



Western Australia

# **Vocational Education and Training Amendment Act 2024**



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# **Vocational Education and Training Amendment Act 2024**

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**No. 8 of 2024**

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**An Act to amend the *Vocational Education and Training Act 1996*.**

*[Assented to 26 March 2024]*

The Parliament of Western Australia enacts as follows:

**s. 1**

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**1. Short title**

This is the *Vocational Education and Training Amendment Act 2024*.

**2. Commencement**

This Act comes into operation as follows —

- (a) sections 1 and 2 — on the day on which this Act receives the Royal Assent (*assent day*);
- (b) sections 3 to 5 and 7 — on the day after assent day;
- (c) the rest of the Act — on a day fixed by proclamation.

**3. Act amended**

This Act amends the *Vocational Education and Training Act 1996*.

**4. Section 58G amended**

Delete section 58G(2) and insert:

- (2) An appeal can only be made on the ground that, in making the decision appealed against, the Council was required to apply a guideline issued to the Council under section 13 or a criterion prescribed under section 58(c) and the Council erred in its application of, or failed to apply, the guideline or criterion.

**5. Section 58 amended**

In section 58(c) delete “account when deciding an application made to it;” and insert:

account, or must apply, when making a decision;

**6. Section 60J inserted**

At the beginning of Part 7 Division 4 insert:

**60J. Delegation by chief executive**

- (1) The chief executive may delegate to a person any power or duty of the chief executive under this Part or regulations made for the purposes of this Part.
- (2) The delegation must be in writing signed by the chief executive.
- (3) A person to whom a power or duty is delegated under this section cannot delegate that power or duty.
- (4) A person exercising or performing a power or duty that has been delegated to the person under this section is taken to do so in accordance with the terms of the delegation unless the contrary is shown.
- (5) Nothing in this section limits the ability of the chief executive to perform a function through an officer or agent.

**7. Schedule 2 amended**

At the end of Schedule 2 insert:

**2. Provisions relating to *Vocational Education and Training Amendment Act 2024***

- (1) In this clause —  
*commencement day* means the day on which the *Vocational Education and Training Amendment Act 2024* section 4 comes into operation.

**s. 7**

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- (2) The amendment made by the *Vocational Education and Training Amendment Act 2024* section 4 applies in relation to an appeal —
- (a) commenced on or after commencement day; or
  - (b) commenced before commencement day but not determined before that day.

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