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**SPECIAL GAZETTE**

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Construction Industry Portable Paid Long Service Leave Act 1985

## **Construction Industry Portable Paid Long Service Leave Amendment Regulations 2020**

**SL 2020/107**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Construction Industry Portable Paid Long Service Leave Amendment Regulations 2020*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2020.

**3. Regulations amended**

These regulations amend the *Construction Industry Portable Paid Long Service Leave Regulations 1986*.

**4. Regulation 8 amended**

In regulation 8 delete “1.00%” and insert:

0.01%

R. NEILSON, Clerk of the Executive Council.



Mining Act 1978

## **Mining Amendment (COVID-19 Response) Regulations 2020**

**SL 2020/108**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Mining Amendment (COVID-19 Response) Regulations 2020*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette* (*gazettal day*);
- (b) regulations 4(3), 6 and 7(2) — on 1 July 2021;
- (c) the rest of the regulations — on the day after gazettal day.

**3. Regulations amended**

These regulations amend the *Mining Regulations 1981*.

**4. Regulation 54 amended**

- (1) Delete regulation 54(1b) and insert:

- (1B) A copy of a Form 18 lodged under section 102 must be published on the Department's website.

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(2) After regulation 54(3) insert:

(4) An applicant for a certificate of exemption under regulation 55 need not comply with subregulation (3) but must instead lodge with the application evidence of the applicant's inability to meet the expenditure requirements applicable to the applicant's licence as a result of the COVID-19 pandemic or a restriction imposed under a written law in response to the COVID-19 pandemic.

(3) Delete regulation 54(4).

**5. Regulation 55 inserted**

After regulation 54 insert:

**55. Certificate of exemption (Act s. 102(3)): provisions relating to COVID-19 pandemic**

For the purposes of section 102(3), a holder of a prospecting licence or an exploration licence may apply for a certificate of exemption under section 102(1) or 102A(1) if the holder is unable to meet the expenditure requirements applicable to the holder's licence as a result of the consequences of —

- (a) the COVID-19 pandemic; or
- (b) a restriction imposed under a written law in response to the COVID-19 pandemic.

**6. Regulation 55 deleted**

Delete regulation 55.

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**7. Regulation 146 amended**

(1) After regulation 146(2)(a) insert:

(aa) where the application being objected to is for a certificate of exemption under regulation 55 — 14 days after the day on which a copy of the Form 18 for the application is published under regulation 54(1B); or

(2) Delete regulation 146(2)(aa).

**8. Schedule 1 Form 18 amended**

In Schedule 1 Form 18 delete:

Note 1: A statutory declaration setting out reasons in support of the application must be lodged at any mining registrar's office within 28 days after lodgment of the application or within any extension of that period.  
(See regulation 54(3) and (4) of the *Mining Regulations 1981*.)

R. NEILSON, Clerk of the Executive Council.

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Vocational Education and Training Act 1996

## **Vocational Education and Training (Colleges) Amendment Regulations (No. 2) 2020**

**SL 2020/109**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Vocational Education and Training (Colleges) Amendment Regulations (No. 2) 2020*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Vocational Education and Training (Colleges) Regulations 1996*.

**4. Part 2 heading amended**

In the heading to Part 2 after “**Classification**” insert:

**and reclassification**

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(No. 2) 2020***

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**5. Regulation 4 amended**

- (1) Delete regulation 4(2) and insert:
  - (2) In the instrument referred to in subregulation (1) the courses provided by colleges are to be classified as follows —
    - (a) category 1 is to consist of courses that the chief executive determines are —
      - (i) priorities for industry training, apprenticeships or traineeships or are for general industry training; and
      - (ii) courses to which a higher fee should apply;
    - (b) category 2 is to consist of courses that the chief executive determines are —
      - (i) priorities for industry training, apprenticeships or traineeships; but
      - (ii) not courses to which a higher fee, targeted fee relief or no fee should apply;
    - (c) category 3 is to consist of courses that the chief executive determines are —
      - (i) for general industry training; but
      - (ii) not courses to which a higher fee, targeted fee relief or no fee should apply;
    - (d) category 4 is to consist of courses that the chief executive determines are —
      - (i) foundation skills training; or
      - (ii) intended to promote equality of opportunity in gaining access to

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vocational education and training or  
employment;

- (e) category 5 is to consist of courses that the chief executive determines are courses to which targeted fee relief should apply;
- (f) category 6 is to consist of courses that the chief executive determines are courses to which no fee should apply.

(2) Delete regulation 4(3A).

**6. Regulation 4A inserted**

At the end of Part 2 insert:

**4A. Reclassification of courses**

- (1) Without limiting regulation 4(3), the chief executive may by instrument issued to all colleges amend an instrument issued under regulation 4(1) to reclassify courses provided by colleges into a different category.
- (2) Subregulations (3) to (7) apply if the chief executive amends an instrument under subregulation (1).
- (3) Subject to subregulation (5), the reclassification of a course does not affect the course fees payable for units of the course commenced before the day on which the amendment takes effect (***amendment day***).
- (4) If a course is reclassified as a category 5 course, the course fee caps in regulation 12(5) and (6) apply only in relation to the course fees payable for units of the course commenced on or after amendment day.
- (5) If a category 5 course is reclassified, the course fee caps in regulation 12(5) and (6) apply only in relation

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to the course fees payable for units of the course commenced before amendment day.

- (6) If, before amendment day, a person paid an amount of course fees that includes an amount for units commenced on or after amendment day and that, because of the reclassification of a course, exceeds the amount of course fees payable by the person, the person is entitled to a refund of the difference between the amount paid and the amount payable.
- (7) If, before amendment day, a person paid an amount of course fees that includes an amount for units commenced on or after amendment day and that, because of the reclassification of a course, is less than the amount of course fees payable by the person, the person must pay the difference between the amount paid and the amount payable.

**7. Regulation 17 amended**

In regulation 17(2)(b)(i) delete “Division 2” and insert:

Division 2, including any amount payable under regulation 4A(7),

R. NEILSON, Clerk of the Executive Council.

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