to remedies under the *Fair Work Act 2009* (Cwlth).
4. The Bill provides for a permanent transfer of a training contract between employers to remove the need to cancel and re-register a training contract with a new employer.

### Reduce legislative barriers to employment and training opportunities

The Bill reduces legislative barriers to employment and training opportunities by reducing the age limit on employing young persons in restricted callings. Under the Bill, employers will be able to employ persons 18 years or over in a restricted calling without employing that person in an apprenticeship or traineeship.

The Bill also provides for certificates of achievement to be issued by the chief executive to persons enrolled in a program administered by the chief executive.

#### New regulatory framework for GTOs and PEOs

The Bill provides for the regulation of GTOs and PEOs in similar terms to the existing VETE Act, but adopts a modern drafting approach. Instead of a combination of primary, subordinate and quasi-regulation, the framework will now be contained in this Bill; providing a single source for GTOs and PEOs to refer to for their legislative requirements. The Bill refers to the standards that apply to GTOs and PEOs and clearly articulates the process for being recognised and the conditions of recognition, which include regular audits to ensure that quality standards are maintained.

#### Repeal of legislation regulating vocational placements

The Bill does not include any provisions to continue the regulation of vocational placements. The Bill continues to ensure that providers of vocational placements will have access to WorkCover insurance in Queensland, through an amendment to the *Workers' Compensation and Rehabilitation Act 2003*.

#### Repeal the *Higher Education (General Provisions) Act 2008*

The Bill repeals the *Higher Education (General Provisions) Act 2008*, which is now redundant following establishment of TEQSA under the *Tertiary Education Quality and Standards Agency Act 2011* (Cwlth).

## **Alternative ways of achieving policy objectives**

There are no alternative ways of achieving the policy objectives other than legislation that establishes a new regulatory framework for the VET sector.

## **Estimated cost for government implementation**

The implementation of the Bill will not result in any additional costs to Government.

## **Consistency with fundamental legislative principles**

The Bill is generally consistent with fundamental legislative principles. Potential breaches of fundamental legislative principles are addressed below.

**Legislation should have sufficient regard to the rights and liberties of individuals where the legislation confers power to enter premises, and search for or seize documents or other property – *Legislative Standards Act 1992*, section 4(3)(e)**

The Bill includes a power for inspectors to enter business premises to undertake regulatory functions, or for inspectors to seize a thing if the officer reasonably believes it is evidence of an offence against the Bill.

This potential breach can be justified on the basis that the powers will be appropriately confined. Inspectors will be required to obtain the occupier's consent unless the entry is to a public place or a place where an employer is training an apprentice or trainee, or entry is needed in order to request an occupier's consent. The powers are essential to enable the chief executive to monitor and enforce compliance with the Bill.

**Legislation should have sufficient regard to the rights and liberties of individuals where rights and liberties, or obligations, are dependent on sufficient defined administrative power that is subject to appropriate review – *Legislative Standards Act 1992, section 4(3)(a)***

The Bill allows the chief executive to prohibit an employer from providing apprenticeships or traineeships on the basis that the chief executive is satisfied that the employer is not a suitable person to monitor an apprentice or trainee (clause 59).

This potential breach can be justified on the basis that it strikes an appropriate balance between the rights of an employer and the need to protect potential apprentices and trainees from unsuitable employers. Natural justice will be preserved by providing a person with the right to:

- provide a written submission to the chief executive, prior to the prohibition decision being made;
- apply to the chief executive to cancel the prohibition; and
- seek a review by the Queensland Industrial Relations Commission for a decision to prohibit an employer.

In both cases, the Bill provides for similar provisions to those already in existence under the current VETE Act.

The Bill allows for limited administrative review rights to the Queensland Industrial Relations Commission and Queensland Civil and Administrative Tribunal (QCAT) for decisions made by the chief executive.

Administrative review rights in QCAT will be available for decisions relating to:

- recognition of a GTO or PEO under Chapter 3;
- cancellation of GTO or PEO's certificate of recognition;
- recognition of a non-departmental employment skills development program under Chapter 4, Part 2;
- withdrawal of recognition of a non-departmental employment skills development program;
- seizure of a thing under Chapter 5, part 4, division 2; and
- forfeiture of a thing under clause 150.

Administrative review rights will be available in the Queensland Industrial Relations Commission relation to a decision to:

- cancel a training contract under clause 36;
- make a disciplinary order under clause 42;
- cancel a completion certificate under clause 52; and
- declare prohibited employers under clause 59.

For other administrative decisions under the Bill, no administrative review rights are available. This may breach the principle that administrative decisions that affect an individual's rights and liberties should be subject to appropriate review.

For a decision to extend a probationary period under clause 13, the application must be made no later than 14 days before the end of the probationary period and a decision to extend the probationary period is then required within seven days. An administrative review for this decision is not considered practical or necessary because the timeframe for seeking and approving the application is short, and probationary periods are capped at a maximum of six months. In addition, probationary periods under clause 11 only allow termination of the training contract and do not affect the probationary period which may apply for employment purposes under the IR Act. The IR Act probationary periods have more direct and significant consequences for employees than probationary periods under the Bill, because they directly affect a person's ability to participate in employment. Due to the lesser significance of probationary period decisions under the Bill, administrative review is not considered necessary.

For a decision to refuse to register a training contract under clause 17, administrative review is not considered necessary because the application can be resubmitted with the required information. In addition, the preparation of training contracts will continue to be supervised by Australian Apprenticeship Centres (AACs) after the commencement of the Bill. AACs are engaged by the Commonwealth Government to manage incentives and funding programs and currently assist parties to complete the contracts. As a result, AACs are aware of the chief executive's requirements and assist the parties to lodge a valid contract for registration. There will be no appreciable cost to the sector or public as a result of this power to refuse.

For a decision to amend a training contract on application under clause 20, review is not considered necessary because the training contract is a national template with limited reasons for amendment. The training contract only deals with training matters and does not prescribe employment related matters.

For a decision to amend a training contract without application under clause 22, the power is limited to matters which are not controversial. Often, the chief executive will exercise the power to save the parties the trouble of making an application, for example when a school based apprenticeship converts to full time after an apprentice leaves school.

For a decision to permanently transfer a training contract under clauses 27 and 28, the chief executive will determine the application in accordance with set training contract registration criteria. If the parties do not agree with the decision, the parties can change employers by cancelling the contract and registering a new contract with a new employer.

For a decision to cancel a training contract by the chief executive under clause 36 (except grounds (c), (e) and (h)), the grounds for which a training contract can be cancelled are factual matters without controversy. In addition, as these factual matters involve employment issues, the appropriate forum for review is not under the Bill. Instead review should be sought under the *Fair Work Act 2009* (Cwlth) or IR Act.

For a decision to issue a completion certificate, the chief executive must be satisfied that it is appropriate to issue the certificate with reference to the strict standards contained within the training contract. The chief executive may therefore refuse to issue a certificate under clauses 47 and 50. An application that is refused can be resubmitted with additional information or further work completed.

As detailed above, it is considered on balance that a right of administrative review is not appropriate for all administrative decisions in the Bill. Decisions will be made quickly and parties in most cases will be able to resubmit information or complete additional steps in order to pursue an alternate administrative decision. Given the non-controversial nature of decisions and the ability to resubmit an acceptable application, it is more appropriate for the chief executive to work collaboratively with the applicant to resolve the issue and encourage the applicant to take alternate steps to reapply when they have addressed all of the issues identified in the first application.

Historically, apprenticeship and traineeship legislation has included decision-making powers which relate to both training and employment matters. Under the new Bill, the majority of apprentice and trainee employment matters will be dealt with under the *Fair Work Act 2009* (Cwlth) or the IR Act. For this reason, the majority of administrative reviews that are currently pursued under existing decisions will no longer be necessary following the commencement of the Bill.

Individuals are not prevented from resubmitting applications for consideration, and are not prevented from seeking judicial review under the *Judicial Review Act 1991*.

## **Consultation**

In January 2014 DETE held stakeholder information sessions on the proposed reforms contained in the Bill. Stakeholders who attended the sessions included employer groups, peak industry groups, training providers and unions.

## **Consistency with legislation of other jurisdictions**

The Bill is specific to the State of Queensland, and is not uniform with or complementary to legislation of the Commonwealth or another jurisdiction.

# Notes on provisions

## Part 1 Preliminary

*Clause 1* provides that the short title of the Act is the *Further Education and Training Act 2014*.

*Clause 2* provides that the Act commences on a day to be fixed by proclamation.

*Clause 3* states that the Act binds all persons including the State, the Commonwealth and other States.

## Part 2 Objects of the Act

*Clause 4* states the objects of the Act.

## Part 3 Interpretation

*Clause 5* states the dictionary in Schedule 2 defines particular words used in this Act.

*Clause 6* defines an *apprentice* for the purposes of this Act.

*Clause 7* defines a *trainee* for the purposes of this Act.

## Chapter 2 Apprentices and trainees

### Part 1 Declaring apprenticeships or traineeships

*Clause 8* provides that the chief executive may declare employment-based training which leads to a qualification or statement of attainment to be an apprenticeship or traineeship, and outlines the requirements of this declaration.

### Part 2 Training contracts

#### Division 1 Preliminary

*Clause 9* provides for when an apprenticeship or traineeship starts.

*Clause 10* provides that the chief executive may decide the nominal term of a training contract for apprenticeships and traineeships.

*Clause 11* provides that the chief executive is to decide the probationary period for apprentices and traineeships.



*Clause 12* provides that probationary periods may be extended on application by the parties to the chief executive. The maximum probationary period is fixed at six months and cannot be extended further.

*Clause 13* provides that the chief executive must decide the application to extend the probationary period within seven days of receiving the application.

*Clause 14* provides that an apprenticeship or traineeship may be ended during the probationary period by written notice from either the employer or the trainee or apprentice. Subsection (4) makes it an offence for an employer to fail to notify the chief executive within seven days after the apprenticeship or traineeship ends. A maximum penalty of 20 penalty units applies to the offence.

## **Division 2 Signing and registration of training contracts**

*Clause 15* provides that the employer or a person who is to be trained by the employer as an apprentice or trainee must ensure that the training contract is signed by the parties within 14 days of the commencement date. Subsection (1) makes it an offence for an employer to fail to sign a training contract within 14 days after the apprenticeship or traineeship starts. A maximum penalty of 40 penalty units applies to the offence.

*Clause 16* provides that the training contract must be lodged with the chief executive or a person authorised by the chief executive to accept training contracts within 28 days after the day the apprenticeship or traineeship starts. The chief executive must publish a list of those who have been authorised to accept training contracts. Currently, Australian Apprenticeship Centres (AACs) are authorised by the chief executive to accept training contracts. Subsection (1) makes it an offence for an employer to fail to take all reasonable steps to ensure the training contract is lodged within 28 days after the apprenticeship or traineeship starts. A maximum penalty of 40 penalty units applies to the offence.

*Clause 17* provides that the chief executive must decide whether to register a training contract that has been lodged by the parties. The training contract may only be registered if:

- (a) it is in the approved form;
- (b) the employer has provided any additional information or documents requested by the chief executive;
- (c) the employer is not a prohibited employer whose employment of the apprentice contravenes the declaration of the employer under section 59;
- (d) if the employer is actively employing 25 or more apprentices and trainees under a hosting arrangement – the employer is a GTO or PEO;
- (e) the apprentice or trainee is not prohibited from undertaking paid employment under an Act or law ;
- (f) the supervising registered training organisation (SRTO) has agreed to be the apprentice's or trainee's SRTO, and undertaken to prepare a training plan for the apprentice or trainee; and
- (g) if the apprentice or trainee is a school student – the chief executive is satisfied it is appropriate in all the circumstances. New subsection 17(6) outlines matters the chief executive must consider in making this determination.

*Clause 18* creates offences for providing false or misleading information in the training contract. A maximum penalty of 50 penalty units applies to these offences.

*Clause 19* makes it an offence for a person to demand, accept or agree to accept a premium from another person in certain circumstances. A maximum penalty of 50 penalty units applies to the offence.

### **Division 3 Amending registered training contract**

*Clause 20* provides for a registered training contract to be amended on application to the chief executive, except as provided for in new sections 13, 21, 22 and 23.

*Clause 21* provides for minor amendments (such as change of address or other contact details) to be made to the registered training contract on notification by one party to the other party and the chief executive or a person authorised by the chief executive to accept notification.

*Clause 22* allows for the chief executive to amend a registered training contract without an application by the parties, in the event that circumstances change and the details in the registered training contract require updating.

*Clause 23* allows for an application to be made for the extension of the nominal term of a training contract if the training contract is scheduled to end before the training contract will be successfully completed.

### **Division 4 Transfer of registered training contract**

#### **Subdivision 1 Temporary transfer of registered training contract**

*Clause 24* provides for the parties to a registered training contract to agree to a temporary transfer of the contract from one employer to another, for a maximum period of one year. The chief executive must be advised of the temporary transfer. Examples of where a temporary transfer may be necessary include situations where there is a temporary closure of the business of the original employer or a limited range of work available to the apprentice or trainee. Subsection (2) makes it an offence for a transferring employer to fail to notify the chief executive within seven days of the date of the transfer. A maximum penalty of 40 penalty units applies to the offence.

*Clause 25* makes it an offence for the transferring employer to fail to notify the SRTO within seven days after the date of the temporary transfer. A maximum penalty of 40 penalty units applies to the offence.

#### **Subdivision 2 Permanent transfer of training contract**

*Clause 26* provides that applications can be made for the permanent transfer of a registered training contract to a new employer.

*Clause 27* details the procedure which must be followed for a permanent transfer which is sought by consent between the parties, being the existing employer, the apprentice or trainee and the new proposed employer. The chief executive is required to decide the application for

a permanent transfer within 28 days of receipt of the application. When deciding the application, the chief executive must consider the same criteria listed in section 17(4)(c) to (g).

*Clause 28* details the procedure which must be followed for a permanent transfer where the current employer does not consent to the transfer. When deciding the application, the chief executive must consider the same criteria listed in in section 17(4)(c) to (g) and must also have regard to any written objection to the permanent transfer that is received from the current employer.

### **Subdivision 3 Statutory transfer or cancellation of registered training contract**

*Clause 29* provides for the statutory transfer or cancellation of a training contract when an employer sells the employer's business or the employer is a partnership and the partnership is dissolved. Where the employer's business is sold, training contracts are transferred to the purchaser unless the purchaser gives a written notice to the chief executive. The clause also details what happens in the event that an employer's business partnership is dissolved.

### **Division 5 Suspension of registered training contracts**

*Clause 30* provides for suspension of up to one year on application by both parties.

*Clause 31* states that, following the lodgement of the application to suspend, either party may withdraw consent to an application to suspend within seven days of lodging the application. If consent is withdrawn, the chief executive must inform the parties that the training contract continues in force.

*Clause 32* states that, if the suspension is not withdrawn, a suspension takes effect from the date mentioned in the application to suspend.

### **Division 6 Cancellation of registered training contracts**

#### **Subdivision 1 Cancellation on application by parties**

*Clause 33* states that the parties to a training contract may apply to the chief executive to cancel the training contract.

*Clause 34* states that, following lodgement of the application to cancel the training contract, a party may withdraw consent to an application to cancel within seven days of lodging the application to cancel. If consent is withdrawn, the chief executive must inform the parties that the training contract continues in force.

*Clause 35* states that, if the cancellation is not withdrawn, the cancellation takes effect from the date mentioned in the application to cancel.

## **Subdivision 2 Cancellation without application**

*Clause 36* states that the chief executive may cancel a training contract if reasonably satisfied that one or more of the following applies:

- (a) the employer has ceased business;
- (b) the employer has ceased operating the business in which the apprentice or trainee was employed;
- (c) there is a substantial change in a party's circumstances and the change has affected the party's capacity to perform the party's obligations under the contract;
- (d) the employer has moved the employer's business to a place to which it is impractical or unreasonable for the apprentice or trainee to travel;
- (e) the contract contains false or misleading information;
- (f) the SRTO withdraws from the training plan for the contract and no replacement SRTO has been nominated;
- (g) the employer has been declared a prohibited employer;
- (h) the employer is failing, or has failed, to comply with their obligations under this Act or the training contract;
- (i) the employment of the apprentice or trainee by the employer has ceased;
- (j) if the apprentice or trainee is a school student – the school withdraws support for the student's participation under the training contract; or
- (k) the training contract has been registered in error.

*Clause 37* requires the chief executive to give a show cause notice to the parties of a training contract if the chief executive is proposing to cancel the contract, unless giving a show cause notice is impracticable.

*Clause 38* states that the chief executive must make a decision following the issuing of a show cause notice after the parties have had an opportunity to respond to the notice.

*Clause 39* provides that the chief executive may cancel a training contract and give the parties written notice of the cancellation where a show cause notice is not given.

*Clause 40* provides that, if a registered training contract is cancelled before it is completed, the apprenticeship or traineeship of the person who was the apprentice or trainee ends on the day the contract is cancelled.

## **Division 7 Discipline**

*Clause 41* defines misconduct for the purposes of Division 7.

*Clause 42* provides for the chief executive to make orders against a party to a registered training contract. It describes the range of disciplinary action which may be pursued, which includes an order reprimanding a party or an order directing a party to pay to the chief executive a fine (not more than 4 penalty units). It is an offence to fail to pay the ordered fine amount. A maximum penalty of 50 penalty units applies to the offence.

*Clause 43* provides that the chief executive must give a show cause notice before making an order under section 42. The parties to a contract must be given an opportunity to respond to the show cause notice before the chief executive makes the order.

*Clause 44* provides for the chief executive to make an order after issuing a show cause notice.

## **Division 8 Completion of registered training contract**

### **Subdivision 1 Issue of completion certificate**

*Clause 45* provides for the issue of a completion certificate where a completion agreement is signed by the employer, apprentice or trainee and supervising registered training organisation (SRTO). Subsection (5) makes it an offence for an employer, apprentice, trainee or SRTO to state anything in the completion agreement that is false or misleading. A maximum penalty of 50 penalty units applies to the offence.

*Clause 46* requires the SRTO to give the chief executive the completion agreement within 10 days after it is signed.

*Clause 47* provides for the chief executive to make a decision about whether or not to issue a completion certificate for the apprenticeship or traineeship and outlines certain procedural requirements that follow any decision.

*Clause 48* details the process that must be followed in the event that a party has failed to sign a completion agreement.

*Clause 49* details what the chief executive must do after receiving notice from the SRTO under section 48. The chief executive must give a written notice to the parties to the training contract advising that the SRTO has provided a notice under section 48, the chief executive is considering whether to issue a completion certificate and that the party may respond to the notice within 14 days.

*Clause 50* provides for the chief executive to decide whether to issue a completion certificate after giving notice under section 49.

*Clause 51* provides that a registered training contract ends when a completion certificate is issued.

### **Subdivision 2 Cancellation of completion certificate**

*Clause 52* provides for the chief executive to cancel a completion certificate. The chief executive must first give the holder of a certificate a show cause notice.

*Clause 53* states that, after considering any response to the show cause notice given under section 52, the chief executive must make a decision to cancel or not cancel the completion certificate. Any cancellations of completion certificates must be notified on the identified DETE website, and the chief executive may require that the person return the completion certificate. Subsection (4) makes it an offence for a person to fail to comply with a

requirement to return a signed notice to the chief executive within the time stated in the notice. A maximum penalty of 40 penalty units applies to the offence.

### **Subdivision 3 Ending of apprenticeship or traineeship at end of nominal term**

*Clause 54* states that the apprenticeship or traineeship ends when the nominal term ends.

### **Division 9 Obligations of apprentice or trainee and employer**

*Clause 55* outlines the obligations of an apprentice or trainee under a registered training contract are to:

- (a) attend work, do their job, and follow the employer's lawful instructions; and
- (b) work towards achieving the qualification or statement of attainment stated in the contract; and
- (c) undertake training and assessment required under the apprentice's training plan.

*Clause 56* makes it an offence for an employer to fail to provide supervision, facilities and training to apprentices or trainees, which may be detailed in the training plan or prescribed by regulation. A maximum penalty of 60 penalty units applies to the offence.

*Clause 57* makes it an offence for an employer to prevent an apprentice or trainee from participating in training. A maximum penalty of 60 penalty units applies to the offence.

*Clause 58* makes it an offence for an employer to fail to report to the chief executive a *notifiable event*. A maximum penalty of 50 penalty units applies to the offence. Subsection (1) provides that a *notifiable event* occurs when:

- (a) the employer sells or disposes of the employer's business to someone else;
- (b) the employer is a partnership and the partnership is dissolved;
- (c) the employer decides that : (i) the apprentice or trainee is unlikely to meet the requirements of their training plan; or (ii) the training required under the apprentice's or trainee's training plan cannot be completed within the nominal term of the contract;
- (d) the employment of the apprentice or trainee has ceased.

### **Division 10 Prohibited employers**

*Clause 59* states that an employer may be prohibited from being an employer by the chief executive, and lists the factors to which the chief executive must have regard when considering whether prohibition of an employer is appropriate.

*Clause 60* provides that the chief executive must give the employer a show cause notice before making a declaration under section 59.

*Clause 61* provides for the chief executive to make a decision declare the employer a prohibited employer or not and outlines certain procedural requirements that follow any decision.

*Clause 62* provides that the prohibited employer may apply to the chief executive to have the prohibition declaration revoked. The chief executive may fully or partly revoke the prohibition.

*Clause 63* makes it an offence for a prohibited employer to employ, or offer to employ, an apprentice or trainee in contravention of a declaration. A maximum penalty of 80 penalty units applies to the offence.

## **Division 11 Restricted callings**

*Clause 64* allows the chief executive to declare by notice published on the identified DETE website, a calling to be a restricted calling. Subsection (2) creates an offence; as an employer must not employ a young person (i.e. a person under 18 years) in a restricted calling unless the young person has (a) completed a qualification or statement of attainment relevant to the calling; or (b) is employed by the employer as an apprentice or trainee in the calling under a registered training contract. A maximum penalty of 50 penalty units applies to the offence.

## **Part 3 Supervising registered training organisations**

*Clause 65* states that there must be a supervising registered training organisation (SRTO) for each apprentice or trainee.

*Clause 66* states that the parties to the training contract must agree on the registered training organisation (RTO) which will become the SRTO for the apprentice or trainee.

*Clause 67* makes it an offence for the SRTO to not have facilities, services, supervision and training available to the apprentice or trainee, as detailed in the training plan. A maximum penalty of 80 penalty units applies to the offence.

*Clause 68* makes it an offence for the SRTO to fail to ensure that the training and assessment required in the training plan is delivered to the apprentice or trainee. A maximum penalty of 60 penalty units applies to the offence.

*Clause 69* makes it an offence for the SRTO to fail to notify the chief executive if the apprentice or trainee is not making progress under the training plan. A maximum penalty of 60 penalty units applies to the offence.

*Clause 70* provides for the replacement of the SRTO for a training contract in certain circumstances. Subsection (2) makes it an offence for the employer to fail to give the SRTO notice of its replacement. A maximum penalty of 40 penalty units applies to the offence.

## **Part 4 Training plans for apprentices or trainees**

### **Division 1 Establishing training plan for apprentice or trainee**

*Clause 71* requires that a training plan in the approved form be in place for each apprentice or trainee.

*Clause 72* states that the parties to a training plan are: (a) the employer; and (b) the apprentice or trainee; and (c) the SRTO for the apprentice or trainee.

*Clause 73* provides that all parties to the training plan must negotiate and agree to the training plan. The training plan cannot be unilaterally decided by the employer or SRTO.

*Clause 74* requires an agreed training plan to be signed by the parties. Subsection (2) makes it an offence for the SRTO to fail to take all reasonable steps to ensure the apprentice's or trainee's plan is signed within the specified timeframes. A maximum penalty of 50 penalty units applies to the offence.

*Clause 75* makes it an offence for a SRTO to fail to ensure that a copy of the training plan is provided to the apprentice or trainee within the stipulated timeframe. A maximum penalty of 20 penalty units applies to the offence.

*Clause 76* creates offences for providing false or misleading information in a training plan. Subsection (1) makes it an offence for a person to state anything in a training plan the person knows is false or misleading. A maximum penalty of 50 penalty units applies to the offence. While, subsection (2) makes it an offence for a person to induce or coerce someone else to state anything in a training plan the person knows is false or misleading. A maximum penalty of 50 penalty units applies to the offence.

## **Division 2 Ending or changing training plan for apprentice or trainee**

*Clause 77* states that the training plan ends on the replacement of the SRTO for an apprentice or trainee and a new training plan must be entered into.

*Clause 78* states that the training plan for the apprentice or trainee is cancelled when the apprenticeship or traineeship ends.

*Clause 79* provides that training plans ends and a new training plan is entered into if a registered training contract is transferred to a new employer.

*Clause 80* provides for the parties to agree to change the training plan.

*Clause 81* provides that, if all parties agree to a change to the training plan, all parties must sign the changed training plan within 14 days after the parties agree to the change. Subsection (2) makes it an offence for a SRTO to fail to take all reasonable steps to ensure the parties sign the changed training plain within 14 days. A maximum penalty of 20 penalty units applies to the offence.

*Clause 82* provides that a SRTO may make a minor change to a training plan without agreement between the parties. The SRTO must send a changed training plan to the parties within 14 days of making the change. The change takes effect once the updated training plan is received. Subsection (2) makes it an offence for a SRTO to fail to send the updated training plain within 14 days after making the change. A maximum penalty of 20 penalty units applies to the offence.



## **Chapter 3 Group training organisations and principal employer organisations**

### **Part 1 Group training organisations**

*Clause 83* describes the function of a group training organisation (GTO).

*Clause 84* provides that a corporation may apply to the chief executive to be recognised as a GTO. All applications must be accompanied by a report from an approved auditor that assesses the applicant's compliance with the GTO standards.

*Clause 85* provides that the chief executive must make a decision on the corporation's application to be recognised as a GTO within six months after receiving it. If no decision is made, the chief executive is taken to have refused to grant the application.

*Clause 86* provides the requirements for a GTO's certificate of recognition.

*Clause 87* provides for the conditions that apply to certificates of recognition for an approved GTO.

*Clause 88* states the grounds on which the chief executive may cancel a GTO's certificate of recognition.

*Clause 89* provides that the chief executive must give a show cause notice before making a decision to cancel a GTO's certificate of recognition.

*Clause 90* requires the chief executive to decide to cancel a GTO's certificate of recognition and outlines certain procedural requirements that follow any decision.

### **Part 2 Principal Employer Obligations**

*Clause 91* describes the function of a principal employer organisation (PEO).

*Clause 92* provides that a corporation may apply to the chief executive to be recognised as a PEO. All applications must be accompanied by a report from an approved auditor that assesses the applicant's compliance with the PEO standards.

*Clause 93* provides that the chief executive must make a decision on the corporation's application to be recognised as a PEO within six months after receiving it. If no decision is made, the chief executive is taken to have refused to grant the application.

*Clause 94* provides the requirements for a PEO's certificate of recognition.

*Clause 95* provides for the conditions that apply to certificates of recognition for an approved PEO.

*Clause 96* states the grounds on which the chief executive may cancel a PEO's certificate of recognition.

*Clause 97* provides that the chief executive must give a show cause notice before making a decision to cancel a PEO's certificate of recognition.

*Clause 98* requires the chief executive to decide to cancel a PEO's certificate of recognition and outlines certain procedural requirements that follow any decision.

### **Part 3 Offences**

*Clause 99* provides that it is an offence for an employer to employ more than 24 apprentices or trainees that the employer is actively attempting to place under a hosting arrangement, unless the employer is a GTO or PEO. A maximum penalty of 50 penalty units applies to the offence.

## **Chapter 4 Other training-related matters**

### **Part 1 Certificates of achievement**

*Clause 100* provides that a person may apply to the chief executive for a certificate of achievement in a calling that is declared to be an apprenticeship or traineeship.

*Clause 101* provides for how the chief executive must decide an application for a certificate of achievement in a calling.

*Clause 102* provides for a certificate of achievement to be in the approved form and include the name of the person holding the certificate and the calling to which the certificate applies.

*Clause 103* states the grounds for the cancelling of a certificate of achievement by the chief executive.

*Clause 104* provides for the chief executive to issue a show cause notice before deciding to cancel a certificate of achievement.

*Clause 105* provides for the chief executive to make a decision about the cancellation of a certificate of achievement and outlines certain procedural requirements that follow any decision.

### **Part 2 Provision of departmental employment skills development programs**

*Clause 106* states that the chief executive may provide departmental employment skills development programs to meet the needs of young people in the compulsory participation phase.

### **Part 3 Recognising non-departmental employment skills development programs**

*Clause 107* states that a person may apply to the chief executive for recognition of a non-departmental skills development program. Applications must be accompanied by evidence that a program meets the Principles for Employment Skills Development Programs

*Clause 108* states that the chief executive must make a decision on an application for recognition of a non-departmental skills development program and outlines certain procedural requirements that follow any decision.

*Clause 109* requires the chief executive to maintain a register of approved non-departmental skills development programs recognised under section 108.

*Clause 110* allows the chief executive to withdraw recognition of a non-departmental employment skills program.

*Clause 111* provides for the chief executive to issue a show cause notice before deciding to withdraw recognition of a non-departmental employment skills program.

*Clause 112* provides for the chief executive to make a decision about whether or not to cancel the recognition of the non-departmental employment skills development program and outlines certain procedural requirements that follow any decision.

## **Chapter 5 Monitoring and enforcement**

### **Part 1 Interpretation**

*Clause 113* defines various terms used in Chapter 5.

### **Part 2 General provisions about inspectors**

#### **Division 1 Functions and appointment**

*Clause 114* provides for the functions of inspectors.

*Clause 115* provides for the appointment and qualifications of an inspector.

*Clause 116* provides for the conditions of appointment and limit on powers for an inspector.

*Clause 117* provides for when the office of an inspector ends.

*Clause 118* provides for an inspector's resignation

#### **Division 2 Identity cards**

*Clause 119* requires the chief executive to issue an identity card to each inspector.

*Clause 120* provides for the production and display of an inspector's identity card when exercising a power.

*Clause 121* makes it an offence for an inspector to fail to return his or her identity card to the chief executive when the person is no longer an inspector, unless the person has a reasonable excuse.

#### **Division 3 Miscellaneous provisions**

*Clause 122* provides for how references to an exercise of a power by an inspector are to be interpreted under this Act.

*Clause 123* provides for a reference to a document to include references to electronic reproductions of the document.

## **Part 3 Entry of places by inspectors**

### **Division 1 Power to enter**

*Clause 124* provides for the powers of an authorised officer to enter a place.

### **Division 2 Entry by consent**

*Clause 125* provides that Part 3, Division 2 applies if an inspector intends to ask the occupier of a place to consent to the inspector entering the place.

*Clause 126* provides for the incidental entry of an inspector to premises to ask for the occupier's consent.

*Clause 127* provides for the matters that the inspector must tell the occupier when asking for consent.

*Clause 128* provides for the inspector to ask for a written acknowledgement of consent given by an occupier.

### **Division 3 Entry under warrant**

*Clause 129* provides for an inspector to apply to a magistrate for a warrant to enter a place.

*Clause 130* provides for a magistrate to issue a warrant upon application.

*Clause 131* provides for an electronic application for a warrant in urgent or other special circumstances.

*Clause 132* provides for the additional procedures that apply for an electronic application for a warrant.

*Clause 133* provides that defects in a warrant or compliance with this subdivision do not invalidate a warrant unless the defect affects the substance of a warrant in a material particular.

*Clause 134* describes the entry procedure where an inspector intends to gain entry to a place using a warrant.

## **Part 4 Other inspector's powers and related matters**

### **Division 1 General powers of inspector after entering places**

*Clause 135* provides that Part 4, Division 1 applies after an inspector enters a place.

*Clause 136* provides for the general powers of an inspector when entering a place.

*Clause 137* provides for an inspector to make a requirement of an occupier or person at a place to give the inspector reasonable help (help requirement).

*Clause 138* makes it an offence to fail to comply with a help requirement. A maximum penalty of 100 penalty units applies to the offence.

## **Division 2 Seizure and forfeiture**

### **Subdivision 1 Power to seize**

*Clause 139* provides for an inspector to seize evidence at a place the inspector may enter without consent or warrant.

*Clause 140* provides for an inspector to seize evidence at a place the inspector may only enter with consent or a warrant.

*Clause 141* provides for the effect of liens or other security over things seized by an inspector. The seizure does not affect the lien or other security against a person other than the inspector.

### **Subdivision 2 Powers to support seizure**

*Clause 142* provides for an inspector to require a person in control of a thing to be seized to take certain action in relation to the thing.

*Clause 143* makes it an offence for a person to fail to comply with a seizure requirement given under section 142. A maximum penalty of 100 penalty units applies to the offence.

*Clause 144* provides for the powers of an inspector to secure a thing seized under Part 4, Division 1 including imposing a requirement on another person to do something in relation to the thing.

*Clause 145* makes it an offence for a person to fail to comply with a requirement under section 144. A maximum penalty of 100 penalty units applies to the offence.

*Clause 146* provides for two offences in relation to seized things. Subsection (1) makes it an offence for a person to tamper with a seized thing or with anything used to restrict access to the thing without an inspector's approval or a reasonable excuse. Subsection (2) makes it an offence to enter a restricted place in contravention of the restriction or tamper with anything used to restrict access to a place without an inspector's approval or a reasonable excuse. A maximum penalty of 100 penalty units applies to each offence.

### **Subdivision 3 Safeguards for seized things**

*Clause 147* provides for an inspector to provide a receipt and information notice after seizing a thing.

*Clause 148* provides for access to a seized thing by an owner.

*Clause 149* provides for the return of a seized thing to an owner.

#### **Subdivision 4 Forfeiture**

*Clause 150* provides for the chief executive to make a decision that a seized thing is forfeited to the State.

*Clause 151* provides for the chief executive to provide an information notice about a forfeiture decision.

*Clause 152* provides that, on conviction of a person for an offence against this Act, the court may order forfeiture to the State.

*Clause 153* provides that a forfeiture order may be made on conviction on the court's initiative or on an application by the prosecution.

#### **Subdivision 5 Dealing with property forfeited or transferred to State**

*Clause 154* provides for when a thing becomes property of the State.

*Clause 155* provides for how the chief executive may deal with a thing that becomes the property of the State.

#### **Division 3 Disposal orders**

*Clause 156* provides for a court to make a disposal order for the disposal of a thing.

#### **Division 4 Other information-obtaining powers of inspectors**

*Clause 157* provides for an inspector to have the power to require a person's name and address (a personal details requirement).

*Clause 158* makes it an offence for a person to contravene a personal details requirement. A maximum penalty of 100 penalty units applies to the offence.

*Clause 159* gives an inspector the power to require information in relation to offences under the Act (an information requirement).

*Clause 160* makes it an offence for a person to contravene an information requirement. A maximum penalty of 100 penalty units applies to the offence.

#### **Part 5 Miscellaneous provisions relating to inspectors**

##### **Division 1 Damage**

*Clause 161* provides that an inspector has a duty to avoid inconvenience and minimise damage when exercising a power.

*Clause 162* provides for an inspector to give notice of damage caused whilst exercising a power.

## **Division 2 Compensation**

*Clause 163* provides for persons to claim compensation from the State for losses incurred because of the exercise of a power by an inspector.

## **Division 3 Other offences relating to inspectors**

*Clause 164* makes it an offence to give an inspector false or misleading information. A maximum penalty of 100 penalty units applies to the offence.

*Clause 165* makes it an offence for a person to obstruct an inspector. A maximum penalty of 100 penalty units applies to the offence.

*Clause 166* makes it an offence for a person to impersonate an inspector. A maximum penalty of 100 penalty units applies to the offence.

## **Chapter 6 Reviews and appeals**

### **Part 1 Decisions reviewable by QCAT**

*Clause 167* provides that a person may seek a review from Queensland Civil and Administrative Tribunal (QCAT) for the decisions relating to GTOs and PEOs, non-departmental skills development programs, forfeiture and seizure.

### **Part 2 Decisions appealable to industrial relations commission**

*Clause 168* provides that the following decisions are able to be reviewed by the Queensland Industrial Relations Commission (QIRC):

- (a) the cancellation of a registered training contract by the chief executive under section 36(c), (e) and (h);
- (b) the cancellation of a completion certificate by the chief executive under section 53;
- (c) a declaration by the chief executive that an employer is a prohibited employer under section 59;
- (d) an order by the chief executive under section 42(2).

*Clause 169* provides that the QIRC may order the stay of a decision being appealed.

*Clause 170* provides that the QIRC must conduct a rehearing, and is able to hear new evidence if appropriate.

*Clause 171* provides for how the QIRC decides an appeal.

*Clause 172* states that the QIRC has exclusive jurisdiction.



*Clause 173* provides for a further appeal to the Industrial Court on a question of law.

## **Chapter 7 Legal proceedings**

### **Part 1 Application**

*Clause 174* provides that this part applies to legal proceedings under this Act.

### **Part 2 Evidentiary aids**

*Clause 175* provides certain appointments and authorities to be presumed unless a party to a proceeding requires proof of the matter.

*Clause 176* provides for signatures to be evidence of the signature they purport to be.

*Clause 177* provides for the chief executive to issue evidentiary certificates.

### **Part 3 Proceedings for offences**

*Clause 178* provides for offence proceedings under the Act to be taken in a summary way under the *Justices Act 1886*.

*Clause 179* provides a limitation on the time for starting proceedings.

*Clause 180* provides that a statement made by a complainant about when a matter came to the complainant's knowledge is taken to be evidence of the matter stated.

*Clause 181* provides for the responsibility for acts or omissions of representatives.

## **Chapter 8 Miscellaneous**

### **Division 1 Trusts**

*Clause 182* outlines the definitions used in this division.

*Clause 183* provides for the variation of trust purposes. The section states that the chief executive may propose a new arrangement for the handling of trust property.

The new proposal must be submitted to the Minister and notified by gazette notice for approval before it can come into effect.

*Clause 184* states that a trust property arrangement which has been approved by the Minister and notified by gazette notice may be varied on approval by the Minister and re-gazetting.

*Clause 185* provides for the requirements about purposes for approved arrangements.

*Clause 186* provides for recording arrangements and variations in land register.

*Clause 187* prevents this division on trust property from affecting the rights, entitlements and obligations conferred or imposed by law on trust property.

## **Part 2 Other matters**

*Clause 188* makes it an offence for a person to give false or misleading statements to an official. A maximum penalty of 50 penalty units applies to the offence.

*Clause 189* makes it an offence for a person to give false or misleading documents to an official. A maximum penalty of 50 penalty units applies to the offence.

*Clause 190* makes it an offence for a person who performs powers or functions under this Act to act dishonestly. A maximum penalty of 50 penalty units applies to the offence.

*Clause 191* makes it an offence for a person who performs powers or functions under this Act to record, use or disclose confidential information, unless an exception applies. A maximum penalty of 50 penalty units applies to the offence.

*Clause 192* provides for a party to a proceeding under this Act to be represented by an agent or lawyer and prevents costs being awarded for the representation.

## **Part 3 Other provisions**

*Clause 193* provides for the chief executive to delegate functions and powers to appropriately qualified persons.

*Clause 194* provides for the protection from liability of a prescribed person. Instead of liability attaching to the person it attaches to the State.

*Clause 195* allows for a person to apply to the chief executive for a copy of a document held by the chief executive and prescribed by regulation that relates to an apprenticeship or traineeship for that person. A regulation may prescribe the fee payable for providing a copy.

*Clause 196* provides for the chief executive to approve forms for use under this Act.

*Clause 197* provides for regulations to be made by Governor in Council under this Act.

## **Chapter 9 Repeal, savings and transitional provisions**

### **Part 1 Repeal**

*Clause 198* repeals the *High Education (General Provisions) Act 2008* and *Vocational Education, Training and Employment Act 2000*.

## **Part 2 Savings and transitional provisions for the Further Education and Training Act 2014**

### **Division 1 Preliminary**

*Clause 199* contains the definition for the term *commencement* used in this Part.

### **Division 2 Apprentices and trainees**

*Clause 200* allows for declarations of apprenticeships and traineeships in force under the repealed Act to be taken to continue under this Act.

*Clause 201* provides that a registered training contract in force immediately before the commencement of this Act continues in force following the commencement of this Act.

*Clause 202* provides for the continuation of statutory assignments of registered training contracts taken to be assigned under the repealed Act.

*Clause 203* provides for an agreement to cancel a registered training contract under the repealed Act to continue in force.

*Clause 204* provides that a training plan in force immediately before the commencement of this Act continues in force following the commencement of this Act.

*Clause 205* provides that a supervising RTO for an apprentice or trainee immediately before the commencement of this Act continues as the supervising RTO following the commencement of this Act.

*Clause 206* provides that a process to issue a completion certificate that had not yet finalised under the repealed Act may be dealt with under this Act.

*Clause 207* provides that a completion certificate issued under the repealed Act may be cancelled under this Act.

*Clause 208* provides for declarations about restricted calling made under the repealed Act to continue as declarations in force under this Act.

*Clause 209* provides that if the chief executive approved an application for a stand down under the repealed Act, but the period for stand down has not expired before this Act commences, the stand down continues to apply after the commencement of this Act.

### **Division 3 Provisions for group training organisations and principal employer organisations**

*Clause 210* allows for GTOs and PEOs that were approved under the repealed Act to be taken to be approved GTOs and PEOs under this Act.

Subsection (3) allows processes to withdraw recognition which were underway under a repealed Act to continue to be dealt with under this Act.

## **Division 4 Reviews and appeals**

*Clause 211* preserves the right to apply to QCAT for review of a decision made under the repealed Act.

*Clause 212* provides for QCAT to continue to decide a review or a decision made under the repealed Act.

*Clause 213* provides that a person with a right to review to the Industrial Relations Commission for a decision made under a repealed Act continues to be able to pursue a review of a decision to the Industrial Relations Commission, as though the repeal has not occurred.

*Clause 214* provides that a person with a right to review to the Industrial Relations Commission for a decision made under a repealed Act may continue an existing review application in the Industrial Relations Commission as though the repeal has not occurred.

## **Division 5 Other provisions**

*Clause 215* provides that a show cause process started under a repealed Act which has not been completed by the time this Act commences must be completed under the repealed Act, as though the repeal has not occurred.

*Clause 216* provides that any undecided applications received by the chief executive under the repealed Act must be decided by the chief executive under the repealed Act as though the repeal has not occurred, unless this Act provides for an equivalent application. If this Act provides for an equivalent application, the application is taken to have been made under this Act.

*Clause 217* provides that if a matter which must be completed within a stated time under the repealed Act has not been completed at the time of the commencement of this Act, the matter must be completed in the time stated under the repealed Act as though the repeal has not occurred.

*Clause 218* allows for persons who were appointed as inspectors under the repealed Act to continue as inspectors under this Act.

*Clause 219* provides that a variation of a trust under section 252 of the repealed Act which was in force before the commencement of this Act continues in force under this Act.

*Clause 220* provides that if a transfer regulation has not yet come into effect under the *TAFE Qld Act 2013* at the time this Act commences, Chapter 6 of the repealed Act continues to apply in relation to the TAFE institute.

*Clause 221* provides that, to the extent of any inconsistency, this division applies subject to divisions 2 to 4.

*Clause 222* allows for a transitional regulation to be made, which will expire one year after the commencement.

## **Chapter 10 Minor and consequential amendments**

*Clause 223* states that the Acts mentioned in Schedule 1 are amended as described.

## **Schedule 1 Minor and consequential amendments**

The schedule contains minor and consequential amendments to various Queensland Acts, to reflect terminology used in the Bill, replace references to repealed Acts.

## **Schedule 2 Dictionary**

Various terms used in the Act are defined in the Dictionary.

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