



Australian Capital Territory

Training and Tertiary Education Act 2003

A2003-36

Republication No 16

Effective: 20 November 2014 – 4 January 2026

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Last amendment made by [A2014-48](#)
(republication for amendments by [A2014-48](#)
and general renumbering)

About this republication

The republished law

This is a republication of the *Training and Tertiary Education Act 2003* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 20 November 2014. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 20 November 2014.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

Training and Tertiary Education Act 2003

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Australian Capital Territory

Training and Tertiary Education Act 2003

An Act about vocational education and training, and for other purposes

R16
20/11/14

Training and Tertiary Education Act 2003
Effective: 20/11/14-04/01/26

page 1

1 Name of Act

This Act is the *Training and Tertiary Education Act 2003*.

2 Objects of Act

The objects of this Act are to—

- (a) regulate apprenticeships and traineeships; and
- (b) support quality assurance and best management practices for vocational education and training; and
- (c) encourage awareness in the community of the need for, and to promote the development of, vocational education and training that is relevant to industry.

3 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘**registered training organisation** (or **RTO**)—see the [Commonwealth Act](#), section 3.’ means that the term ‘registered training organisation’ is defined in that section and the definition applies to this Act.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

4 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

5 Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

Note 1 Criminal Code

The [Criminal Code](#), ch 2 applies to all offences against this Act (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

Note 2 Penalty units

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

Part 2

Vocational education and training

6 Functions of director-general

The director-general has the following functions:

- (a) to inquire into, and advise the Minister on, issues about vocational education and training;
- (b) to facilitate recognition and quality assurance in the provision of vocational education and training;
- (c) to ensure a strong policy framework for the delivery of vocational education and training in the ACT;
- (d) to establish a simple, streamlined system for apprenticeships and traineeships;
- (e) any other function given to the director-general under this Act.

Part 3**Work-related training and
training contracts****7 Determination of work-related training**

(1) The director-general may determine that a sequence of vocational education and training is work-related training for this Act.

Examples

- 1 apprenticeship
- 2 traineeship

Note 1 Power given under an Act to make a statutory instrument (including a determination) includes power to amend or repeal the instrument (see [Legislation Act](#), s 46 (1)).

Note 2 An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

(2) A determination is a notifiable instrument.

Note 1 A notifiable instrument must be notified under the [Legislation Act](#).

Note 2 An amendment or repeal of a determination is also a notifiable instrument (see [Legislation Act](#), s 46 (2)).

8 Probationary period for training contract

(1) The director-general may determine a period of probation under a training contract (a *probationary period*).

Examples

- 1 A probationary period of 60 days may be determined for a 2-year traineeship.

2 A probationary period of 90 days may be determined for a 4-year apprenticeship.

Note 1 Power to make a statutory instrument includes power to make different provisions in relation to different matters or different classes of matters (see [Legislation Act](#), s 48).

Note 2 An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

(2) A determination is a notifiable instrument.

Note A notifiable instrument must be notified under the [Legislation Act](#).

9 Approval of training contract

(1) The director-general may approve a training contract between an employer and another person in relation to work-related training.

(2) The director-general must not approve a training contract unless satisfied that—

- (a) the contract complies with the form and content of the nationally agreed training contract; and
- (b) the facilities, equipment and methods proposed to be used for the training are suitable; and
- (c) the qualifications, knowledge and skills of the person proposed to deliver the training are appropriate; and
- (d) the person proposed to deliver the training conducts himself or herself in a way appropriate for a person responsible for the delivery of training; and
- (e) the employer is likely to comply with any relevant industrial arrangement.

(3) The director-general may approve a training contract subject to conditions.

(4) In this section:

industrial arrangement means—

- (a) a fair work instrument made under the *Fair Work Act 2009* (Cwlth); or
- (b) a contract of employment.

nationally agreed training contract means the training contract agreed between the Commonwealth, States and Territories.

10 Application for approval

An application for approval must be made in a way required by the director-general.

Note If a form is approved under s 29 for this provision, the form must be used.

11 Training contracts for qualification or statement of attainment

- (1) An employer and another person may enter into an approved training contract for training that results in a qualification or statement of attainment being issued to the other person.
- (2) However, a contract cannot be entered into if the director-general decides that training contracts cannot be entered into for the particular qualification or statement of attainment.

12 Training must be under approved training contract

- (1) An employer commits an offence if—
 - (a) the employer provides a person with work-related training for a qualification or statement of attainment; and
 - (b) the employer employs the person on trainee or apprentice wages and conditions; and

- (c) there is no approved training contract between the employer and the person.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

13 Code of practice

- (1) In providing work-related training under an approved training contract, all parties must comply with any code of practice approved by the Minister for this section.
- (2) An approved code of practice may apply, adopt or incorporate an instrument, as in force from time to time.

Note 1 The text of an applied, adopted or incorporated instrument, whether applied as in force from time to time or at a particular time, is taken to be a notifiable instrument if the operation of the [Legislation Act](#), s 47 (5) or (6) is not disapplied (see s 47 (7)).

Note 2 A notifiable instrument must be notified under the [Legislation Act](#).

- (3) An approval is a disallowable instrument.

Note A disallowable instrument must be notified and presented to the Legislative Assembly, under the [Legislation Act](#).

14 Ending training contract during probationary period

- (1) This section applies if—
 - (a) an employer and another person (an *apprentice or trainee*) have entered into an approved training contract; and
 - (b) a probationary period has been determined for the contract.
- (2) The employer or the apprentice or trainee may end the contract before the end of the probationary period.

15 Party may ask for amendment

- (1) A party to an approved training contract may ask the director-general to approve an amendment of the contract.

Note If a form is approved under s 29 for this provision, the form must be used.
- (2) The director-general must—
 - (a) approve the amendment requested; or
 - (b) refuse to approve it.
- (3) The director-general must not approve an amendment unless satisfied that the contract as amended complies with the form and content of the nationally agreed training contract.
- (4) Subject to subsection (3), the director-general must approve an amendment requested by all parties unless satisfied that the amendment would adversely affect the provision of the training.

16 Director-general may suspend, cancel or amend contract

The director-general may suspend or cancel approval of a training contract or amend an approved training contract—

- (a) if the employer is unable to provide training under the contract because of a change in the employer's circumstances; or
- (b) if the director-general is satisfied that it is in the interests of the apprentice or trainee to suspend or cancel the approval or amend the contract; or
- (c) in any other circumstance prescribed by regulation.

17 Dispute between employer and apprentice or trainee

- (1) This section applies if a dispute about training under an approved training contract arises between parties to the contract.
- (2) A party may ask the director-general to resolve the dispute.
- (3) Within 28 days after the day of receiving the request, the director-general must attempt to resolve the dispute.
- (4) If the dispute is not resolved after the end of that 28-day period, the director-general may—
 - (a) make a finding of fact about any matter relating to the training contract; or
 - (b) amend the contract; or
 - (c) give directions to a party to the contract incidental to an action under paragraph (a) or (b).

Part 4**Visits to premises****18 Visits by director-general—RTO premises**

- (1) The director-general may give an RTO written notice that a person authorised by the director-general proposes to visit premises where the RTO is conducting, or proposing to conduct, training or assessment as part of a VET course.

Note **RTO**—see the dictionary.

- (2) A notice under subsection (1) must—
 - (a) state the address of the premises proposed to be visited; and
 - (b) state the purpose of the visit; and
 - (c) state the day and time of the proposed visit; and
 - (d) be given to the RTO at least 7 days before the day of the proposed visit.
- (3) The day and time of the proposed visit must be a day and time when the RTO normally conducts business on the premises.
- (4) The authorised person may, on the day and at the time stated in the notice—
 - (a) enter the premises stated in the notice; or
 - (b) observe the operations of the RTO on the premises; or
 - (c) ask the RTO to give information about its operations; or
 - (d) ask the RTO to produce any document in the possession of the RTO containing information about courses given, or proposed to be given, on the premises.

(5) An authorised person may, in exceptional circumstances, do a thing mentioned in subsection (4) (a) to (d) without notice.

Example of exceptional circumstance

danger of injury to anyone's health or safety

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

(6) In this section:

VET course—see the [Commonwealth Act](#), section 3.

19 Visits by director-general—training contract premises

(1) The director-general may give an employer written notice that a person authorised by the director-general proposes to visit premises where the employer is providing, or proposes to provide, training under a training contract.

(2) The notice under subsection (1) must—

- state the address of the premises proposed to be visited; and
- state the day and time of the proposed visit; and
- state the purpose of the visit; and
- be given to the employer at least 7 days before the day of the proposed visit.

(3) The day and time of the proposed visit must be a day and time when the employer normally conducts business on the premises.

(4) The authorised person, may on the day and at the time stated in the notice—

- enter the premises stated in the notice; or
- observe any work-related training being provided on the premises; or

- (c) ask the employer to give information about work-related training provided, or proposed to be provided, on the premises; or
- (d) ask the employer to produce any document in the possession of the employer containing information about work-related training provided, or proposed to be provided, on the premises.

(5) An authorised person may, in exceptional circumstances, do a thing mentioned in subsection (4) (a) to (d) without notice.

Example of exceptional circumstances

danger of injury to anyone's health or safety

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

20 Identity cards

- (1) The director-general may give a person who may conduct visits under this part an identity card that states the person's name and position, and shows—
 - (a) the date of issue of the card; and
 - (b) the date of expiry of the card; and
 - (c) anything else prescribed by regulation.
- (2) A person who is given an identity card commits an offence if the person fails to return it to the director-general as soon as practicable, but within 7 days, after the day the person is asked by the director-general to return the card.

Maximum penalty: 1 penalty unit.
- (3) An offence against this section is a strict liability offence.

21 Production of identity card

A person who has entered premises under this part must not remain on the premises if, on request by the occupier, the person, or someone accompanying that person, does not produce his or her identity card.

22 Obstructing visits—director-general

- (1) This section applies if the director-general is satisfied that an employer or RTO—
 - (a) without reasonable excuse, obstructs or hinders a person entering premises or observing training under section 18 (4) (a) or (b) (Visits by director-general—RTO premises) or section 19 (4) (a) or (b) (Visits by director-general—training contract premises); or
 - (b) refuses to give information, or gives information that the employer or RTO knows is false or misleading in response to a request under section 18 (4) (c) or section 19 (4) (c); or
 - (c) refuses to produce a document, or produces a document that the employer or RTO knows contains false or misleading information, in response to a request under section 18 (4) (d) or section 19 (4) (d).
- (2) The director-general may suspend or cancel the approval of, or amend, an approved training contract to which the employer is a party or under which the RTO delivers work-related training.

Part 5**Notification and review of decisions****23 Meaning of *reviewable decision*—pt 5**

In this part:

reviewable decision means a decision mentioned in schedule 1, column 3 under a provision of this Act mentioned in column 2 in relation to the decision.

24 Reviewable decision notices

If the director-general makes a reviewable decision, the director-general must give a reviewable decision notice to each entity mentioned in schedule 1, column 4 in relation to the decision.

Note 1 The director-general must also take reasonable steps to give a reviewable decision notice to any other person whose interests are affected by the decision (see *ACT Civil and Administrative Tribunal Act 2008*, s 67A).

Note 2 The requirements for reviewable decision notices are prescribed under the *ACT Civil and Administrative Tribunal Act 2008*.

25 Applications for review

The following may apply to the ACAT for review of a reviewable decision:

- (a) an entity mentioned in schedule 1, column 4 in relation to the decision;
- (b) any other person whose interests are affected by the decision.

Note If a form is approved under the *ACT Civil and Administrative Tribunal Act 2008* for the application, the form must be used.

Part 6 Other provisions

26 CRICOS approval

- (1) For the purposes of the *Education Services for Overseas Students Act 2000* (Cwlth), section 5, definition of *designated authority*, the Minister is responsible for approving providers to provide courses to overseas students at government schools or non-government schools.
- (2) In this section:

CRICOS means the Commonwealth Register of Institutions and Courses for Overseas Students under the *Education Services for Overseas Students Act 2000* (Cwlth), section 14A.

government school—see the *Education Act 2004*, dictionary.

non-government school—see the *Education Act 2004*, dictionary.

27 Protection from civil liability

- (1) A person exercising a function under this Act does not incur civil liability for an act or omission done honestly and without negligence for this Act.
- (2) Civil liability that would, apart from this section, attach to a person attaches instead to the Territory.

28 Determination of fees

- (1) The Minister may determine fees for this Act.

Note The *Legislation Act* contains provisions about the making of determinations and regulations relating to fees (see pt 6.3).

- (2) A determination is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act*.

29 Approved forms

- (1) The director-general may approve forms for this Act.
- (2) If the director-general approves a form for a particular purpose, the form must be used for that purpose.

Note For other provisions about forms, see the [Legislation Act](#), s 255.

- (3) An approved form is a notifiable instrument.

Note A notifiable instrument must be notified under the [Legislation Act](#).

30 Regulation-making power

The Executive may make regulations for this Act.

Note Regulations must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

Schedule 1 Reviewable decisions

(see pt 6.2)

column 1 item	column 2 section	column 3 decision	column 4 entity
1	9 (1) (Approval of training contract)	refusing to approve a training contract	applicant for approval
2	9 (3)	approving a training contract subject to conditions	applicant for approval
3	15 (2) (a) (Party may ask for amendment)	approving an amendment of an approved training contract	each party to the contract
4	15 (2) (b)	refusing to approve an amendment of an approved training contract	each party to the contract
5	16 (Director-general may suspend, cancel or amend contract)	suspending or cancelling approval of a training contract	each party to the contract
6	16	amending an approved training contract	each party to the contract
7	17 (4) (a) (Dispute between employer and apprentice or trainee)	making a finding of fact about a matter in relation to a training contract	each party to the contract
8	17 (4) (b)	amending an approved training contract	each party to the contract
9	17 (4) (c)	giving directions to a party to an approved training contract	each party to the contract

column 1 item	column 2 section	column 3 decision	column 4 entity
10	22 (2) (Obstructing visits— director-general)	suspending or cancelling approval of an approved training contract	each party to the contract
11	22 (2)	amending an approved training contract	each party to the contract

Dictionary

(see s 3)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this Act.

Note 2 For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- ACAT
- exercise
- function
- may (see s 146)
- must (see s 146)
- person (see s 160)
- reviewable decision notice.

apprentice or trainee means a person who undertakes an apprenticeship or traineeship under an approved training contract.

approved training contract means a training contract approved by the director-general under section 9 (Approval of training contract).

Commonwealth Act means the [National Vocational Education and Training Regulator Act 2011](#) (Cwlth).

employer, for an apprentice or trainee, means the person who is obliged under a training contract to employ the apprentice or trainee.

nationally agreed training contract—see section 9 (4).

probationary period—see section 8.

qualification means a VET qualification under the [Commonwealth Act](#).

registered training organisation (or **RTO**)—see the [Commonwealth Act](#), section 3.

reviewable decision, for part 5 (Notification and review of decisions)—see section 23.

RTO—see **registered training organisation**.

statement of attainment means a VET statement of attainment under the [Commonwealth Act](#).

vocational education and training means the education and training and qualifications and statements of attainment under the vocational education and training provisions of the AQF, being the Australian Qualifications Framework under the [Commonwealth Act](#), section 3.

work-related training means a sequence of vocational education and training that is determined by the director-general under section 7 to be work-related training.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier publications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

The *Training and Tertiary Education Act 2003* was originally the *Tertiary Accreditation and Registration Act 2003*. It was renamed by the *Training and Tertiary Education Legislation Amendment Act 2007* A2007-12 (see s 4).

Training and Tertiary Education Act 2003 A2003-36

notified LR 8 September 2003
s 1, s 2 commenced 8 September 2003 (LA s 75 (1))
remainder commenced 1 November 2003 (s 2)

as amended by

Annual Reports Legislation Amendment Act 2004 A2004-9 sch 1 pt 1.34

notified LR 19 March 2004
s 1, s 2 commenced 19 March 2004 (LA s 75 (1))
sch 1 pt 1.34 commenced 13 April 2004 (s 2 and see *Annual Reports (Government Agencies) Act 2004* A2004-8, s 2 and *CN2004-5*)

Statute Law Amendment Act 2004 A2004-42 sch 3 pt 3.18

notified LR 11 August 2004
s 1, s 2 commenced 11 August 2004 (LA s 75 (1))
sch 3 pt 3.18 commenced 25 August 2004 (s 2 (1))

Statute Law Amendment Act 2005 A2005-20 sch 3 pt 3.68

notified LR 12 May 2005
s 1, s 2 taken to have commenced 8 March 2005 (LA s 75 (2))
sch 3 pt 3.68 commenced 2 June 2005 (s 2 (1))

Statute Law Amendment Act 2007 A2007-3 sch 3 pt 3.97

notified LR 22 March 2007
s 1, s 2 taken to have commenced 1 July 2006 (LA s 75 (2))
sch 3 pt 3.97 commenced 12 April 2007 (s 2 (1))

Training and Tertiary Education Legislation Amendment Act 2007 A2007-12

notified LR 13 June 2007
s 1, s 2 commenced 13 June 2007 (LA s 75 (1))
remainder commenced 1 July 2007 (s 2 and *CN2007-3*)

Endnotes

3 Legislation history

Statute Law Amendment Act 2008 A2008-28 sch 3 pt 3.57

notified LR 12 August 2008
s 1, s 2 commenced 12 August 2008 (LA s 75 (1))
sch 3 pt 3.57 commenced 26 August 2008 (s 2)

ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 (No 2) A2008-37 sch 1 pt 1.100

notified LR 4 September 2008
s 1, s 2 commenced 4 September 2008 (LA s 75 (1))
sch 1 pt 1.100 commenced 2 February 2009 (s 2 (1) and see [ACT Civil and Administrative Tribunal Act 2008 A2008-35](#), s 2 (1) and [CN2009-2](#))

Statute Law Amendment Act 2009 (No 2) A2009-49 sch 3 pt 3.79

notified LR 26 November 2009
s 1, s 2 commenced 26 November 2009 (LA s 75 (1))
sch 3 pt 3.79 commenced 17 December 2009 (s 2)

Administrative (One ACT Public Service Miscellaneous Amendments) Act 2011 A2011-22 sch 1 pt 1.155

notified LR 30 June 2011
s 1, s 2 commenced 30 June 2011 (LA s 75 (1))
sch 1 pt 1.155 commenced 1 July 2011 (s 2 (1))

Statute Law Amendment Act 2011 (No 2) A2011-28 sch 3 pt 3.31

notified LR 31 August 2011
s 1, s 2 commenced 31 August 2011 (LA s 75 (1))
sch 3 pt 3.31 commenced 21 September 2011 (s 2 (1))

Statute Law Amendment Act 2012 A2012-21 sch 1 pt 1.2

notified LR 22 May 2012
s 1, s 2 commenced 22 May 2012 (LA s 75 (1))
sch 1 pt 1.2 commenced 5 June 2012 (s 2 (1))

Training and Tertiary Education Amendment Act 2014 A2014-48

notified LR 6 November 2014
s 1, s 2 commenced 6 November 2014 (LA s 75 (1))
remainder commenced 20 November 2014 (s 2)

4 Amendment history

Long title	
long title	sub A2014-48 s 4
Preliminary	
ch 1 hdg	renum as pt 1 hdg
Preliminary	
pt 1 hdg	(prev ch 1 hdg) renum as pt 1 hdg A2014-48 s 5
Name of Act	
s 1	sub A2007-12 s 4
Objects of Act	
s 2	orig s 2 om LA s 89 (4) pres s 2 (prev s 3) sub A2014-48 s 6 renum as s 2 A2014-48 s 58
Dictionary	
s 3	orig s 3 renum as s 2 pres s 3 (prev s 4) am A2014-48 s 7 renum as s 3 A2014-48 s 58
Notes	
s 4	orig s 4 renum as s 3 pres s 4 (prev s 5) renum as s 4 A2014-48 s 58
Offences against Act—application of Criminal Code etc	
s 5	orig s 5 renum as s 4 pres s 5 (prev s 6) renum as s 5 A2014-48 s 58
Accreditation and registration council	
ch 2 hdg	om A2014-48 s 8
Vocational education and training	
pt 2 hdg	ins A2014-48 s 8
Establishment, functions and membership of council	
pt 2.1 hdg	om A2014-48 s 8
Proceedings of council	
pt 2.2 hdg	om A2014-48 s 8

Endnotes

Council committees

Compliance audits
pt 2.4 hdg om A2014-48 s 8

Functions of director-general
s 6 orig s 6
 renum as s 5
 pres s 6
(prev s 7) sub A2014-48 s 8
 renum as s 6 A2014-48 s 58

Vocational education and training

Work-related training and training contracts

pt 3 hdg (prev ch 3A hdg) ins **A2007-12** s 12
renum as pt 3 hdg **A2014-48** s 9

Preliminary pt 3.1 hdq om A2014-48 s 8

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pt 3.2 hdq om A2014-48 s 8

Registered training organisations

National scheme—compliance and information pt 3.4 hdq om A2014-48 s 8

Accredited courses—vocational education

Disagreements under chapter 3

Determination of work-related training s 7 orig s 7

renum as s 6
pres s 7
(prev s 55A) ins [A2007-12](#) s 12
am [A2011-22](#) amdt 1.443
renum as s 7 [A2014-48](#) s 58

Approval of training contract
s 9 orig s 9
 am [A2004-9](#) amdt 1.46; [A2011-28](#) amdt 3.218
 om [A2014-48](#) s 8
 pres s 9
 (prev s 55B) ins [A2007-12](#) s 12
 am [A2011-22](#) amdt 1.443; [A2011-28](#) amdt 3.219, amdt 3.220
 (5), (6) exp 21 September 2012 (s 55B (6))
 renum as s 9 [A2014-48](#) s 58

Application for approval
s 10 orig s 10
om A2014-48 s 8
pres s 10
(prev s 55C) ins A2007-12 s 12
am A2011-22 amdt 1.443
renum as s 10 A2014-48 s 58

Training contracts for qualification or statement of attainment
s 11
 orig s 11
 om [A2007-12](#) s 7
 pres s 11
 (prev s 55D) ins [A2007-12](#) s 12
 am [A2011-22](#) amdt 1.443; [A2014-48](#) s 11
 renum as s 11 [A2014-48](#) s 58

Code of practice
s 13 **orig s 13**
am [A2008-28](#) amdt 3.168; [A2009-49](#) amdt 3.200
om [A2014-48](#) s 8
pres s 13
(prev s 55F) ins [A2007-12](#) s 12
renum as s 13 [A2014-48](#) s 58

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Ending training contract during probationary period

s 14
orig s 14
om A2014-48 s 8
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(prev s 55FA) ins
renum as s 14 A2

Party may ask for amendment

s 15 orig s 15
 om A2014-48 s 8
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 (prev s 55G) ins A2007-12 s 12
 am A2011-22 amdt 1.443
 renum as s 15 A2014-48 s 58

Director-general may suspend, cancel or amend contract

s 16 hdg (prev s 55H hdg) am [A2011-22](#) amdt 1.443
s 16
orig s 16
om [A2014-48](#) s 8
pres s 16
(prev s 55H) ins [A2007-12](#) s 12
am [A2011-22](#) amdt 1.443; [A2014-48](#) s 13
renum as s 16 [A2014-48](#) s 58

Dispute between employer and apprentice or trainee

s 17 hdg (prev s 551 hdg) sub [A2014-48](#) s 14
s 17 **orig s 17**
am [A2011-22](#) amdt 1.442, amdt 1.443
om [A2014-48](#) s 8
pres s 17
(prev s 551) ins [A2007-12](#) s 12
am [A2011-22](#) amdt 1.443; [A2014-48](#) s 15; ss renum R16 LA
renum as s 17 [A2014-48](#) s 58

Work-related training and training contracts

Higher education—non-universities

Visits to premises

pt 4 hdg (prev pt 6.1 hdg) renum as pt 4 hdg A2014-48 s 18

Preliminary
pt 4.1 hdg

ACT register pt 4.2 hdg om A2014-48 s 16

Registered higher education providers

Accredited courses—higher education
pt 4.4 hdg om [A2014-48](#) s 16

Disagreements under chapter 4
pt 4.5 hdg om [A2014-48](#) s 16

Visits by director-general—RTO premises
s 18 hdg (prev s 99 hdg) sub [A2014-48](#) s 19
orig s 18
sub [A2004-9](#) amdt 1.47
om [A2014-48](#) s 8
pres s 18
(prev s 99) am [A2014-48](#) ss 20-23
renum as s 18 [A2014-48](#) s 58

Visits by director-general—training contract premises
s 19 hdg (prev s 99A hdg) am [A2011-22](#) amdt 1.443
orig s 19
om [A2014-48](#) s 8
pres s 19
(prev s 99A) ins [A2007-12](#) s 20
am [A2011-22](#) amdt 1.443
renum as s 19 [A2014-48](#) s 58

Identity cards
s 20
orig s 20
am [A2007-12](#) s 11; ss renum R7 LA
om [A2014-48](#) s 8
pres s 20
(prev s 101) am [A2007-12](#) ss 21-23; [A2011-22](#) amdt 1.443;
[A2014-48](#) s 25, s 26
renum as s 20 [A2014-48](#) s 58

Production of identity card
s 21
orig s 21
om [A2014-48](#) s 8
pres s 21
(prev s 102) renum as s 21 [A2014-48](#) s 58

Obstructing visits—director-general
s 22 hdg (prev s 103A hdg) am [A2011-22](#) amdt 1.443
s 22
orig s 22
om [A2014-48](#) s 8
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am [A2011-22](#) amdt 1.443
sub [A2014-48](#) s 28
renum as s 22 [A2014-48](#) s 58

Endnotes

4 Amendment history

Higher education—universities
ch 5 hdg om [A2014-48](#) s 16

Notification and review of decisions
pt 5 hdg (prev pt 6.2 hdg) sub [A2008-37](#) amdt 1.489
 renum as pt 5 hdg [A2014-48](#) s 29

Operation of universities in the ACT
pt 5.1 hdg om [A2014-48](#) s 16

University advisory panels
pt 5.2 hdg om [A2014-48](#) s 16

Establishment or recognition of universities in the ACT
pt 5.3 hdg om [A2014-48](#) s 16

Foreign universities in the ACT
pt 5.4 hdg om [A2014-48](#) s 16

Meaning of reviewable decision—pt 5
s 23 orig s 23
 om [A2014-48](#) s 8
 pres s 23
 (prev s 104) sub [A2008-37](#) amdt 1.489
 renum as s 23 [A2014-48](#) s 58

Reviewable decision notices
s 24 orig s 24
 om [A2014-48](#) s 8
 pres s 24
 (prev s 105) sub [A2008-37](#) amdt 1.489
 am [A2014-48](#) s 30
 renum as s 24 [A2014-48](#) s 58

Applications for review
s 25 orig s 25
 om [A2014-48](#) s 8
 pres s 25
 (prev s 106) sub [A2008-37](#) amdt 1.489
 renum as s 25 [A2014-48](#) s 58

General
ch 6 hdg om [A2014-48](#) s 17

Other provisions
pt 6 hdg (prev pt 6.3 hdg) renum as pt 6 hdg [A2014-48](#) s 32

Visits to premises
pt 6.1 hdg renum as pt 4 hdg

Notification and review of decisions
pt 6.2 hdg renum as pt 5 hdg

Other provisions	
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CRICOS approval	
s 26	orig s 26 om A2014-48 s 8 pres s 26 (prev s 108) sub A2007-12 s 27 am A2012-21 amdt 1.3, amdt 1.4; A2014-48 s 33 renum as s 26 A2014-48 s 58
Protection from civil liability	
s 27	orig s 27 om A2014-48 s 8 pres s 27 (prev s 110) renum as s 27 A2014-48 s 58
Determination of fees	
s 28	orig s 28 om A2014-48 s 8 pres s 28 (prev s 111) am A2011-28 amdt 3.223 renum as s 28 A2014-48 s 58
Approved forms	
s 29	orig s 29 om A2014-48 s 8 pres s 29 (prev s 112) sub A2007-12 s 28 am A2011-22 amdt 1.443 sub A2014-48 s 34 renum as s 29 A2014-48 s 58
Regulation-making power	
s 30	orig s 30 om A2014-48 s 8 pres s 30 (prev s 113) am A2014-48 s 35 renum as s 30 A2014-48 s 58
Scope of registration of RTO	
s 31	om A2014-48 s 8
Applying in the ACT for registration as RTO	
s 32	om A2014-48 s 8
Decision about registration as RTO	
s 33	om A2014-48 s 8
Decision about registration—registration as RTO previously cancelled	
s 34	om A2014-48 s 8

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Registration conditions—RTO	
s 35	om A2014-48 s 8
Period of registration—RTO	
s 36	om A2014-48 s 8
Amending registration on application by RTO	
s 37	om A2014-48 s 8
Amending, suspending or cancelling RTO registration without application	
s 38	om A2014-48 s 8
Cancelling RTO registration on change of location of operations	
s 39	om A2014-48 s 8
Effect of suspending RTO registration	
s 40	om A2014-48 s 8
Suspension of registration—training or assessment previously agreed	
s 41	om A2014-48 s 8
Cancellation of registration—training or assessment previously agreed	
s 42	om A2014-48 s 8
Registration of amendment, end of registration etc	
s 43	om A2014-48 s 8
Offence to falsely claim to be RTO etc	
s 44	om A2014-48 s 8
Function may be used to support national scheme	
s 45	om A2014-48 s 8
Information may be made available to other registering bodies	
s 46	om A2014-48 s 8
Applying in the ACT for accreditation—vocational course	
s 47	om A2014-48 s 8
Decision about accreditation—vocational course	
s 48	om A2014-48 s 8
Expert committee for pt 3.5	
s 49	am A2007-3 amdt 3.487 om A2014-48 s 8
Period of accreditation—vocational course	
s 50	om A2014-48 s 8
Cancelling accreditation—vocational course	
s 51	om A2014-48 s 8
Cancellation of accreditation—vocational course previously agreed	
s 52	om A2014-48 s 8

Registering end of accreditation	
s 53	om A2014-48 s 8
Offence to falsely claim vocational education course accredited	
s 54	om A2014-48 s 8
Disagreement with decision of council under s 33 or s 48	
s 55	am A2008-37 amdt 1.487 om A2014-48 s 8
Determination of work-related training	
s 55A	renum as s 7
Probationary period for training contract	
s 55AA	renum as s 8
Approval of training contract	
s 55B	renum as s 9
Application for approval	
s 55C	renum as s 10
Training contracts for qualification or statement of attainment	
s 55D	renum as s 11
Training must be under approved training contract	
s 55E	renum as s 12
Code of practice	
s 55F	renum as s 13
Ending training contract during probationary period	
s 55FA	renum as s 14
Party may ask for amendment	
s 55G	renum as s 15
Director-general may suspend, cancel or amend contract	
s 55H	renum as s 16
Dispute between employer and apprentice or trainee	
s 55I	renum as s 17
Application of ch 4	
s 56	om A2014-48 s 16
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s 57	om A2014-48 s 16
Scope of registration of higher education provider	
s 58	om A2014-48 s 16
Application for registration as higher education provider	
s 59	om A2014-48 s 16

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Decision about registration as higher education provider
s 60 am A2008-28 amdt 3.169
om A2014-48 s 16
Decision about registration—registration of higher education provider previously cancelled
s 61 om A2014-48 s 16
Expert committee for pt 4.3
s 62 am A2005-20 amdt 3.410
om A2014-48 s 16
Registration conditions—higher education provider
s 63 om A2014-48 s 16
Period of registration—higher education provider
s 64 om A2014-48 s 16
Amending or cancelling registration on application by higher education provider
s 65 om A2014-48 s 16
Amending, suspending or cancelling registration without application—higher education provider
s 66 om A2014-48 s 16
Effect of suspending registration of higher education provider
s 67 om A2014-48 s 16
Suspension of registration—higher education course previously agreed
s 68 om A2014-48 s 16
Cancellation of registration—higher education course previously agreed
s 69 om A2014-48 s 16
Registration of amendment, suspension, cancellation etc
s 70 om A2014-48 s 16
Offence to falsely claim to be higher education provider etc
s 71 om A2014-48 s 16
Applying for accreditation—higher education course
s 72 om A2014-48 s 16
Decision about accreditation—higher education course
s 73 om A2014-48 s 16
Expert committee for pt 4.4
s 74 am A2007-3 amdt 3.487
om A2014-48 s 16
Period of accreditation—higher education course
s 75 om A2014-48 s 16

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Obstructing visits—director-general	
s 103A	renum as s 22
Meaning of <i>reviewable decision</i>—pt 6.2	
s 104	renum as s 23
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s 105	renum as s 24
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s 106	renum as s 25
Time for lodging ACAT review applications for s 55 and s 80 decisions—ACAT Act, s 11	
s 107	am A2007-12 s 26 sub A2008-37 amdt 1.489 om A2014-48 s 31
CRICOS approval	
s 108	renum as s 26
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s 109	om A2007-12 s 27
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s 110	renum as s 27
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Details on national register on commencement	
s 114	exp 30 October 2004 (s 118)
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s 115	exp 30 October 2004 (s 118)
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s 116	exp 30 October 2004 (s 118)
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s 117	exp 30 October 2004 (s 118)
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s 200	ins A2007-12 s 29 exp 1 July 2008 (s 203 (LA s 88 declaration applies)) def commencement day ins A2007-12 s 29 exp 1 July 2008 (s 203 (LA s 88 declaration applies)) def repealed Act ins A2007-12 s 29 exp 1 July 2008 (s 203 (LA s 88 declaration applies))
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s 201	ins A2007-12 s 29 exp 1 July 2008 (s 203 (LA s 88 declaration applies))
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s 202	ins A2007-12 s 29 exp 1 July 2008 (s 203 (LA s 88 declaration applies))
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s 203	ins A2007-12 s 29 exp 1 July 2008 (s 203 (LA s 88 declaration applies))
Reviewable decisions	
sch 1	am A2007-12 s 30, s 31; items renum R7 LA; A2008-37 amdt 1.490, amdt 1.491; A2011-22 amdt 1.443 sub A2014-48 s 36
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dict	am A2008-37 amdt 1.492; A2009-49 amdt 3.201; A2014-48 s 37, s 38 def accreditation om A2014-48 s 39 def accredited course om A2014-48 s 39 def ANTA om A2007-12 s 32 def apprentice or trainee ins A2014-48 s 40 def approved training contract ins A2007-12 s 33 am A2011-22 amdt 1.443 def AQF am A2007-12 s 42 om A2014-48 s 41 def AQTF am A2007-12 s 42 om A2014-48 s 41 def authority om A2007-12 s 34 def committee om A2014-48 s 41 def Commonwealth Act om R9 LA ins A2014-48 s 42 def compliance audit om A2014-48 s 43 def corresponding law om A2014-48 s 43 def council om A2014-48 s 43 def course accrediting body om A2014-48 s 43

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def **employer** ins [A2007-12](#) s 35
sub [A2014-48](#) s 44

def **foreign university** om [A2014-48](#) s 45

def **franchise arrangement** om [A2014-48](#) s 45

def **higher education award** om [A2014-48](#) s 45

def **higher education course** om [A2014-48](#) s 45

def **higher education provider** om [A2014-48](#) s 45

def **higher education standards** om [A2014-48](#) s 45

def **jurisdiction** om [A2014-48](#) s 45

def **legislative compliance standard** om [A2014-48](#) s 45

def **MINCO** om [A2007-12](#) s 36

def **ministerial council** om [A2014-48](#) s 45

def **nationally agreed training contract** ins [A2007-12](#) s 37

def **nationally endorsed** om [A2014-48](#) s 45

def **national protocols** am [A2007-12](#) s 38, s 39
om [A2014-48](#) s 45

def **national register** om [A2014-48](#) s 45

def **national training framework** am [A2007-12](#) s 42
om [A2014-48](#) s 45

def **probationary period** ins [A2014-48](#) s 46

def **prohibition** om [A2014-48](#) s 47

def **qualification** sub [A2014-48](#) s 48

def **registered** om [A2014-48](#) s 49

def **registered training organisation** (or **RTO**) sub [A2014-48](#) s 50

def **registering body** om [A2014-48](#) s 51

def **registration** om [A2014-48](#) s 51

def **restriction** om [A2014-48](#) s 51

def **reviewable decision** ins [A2008-37](#) amdt 1.493

def **RTO** sub [A2014-48](#) s 52

def **RTO standards** om [A2014-48](#) s 53

def **scope of registration** om [A2014-48](#) s 53

def **standards for accreditation of courses** am [A2007-12](#) s 42
om [A2014-48](#) s 53

def **standards for registered training organisations** am [A2007-12](#) s 42
om [A2014-48](#) s 53

def **standards for State and Territory registering and course accrediting bodies** am [A2007-12](#) s 42
om [A2014-48](#) s 53

def **statement of attainment** sub [A2014-48](#) s 54

def **trades and labour council** om [A2014-48](#) s 55

def **trainee** ins [A2007-12](#) s 40
om [A2014-48](#) s 55

def **training package** om [A2014-48](#) s 55

def **unit of competency** om [A2014-48](#) s 55

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def **university** om [A2014-48](#) s 55
def **university advisory panel** om [A2014-48](#) s 55
def **vocational education and training** sub [A2014-48](#) s 56
def **vocational education and training course** om [A2014-48](#)
s 57
def **work-related training** ins [A2007-12](#) s 41
am [A2011-22](#) amdt 1.443

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 1 Nov 2003	1 Nov 2003– 12 Apr 2004	not amended	new Act
R2 13 Apr 2004	13 Apr 2004– 24 Aug 2004	A2004-9	amendments by A2004-9
R3 25 Aug 2004	25 Aug 2004– 30 Oct 2004	A2004-42	amendments by A2004-42
R4 31 Oct 2004	31 Oct 2004– 1 June 2005	A2004-42	commenced expiry
R5 2 June 2005	2 June 2005– 11 Apr 2007	A2005-20	amendments by A2005-20
R6 12 Apr 2007	2 Apr 2007– 30 June 2007	A2007-3	amendments by A2007-3
R7 1 July 2007	1 July 2007– 1 July 2008	A2007-12	renaming and other amendments by A2007-12
R8 2 July 2008	2 July 2008– 25 Aug 2008	A2007-12	commenced expiry
R9 26 Aug 2008	26 Aug 2008– 1 Feb 2009	A2008-28	amendments by A2008-28
R10 2 Feb 2009	2 Feb 2009– 16 Dec 2009	A2008-37	amendments by A2008-37
R11 17 Dec 2009	17 Dec 2009– 30 June 2011	A2009-49	amendments by A2009-49
R12 1 July 2011	1 July 2011– 20 Sept 2011	A2011-22	amendments by A2011-22

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5 Earlier republications

Republication No and date	Effective	Last amendment made by	Republication for
R13 21 Sept 2011	21 Sept 2011– 4 June 2012	A2011-28	amendments by A2011-28
R14 5 June 2012	5 June 2012– 21 Sept 2012	A2012-21	amendments by A2012-21
R15 22 Sept 2012	22 Sept 2012– 19 Nov 2014	A2012-21	expiry of provision (s 55B (5), (6))

6 Renumbered provisions

as made by *Training and Tertiary Education Amendment Act 2014* A2014-48 s 58
and under the *Legislation Act 2001*

previous number	provision heading	renumbered or inserted as
Chapter 1	Preliminary	Part 1
1	Name of Act	1
3	Objects of Act	2
4	Dictionary	3
5	Notes	4
6	Offences against Act—application of Criminal Code etc	5
Chapter 2	Vocational education and training	Part 2
7	Functions of director-general	6
Chapter 3A	Work-related training and training contracts	Part 3
55A	Determination of work-related training	7
55AA	Probationary period for training contract	8
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55C	Application for approval	10
55D	Training contracts for qualification or statement of attainment	11
55E	Training must be under approved training contract	12
55F	Code of practice	13
55FA	Ending training contract during probationary period	14
55G	Party may ask for amendment	15
55H	Director-general may suspend, cancel or amend contract	16
55I	Dispute between employer and apprentice or trainee	17
Part 6.1	Visits to premises	Part 4

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6 Renumbered provisions

previous number	provision heading	renumbered or inserted as
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99A	Visits by director-general—training contract premises	19
101	Identity cards	20
102	Production of identity card	21
103A	Obstructing visits—director-general	22
Part 6.2	Notification and review of decisions	Part 5
104	Meaning of <i>reviewable decision</i> —pt 5	23
105	Reviewable decision notices	24
106	Applications for review	25
Part 6.3	Other provisions	Part 6
108	CRICOS approval	26
110	Protection from civil liability	27
111	Determination of fees	28
112	Approved forms	29
113	Regulation-making power	30

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