



Western Australia

## **Vocational Education and Training (Colleges) Regulations 1996**

Compare between:

[01 Jan 2009, 03-d0-02] and [23 May 2009, 03-e0-02]



Western Australia

Vocational Education and Training Act 1996

## Vocational Education and Training (Colleges) Regulations 1996

### Part 1 — Preliminary

#### 1. Citation

These regulations may be cited as the *Vocational Education and Training (Colleges) Regulations 1996*<sup>1</sup>.

[\[Regulation 1 amended in Gazette 22 May 2009 p. 1693.\]](#)

#### 2. Commencement

These regulations come into operation on the day on which Part 5 of the Act comes into operation<sup>1</sup>.

#### 3. Terms used in these regulations

(1) In these regulations, unless the contrary intention appears —

[Act means the Vocational Education and Training Act 1996;](#)

**band**, in relation to a unit, means the band into which the unit is classified under regulation 4A;

**category**, in relation to a course, means the category into which the course is classified under regulation 4;

[course means a VET course, whether an approved VET course or not;](#)

r. 3

---

hours for a course, or for a unit that is a component of a course, means the nominal duration of the course or unit (in hours) set by the chief executive;

**unit** means a unit or module that is a component of a course and in which vocational education or training on a discrete subject is provided in accordance with the specifications of the unit or module to people enrolled in the course with the object that those who successfully complete the unit or module will have achieved a level of knowledge or competence in the subject concerned as specified in those specifications.

- ~~(2) In these regulations a reference to the number of hours for a course, or a unit that is a component of a course, is a reference to —~~
- ~~(a) for a course that is accredited by the Training Accreditation Council — the number of hours set out in the submission for accreditation made by the course provider to the Training Accreditation Council as being the number of hours in which an average student could reasonably be expected to complete the course or unit, as the case may be; or~~
- ~~(b) for a course in respect of which there is a training package approved by the Minister — the number of hours set out for the course or unit in the training package as being the number of hours in which an average student could reasonably be expected to complete the course or unit, as the case may be.~~

[2] ~~deleted~~

- (3) For the purposes of these regulations **completing a course** or **completing a unit** —
- (a) includes undertaking any assessment required to be undertaken to complete the course or unit, as the case may be; but
- (b) does not include undertaking any of the following —

- (i) unsupervised work experience;
- (ii) unsupervised industry placement;
- (iii) unsupervised field placement;
- (iv) private study.

[Regulation 3 amended in Gazette 23 Dec 2005 p. 6246-7;  
9 Nov 2007 p. 5605-6; [22 May 2009 p. 1693-4.](#)]

**Vocational Education and Training (Colleges) Regulations 1996**

**Part 2A** Management of colleges

r. 3A

---

**Part 2A — Management of colleges**

*[Heading inserted in Gazette 22 May 2009 p. 1694.]*

**3A. Strategic plan (Act s. 43)**

For the purposes of section 43(1) of the Act, a college's draft strategic plan must be for a period of 3 years.

*[Regulation 3A inserted in Gazette 22 May 2009 p. 1694.]*

---

## **Part 2 — Classification of courses and units**

*[Heading amended in Gazette 9 Nov 2007 p. 5606.]*

### **4. Classification by Minister**

- (1) The Minister is to issue to all colleges not later than the beginning of a calendar year an instrument setting out for that year the way in which courses provided by colleges are classified for the purposes of these regulations.
- (2) In the instrument referred to in subregulation (1) the courses provided by colleges are to be classified as follows —
  - (a) category A is to consist of courses that the Minister determines generally lead to credentials for engaging in any occupation, employment or trade;
  - (b) category B is to consist of courses that the Minister determines are intended to promote equality of opportunity in gaining access to vocational education and training or employment;
  - (c) category C is to consist of courses that the Minister determines are intended for persons engaged, or seeking to be engaged, in small business undertakings; and
  - (d) category D is to consist of courses that the Minister determines are intended for personal or community development.
- (3) The Minister may by instrument issued to all colleges amend an instrument issued under subregulation (1).

### **4A. Classification of units**

- (1) For the purposes of these regulations, units are classified as follows —
  - (a) a band 1 unit is any unit the number of hours for which is less than 15;

**Vocational Education and Training (Colleges) Regulations 1996**

**Part 2** Classification of courses and units

**r. 4B**

---

- (b) a band 2 unit is any unit the number of hours for which is 15 or more and less than 25;
  - (c) a band 3 unit is any unit the number of hours for which is 25 or more and less than 51;
  - (d) a band 4 unit is any unit the number of hours for which is 51 or more.
- (2) Not later than the beginning of each calendar year, the chief executive must give public notice of the band of each unit in such manner as the chief executive decides.

*[Regulation 4A inserted in Gazette 9 Nov 2007 p. 5606-7.]*

**4B. Nominal duration of courses and units**

The chief executive must give public notice of the nominal duration (in hours) of each course, and of each unit that is a component of a course, in such manner and at such times as the chief executive decides.

*[Regulation 4 inserted in Gazette 22 May 2009 p. 1694.]*



---

## **Part 3 — Selection and fees**

### **Division 1 — Selection for category A courses, and fees**

#### **5. Terms used in this Division**

In this Division —

**Admissions Manager** means the officer designated under regulation 7;

**course** means a category A course.

#### **6. Application of this Division**

- (1) This Division does not apply to a course if —
  - (a) the number of hours for the course does not exceed —
    - (i) an average of 13 hours in each week; or
    - (ii) a total of 221 hours in a semester;
  - or
  - (b) the chief executive has determined that applications for selection for the course are to be made to the college concerned.
- (2) The description of a course in the handbook of courses published for prospective students of colleges is to indicate whether subregulation (1)(b) applies to the course.

*[Regulation 6 amended in Gazette 23 Dec 2005 p. 6247; 9 Nov 2007 p. 5607.]*

#### **7. Admissions Manager to perform functions on behalf of colleges**

The chief executive is to designate an officer of the department as Admissions Manager with the function of undertaking, where this Division applies, the selection of persons for category A courses on behalf of colleges.

*[Regulation 7 amended in Gazette 9 Nov 2007 p. 5607.]*

**Vocational Education and Training (Colleges) Regulations 1996**

**Part 3** Selection and fees

**Division 1** Selection for category A courses, and fees

**r. 8**

---

**8. Application for a selection of a course**

A person who wishes to be selected for a course provided by a college must apply in writing to the Admissions Manager for selection.

*[Regulation 8 inserted in Gazette 9 Nov 2007 p. 5607.]*

**9. Late applications**

(1) The Admissions Manager may for any course determine a day after which applications under regulation 8 are to be regarded as late applications.

(2) A person who makes an application under regulation 8 that is a late application must pay the fee in Schedule 1 item 1.

*[Regulation 9 amended in Gazette 9 Nov 2007 p. 5607.]*

**10. Fee for assessing suitability of particular practical experience**

(1) A person who wishes —

(a) to make an application under regulation 8 in respect of a course; and

(b) to be selected for the course on the basis of experience rather than previous vocational education,

must pay a fee determined by the Admissions Manager as representing the cost of dealing with the application.

(2) The fee determined under subregulation (1) must not exceed \$70.

*[Regulation 10 amended in Gazette 9 Nov 2007 p. 5607.]*

**[11.]** *Repealed in Gazette 9 Nov 2007 p. 5608.]*

**Division 2 — Course fees**

*[Heading inserted in Gazette 23 Dec 2005 p. 6247.]*

**12. Course fees**

- (1) Subject to regulations 13 and 15A the course fee for a course is as follows —
  - (a) for a category A course — the fee determined per semester in accordance with subregulation (3);
  - (b) for a category B course — the fee in Schedule 1 item 4;
  - (c) for a category C course — the fee determined in accordance with Schedule 1 item 5;
  - (d) for a category D course — the fee determined for the course by the college that provides it.
- (2) For the purposes of regulation 20(2b) the concessional rate of course fee for a category D course is 75% of the fee referred to in subregulation (1)(d).
- (3) The fee per semester payable by a person enrolled for a category A course is the sum of the fees for each unit that is a component of the course and that is provided to the person in the semester; but in any event not more than —
  - (a) \$285 for a person who is, under regulation 20(2) or 21, entitled to the concessional rate of course fee; or
  - (b) \$570 for a person who is not so entitled.
- (4) For the purposes of subregulation (3), the fee for a unit is that in Schedule 1 item 2 or 3, as the case requires.

*[Regulation 12 inserted in Gazette 23 Dec 2005 p. 6247-8; amended in Gazette 9 Nov 2007 p. 5608; 21 Nov 2008 p. 4921; 31 Dec 2008 p. 5681.]*

**Vocational Education and Training (Colleges) Regulations 1996**

**Part 3** Selection and fees

**Division 2** Course fees

**r. 13**

---

**13. Courses exempt from course fees**

No course fee is payable for a course that, if successfully completed, would result in the conferral of any of these qualifications —

- (a) Diploma of Children Services;
- (b) Advanced Diploma of Children Services.

*[Regulation 13 inserted in Gazette 31 Dec 2008 p. 5682.]*

*[14-15. Repealed in Gazette 23 Dec 2005 p. 6247.]*

**15A. Course fees for overseas students**

- (1) The course fee for any course for a student who is not an Australian resident is —
  - (a) if there is a relevant determination in force under this regulation, the fee specified in that determination; or
  - (b) otherwise, the fee determined in accordance with regulation 12.
- (2) The Minister may by instrument issued to the relevant college or colleges determine the course fee for a course for a student who is not an Australian resident.
- (3) The Minister may determine different fees for different courses or different students based on —
  - (a) the categories of the course;
  - (b) the subject matter of the course;
  - (c) which college provides the course;
  - (d) the country of origin of the student;
  - (e) the level and extent of the student's previous vocational education, training and experience; or
  - (f) any other criteria the Minister considers relevant to the cost of providing the course,or any combination of those criteria.

(4) In this regulation —

**Australian resident** means a person who —

- (a) is an Australian citizen within the meaning of the *Australian Citizenship Act 1948*<sup>2</sup> of the Commonwealth; or
- (b) holds —
  - (i) a permanent visa within the meaning of the *Migration Act 1958* of the Commonwealth; or
  - (ii) a visa of subclass 309, 310, 785, 820 or 826 within the meaning of the *Migration Regulations 1994* of the Commonwealth; or
  - (iii) a visa of subclass 457 within the meaning of those regulations, other than a person who satisfied the primary criteria for that subclass of visa.

*[Section 15A inserted in Gazette 13 Apr 1999 p. 1547-8; amended in Gazette 5 Nov 1999 p. 5635; 8 Oct 2002 p. 5097; 23 Dec 2005 p. 6248; 30 May 2008 p. 2068-9.]*

### **Division 3 — Other fees**

#### **16. Colleges may determine other fees**

- (1) A college may from time to time determine any fee or charge that is payable to the college for any particular vocational education or training or related service supplied by the college, not being a service for which a fee is prescribed by these regulations.
- (2) The Minister is to direct each college under section 11 of the Act as to the manner in which a determination under subregulation (1) is to be published.
- (3) A determination under subregulation (1) does not have effect until it is published accordingly.

**Vocational Education and Training (Colleges) Regulations 1996**

**Part 3** Selection and fees

**Division 3** Other fees

**r. 16B**

---

**~~[16A. Fee for application for registration as training provider~~**

- ~~— (1) The fee for making an application to the Council for registration as a training provider is an amount determined by the Council that will allow recovery of costs and expenses incurred by the Council relevant to administering the scheme for the registration of training providers.~~
- ~~— (2) The Council may determine different amounts to be payable by different training providers according to the number of industries in relation to which the training providers provide vocational education and training.~~
- ~~— (3) If a fee payable for making an application under subregulation (1) is not paid within the time specified by the Council, the amount of the fee may be recovered in a court of competent jurisdiction as a debt due to the Crown.~~

~~— [Regulation 16A inserted, **16B.** Deleted in Gazette 16 Aug 2002 22 May 2009 p. 4209-10.]~~

**16B. Fee for application for accreditation of course or skills training programme**

- ~~— (1) The fee for making an application for accreditation of a course or skills training programme is the fee set out in Schedule 1 item 6.~~
- ~~— (2) In Schedule 1 item 6 —~~
  - ~~— **qualification course** means a course or skills training programme successful completion of which leads to one of the following qualifications —~~
  - ~~— (a) certificate I;~~
  - ~~— (b) certificate II;~~
  - ~~— (c) certificate III;~~
  - ~~— (d) certificate IV;~~
  - ~~— (e) diploma;~~
  - ~~— (f) advanced diploma;~~

**Vocational Education and Training (Colleges) Regulations 1996**

Selection and fees      **Part 3**

Other fees      **Division 3**

**r. 16B**

---

- ~~— (g) vocational graduate certificate;~~
- ~~— (h) vocational graduate diploma,~~
- ~~— within the meaning of the Australian Qualifications Framework Implementation Handbook published by the Australian Qualifications Framework Advisory Board, as amended or updated from time to time.~~
- ~~— [Regulation 16B inserted in Gazette 20 Oct 2006 p. 4468; amended in Gazette 9 Nov 2007 p. 5608, [1694](#).]~~

## Part 4 — Enrolment

### 17. Enrolment

- (1) A person cannot take a course provided by a college unless he or she is enrolled as a student at the college.
- (2) A person is enrolled by —
  - (a) lodging a completed enrolment form with the college; and
  - (b) paying —
    - [(i) deleted]*
    - (ii) subject to regulations 22 and 23, the course fee for the course provided for by Part 3 Division 2; and
    - (iii) any other fee or charge properly payable in connection with the course under regulation 16.

*[Regulation 17 amended in Gazette 29 Nov 2002 p. 5667; 23 Dec 2005 p. 6248; 9 Nov 2007 p. 5608.]*

### 18. When enrolment may be refused

- (1) Despite regulation 17, a person is not enrolled at a college if, within 21 days after he or she has complied with that regulation, the governing council of the college —
  - (a) decides to refuse the enrolment; and
  - (b) gives notice in writing to the person of the decision and of the reasons for it.
- (2) The only grounds on which a governing council may refuse an enrolment under subregulation (1) are that the person —
  - (a) has committed —
    - (i) a breach of discipline at a college; or
    - (ii) a breach of the by-laws of a college,



and the governing council considers that there is a significant risk of a further breach by the person; or

- (b) has failed to pay any fee or charge properly payable to a college.
- (3) It is sufficient compliance with subregulation (1)(b) if the notice is sent by post to a postal address given by the person in the enrolment form.
- (4) Nothing in this regulation affects the application of criteria in the selection of persons for a course.

[19. *Repealed in Gazette 9 Nov 2007 p. 5608.*]

## **Part 5 — Fee concessions, exemptions etc.**

### **Division 1 — Concessional rates of fees**

#### **20. Persons entitled to concessional rate of course fee**

- (1) In this regulation —  
**Centrelink** means the Commonwealth agency known as Centrelink.
- (2) The following persons are entitled to the concessional rate of course fee for any category A course —
- (a) persons holding a Health Care Card issued by Centrelink;
  - (b) persons holding a Pensioner Concession Card issued by Centrelink;
  - (c) persons holding a Repatriation Health Benefits Card issued by the Commonwealth Department of Veterans' Affairs;
  - (d) persons in receipt of a benefit under the AUSTUDY scheme described in the *Student Assistance Act 1973*<sup>3</sup> of the Commonwealth;
  - (e) persons in receipt of a benefit under the ABSTUDY scheme of the Commonwealth;
  - (ea) persons in receipt of the common youth allowance from the Commonwealth;
  - (eb) persons who have reached 15 years of age, who have not reached 18 years of age and who are not due to reach 18 years of age in the calendar year for which they enrol;
  - (f) persons who are inmates of a custodial institution for adults or juveniles;
  - (g) dependents of persons referred to in paragraphs (a) to (f).

*[(2a) omitted under the Reprints Act 1984 s. 7(4)(e).]*

- (2b) The following persons are entitled to the concessional rate of course fee for any category D course —
- (a) persons holding a Health Care Card issued by Centrelink;
  - (b) persons holding a Pensioner Concession Card issued by Centrelink;
  - (c) persons holding a Repatriation Health Benefits Card issued by the Commonwealth Department of Veterans' Affairs;
  - (d) persons holding a Seniors Card issued by the Office of Seniors Interests;
  - (e) dependents of persons referred to in paragraphs (a) to (d).
- (3) It is the responsibility of a person who claims an entitlement under this regulation in relation to a course provided by a college to establish that entitlement to the satisfaction of the governing council of the college.

*[Regulation 20 amended in Gazette 7 Nov 1997 p. 6150 (disallowed in Gazette 9 Jun 1998 p. 3098); 14 Aug 1998 p. 4434-5; 4 Dec 1998 p. 6535; 28 Nov 2003 p. 4774; 23 Dec 2005 p. 6248-9.]*

**21. Concessional rate may be allowed for vocational courses in cases of financial hardship**

If the governing council of a college is satisfied, on application by a person who wishes to enrol at the college for a category A course, that payment of the full course fee for the course would cause financial hardship to the person, the council may determine that the concessional rate is to apply to that person for that course as if he or she were a person to whom regulation 20(1) applies.

**Vocational Education and Training (Colleges) Regulations 1996**

**Part 5** Fee concessions, exemptions etc.

**Division 2** Other fee relief

**r. 22**

---

*[Regulation 21 amended in Gazette 7 Nov 1997 p. 6150  
(disallowed in Gazette 9 Jun 1998 p. 3098); 23 Dec 2005  
p. 6249.]*

**Division 2 — Other fee relief**

**22. Payment of certain fees by instalments may be allowed in cases of financial hardship**

- (1) If the governing council of a college is satisfied, on application by a person who wishes to enrol at the college for a course, that payment of the full course fee for the course at the time of enrolment would cause financial hardship to the person, the council may allow the person to pay the fee by instalments of such amounts and at such times as it determines.
- (2) If the governing council of a college is satisfied, on application by a person who would otherwise be liable for a fee imposed under regulation 16 for a service, that payment of the fee would cause financial hardship to the person, the council may allow the person to pay the fee by instalments of such amounts and at such times as it determines.
- (3) If a student fails to pay an instalment when it becomes due and payable the governing council of a college may —
  - (a) withdraw the allowance granted under subregulation (1) or (2) and require the student to pay the total unpaid portion of the fee by a date specified by the council; or
  - (b) cancel the enrolment of a student.
- (4) The governing council of a college may only exercise a power under subregulation (3) if —
  - (a) the council has given the student 21 days written notice of its intention to do so; and
  - (b) any instalment payable before the notice was given remains unpaid at the expiry of those 21 days.

- (5) If a student fails to pay an instalment, or an amount payable under subregulation (3)(a), when it becomes due and payable the governing council of a college may recover that amount in a court of competent jurisdiction as a debt due to the college.

*[Regulation 22 amended in Gazette 7 Nov 1997 p. 6151; 23 Dec 2005 p. 6249.]*

**23. Exemption from fees in cases of severe financial hardship**

- (1) If the governing council of a college is satisfied, on application by a person who wishes to enrol at the college for a course, that payment of the course fee for the course would cause severe financial hardship to the person, the council may determine that no course fee is payable by the person for the course.
- (2) If the governing council of a college is satisfied, on application by a person who would otherwise be liable for a fee imposed under regulation 16 for a service, that payment of the fee would cause severe financial hardship to the person, the council may determine that the fee is not payable by the person for the service.

*[Regulation 23 amended in Gazette 23 Dec 2005 p. 6249.]*

**24. Refund of fees on cancellation etc. of course**

Subject to regulation 26A, a person who is enrolled at a college for a course is entitled to a full refund of any fee paid for that course under regulation 17, or any instalment of the course fee —

- (a) if, after enrolment, the course is cancelled; or
- (b) if, after enrolment —
- (i) there is a change in the day or time scheduled for the course; and
  - (ii) the person lodges with the college notice, in a form provided by the college, that he or she has

**Vocational Education and Training (Colleges) Regulations 1996**

**Part 5** Fee concessions, exemptions etc.

**Division 2** Other fee relief

**r. 25**

---

withdrawn from the course because the day or time as changed is not suitable to him or her.

*[Regulation 24 amended in Gazette 29 Nov 2002 p. 5668; 23 Dec 2005 p. 6249.]*

**25. Full refund of course fee on withdrawal within specified period**

- (1) Subject to regulation 26A, a person who is enrolled at a college for a course is entitled to a full refund of the course fee paid for that course, or any instalment of the fee, if within the allowed period he or she lodges with the college notice, in a form provided by the college, that he or she has withdrawn from the course.
- (2) For the purposes of subregulation (1) the allowed period ends —
  - (a) 4 weeks after the course commences; or
  - (b) on the completion of 25% of the course,whichever is the sooner.

*[Regulation 25 amended in Gazette 29 Nov 2002 p. 5668; 23 Dec 2005 p. 6249.]*

**26. Pro rata refund of course fee on withdrawal**

- (1) Subject to regulation 26A, a person who is enrolled at a college for a course is entitled to a pro rata refund of the course fee paid for that course, or any instalment of the fee, if after the expiry of the allowed period under regulation 25(2), he or she —
  - (a) lodges with the college notice, in a form provided by the college, that he or she has withdrawn from the course; and
  - (b) provides evidence to the satisfaction of the governing council that the withdrawal is due to a change of circumstances which the person could not reasonably have foreseen at the time of the enrolment.

**Vocational Education and Training (Colleges) Regulations 1996**

Fee concessions, exemptions etc. **Part 5**

Other fee relief **Division 2**

**r. 26A**

---

- (2) The pro rata refund is to be the same proportion of the fee paid as the proportion of the course not undertaken by the person.

*[Regulation 26 amended in Gazette 29 Nov 2002 p. 5668; 23 Dec 2005 p. 6249-50.]*

**26A. Discretionary refund of fees for category D courses**

The refund to which a person who is enrolled at a college for a category D course is entitled under regulation 24, 25 or 26 is the amount that the college providing the course determines is reasonable in the circumstances in which the person's entitlement arises.

*[Regulation 26A inserted in Gazette 29 Nov 2002 p. 5668.]*

### **Part 6 — Common seals of colleges**

**27. Form**

The common seal of a college is to be circular in form and have —

- (a) the name of the college in its centre; and
- (b) the words “Common Seal” around its circumference.

**28. Custody**

The common seal of a college is to be kept in safe custody by the managing director of the college.

**29. Use**

The common seal of a college is not to be affixed to any document unless the governing council of the college has determined by resolution that it be so affixed.

**30. Attestation**

The common seal of a college is to be affixed to a document in the presence of —

- (a) the chairperson or deputy chairperson of the governing council of the college; and
- (b) at least one other member of the governing council,

and each of the persons so present is to sign the document to attest that the common seal was so affixed.

**31. Seal book**

- (1) A college is to have a book (*the seal book*) in which is to be entered a record of all documents to which the common seal has been affixed.



- (2) The managing director is responsible for —
- (a) keeping the seal book in safe custody; and
  - (b) ensuring that the necessary entries are made in it.

**[Part 7—Supplementary transitional provisions**

**32.— State Training Profile**

~~The State Training Profile—~~

- ~~(a) prepared by the department as the State training agency under clause 23 of the Schedule to the *Australian National Training Authority Act 1992*<sup>4</sup> of the Commonwealth and approved under clause 27 of that Schedule; and~~
- ~~(b) as in force immediately before the commencement of the Act;~~

~~is to be taken, on that commencement, to be the approved State Training Profile for the purposes of section 8(b) of the Act.~~

**33.— College Training Profile**

~~A College Training Profile for a college—~~

- ~~(a) prepared for the purposes of the State Training Profile referred to in regulation 32; and~~
- ~~(b) as in force immediately before the commencement of the Act;~~

~~is to be taken, on that commencement, to be a College Training Profile approved by the Minister for that college for the purposes of section 42(2)(a) of the Act.~~

**34.— Agreements with training providers**

~~Any agreement relating to the provision of vocational education and training in force immediately before the commencement of the Act between—~~

- ~~(a) the Minister responsible for the administration of the Act repealed by section 70(2) of the Act, or a person acting on behalf of that Minister; and~~

~~(b) a training provider,  
is to be taken to be an agreement relating to the provision of vocational education and training between the Minister responsible for the administration of the Act and that training provider for the purposes of the Act.~~

**35. Saving**

~~Nothing in this Part affects the exercise of the powers conferred by the Act in respect of the matters dealt with in this Part.~~

**36. Funds and accounts of colleges**

~~(1) Any account established for a college under section 38(2) of the *Colleges Act 1978*<sup>5</sup> is to be taken to be an account established for that college under section 49 of the Act.~~

~~(2) All moneys that had been credited to, or placed to the credit of, an account referred to in subregulation (1) and which were available to the Council of the college under section 38(1) of the *Colleges Act 1978*<sup>5</sup> are to be taken to be funds of the college under section 48(b) of the Act.~~

~~[Regulation 36 inserted *deleted* in Gazette  
7 Nov 1997 22 May 2009 p. 6152-1694.]~~

**37. Funds and accounts for technical schools or technical colleges**

~~(1) All moneys standing to the credit of an account established for a technical school or technical college under section 9B of the *Education Act 1928*<sup>6</sup> are to be taken to have been transferred to, and placed to the credit of, an account established under section 49 of the Act for the college on the commencement of the Act.~~

~~(2) All moneys transferred to, and placed to the credit of, an account for a college under subregulation (1) are to be taken to be funds of the college under section 48(b) of the Act.~~

**Vocational Education and Training (Colleges) Regulations 1996**

**Part 6** Supplementary transitional provisions

**r. 38**

---

~~(3) For the purposes of the *Financial Administration and Audit Act 1985* the accountable officer in respect of the accounts referred to in subregulation (1) for the period ending on 31 December 1996 is the chief executive officer of the department.~~

~~[Regulation 37 inserted in Gazette 7 Nov 1997 p. 6152.]~~

**38. State Employment and Skills Development Authority Account**

~~The funds standing to the credit of the State Employment and Skills Development Authority Account established under section 34 of the *State Employment and Skills Development Authority Act 1990*<sup>5</sup> are to be taken to have been transferred to, and placed to the credit of, the Vocational Education and Training Trust Fund established under section 15 of the Act on the commencement of the Act.~~

~~[Regulation 38 inserted in Gazette 7 Nov 1997 p. 6152.]~~

**Schedule 1 — Fees**

[Heading inserted in Gazette 9 Nov 2007 p. 5609.]

Item	Fee for	F
1.	Late application (r. 9(2))	7
2.	Unit per semester, for a person who is not, under regulation 20(2) or 21, entitled to the concessional rate of course fee (r. 12) —	
	(a) for a band 1 unit	1
	(b) for a band 2 unit	3
	(c) for a band 3 unit	6
	(d) for a band 4 unit	1
3.	Unit per semester, for a person who is, under regulation 20(2) or 21, entitled to the concessional rate of course fee (r. 12) —	
	(a) for a band 1 unit	7
	(b) for a band 2 unit	1
	(c) for a band 3 unit	3
	(d) for a band 4 unit	6
4.	Category B course, per semester (r. 12)	2
5.	Category C course, per hour, or part of an hour, for the course (r. 12)	4
<del>6.</del> <i>deleted</i>	<del>Applica Deleted Cells</del> <del>(a) of Deleted Cells</del> <del>(b) of a course or skills training programme other than a qualification course</del>	

**Vocational Education and Training (Colleges) Regulations 1996**  
**Schedule 1** Fees

---

| *[Schedule 1 inserted in Gazette 9 Nov 2007 p. 5609; amended in  
Gazette 21 Nov 2008 p. 4921; [22 May 2009 p. 1694.](#)]*

## Vocational Education and Training (Colleges) Regulations 1996

### Notes

- <sup>1</sup> This is a compilation of the *Vocational Education and Training (Colleges) Regulations 1996* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Vocational Education and Training Regulations 1996</i> <sup>2</sup>	27 Dec 1996 p. 7167-84	1 Jan 1997 (see r. 2 and <i>Gazette</i> 12 Nov 1996 p. 6301)
<i>Vocational Education and Training Amendment Regulations 1997</i> <sup>7</sup>	7 Nov 1997 p. 6149-51	7 Nov 1997
<i>Vocational Education and Training Amendment Regulations (No. 2) 1997</i>	7 Nov 1997 p. 6152	1 Jan 1997 (see r. 2 and <i>Gazette</i> 12 Nov 1996 p. 6301)
<i>Vocational Education and Training Amendment Regulations 1998</i>	14 Aug 1998 p. 4433-6	14 Aug 1998
<i>Vocational Education and Training Amendment Regulations (No. 2) 1998</i>	4 Dec 1998 p. 6534-5	4 Dec 1998
<i>Vocational Education and Training Amendment Regulations 1999</i>	13 Apr 1999 p. 1546-8	13 Apr 1999
<i>Vocational Education and Training Amendment Regulations (No. 2) 1999</i> r. 5 and 6	5 Nov 1999 p. 5634-5	5 Nov 1999 (see r. 2(1))
<b>Reprint of the Vocational Education and Training Regulations 1996 as at 26 May 2000</b> (includes amendments listed above)		
<i>Vocational Education and Training Amendment Regulations 2001</i>	2 Nov 2001 p. 5795-6	2 Nov 2001
<i>Vocational Education and Training Amendment Regulations (No. 3) 2001</i>	14 Dec 2001 p. 6408-9	14 Dec 2001
<i>Vocational Education and Training Amendment Regulations 2002</i>	16 Aug 2002 p. 4209-10	16 Aug 2002
<i>Vocational Education and Training Amendment Regulations (No. 2) 2002</i>	8 Oct 2002 p. 5096-7	8 Oct 2002
<i>Vocational Education and Training Amendment Regulations (No. 3) 2002</i>	29 Nov 2002 p. 5667-8	29 Nov 2002
<i>Vocational Education and Training Amendment Regulations 2003</i>	28 Nov 2003 p. 4773-4	28 Nov 2003
<i>Vocational Education and Training Amendment Regulations 2004</i>	26 Nov 2004 p. 5310	26 Nov 2004

**Vocational Education and Training (Colleges) Regulations 1996**

Citation	Gazettal	Commencement
<b>Reprint 2: The Vocational Education and Training Regulations 1996 as at 17 Dec 2004</b> (includes amendments listed above)		
<i>Vocational Education and Training Amendment Regulations 2005</i> <sup>8</sup>	23 Dec 2005 p. 6246-50	23 Dec 2005
<i>Vocational Education and Training Amendment Regulations 2006</i>	20 Oct 2006 p. 4467-9	20 Oct 2006
<i>Vocational Education and Training Amendment Regulations (No. 2) 2006</i>	24 Nov 2006 p. 4813-14	24 Nov 2006
<i>Vocational Education and Training Amendment Regulations 2007</i>	9 Nov 2007 p. 5605-9	r. 1 and 2: 9 Nov 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Nov 2007 (see r. 2(b))
<b>Reprint 3: The Vocational Education and Training Regulations 1996 as at 4 Jan 2008</b> (includes amendments listed above)		
<i>Vocational Education and Training Amendment Regulations 2008</i>	30 May 2008 p. 2068-9	r. 1 and 2: 30 May 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 31 May 2008 (see r. 2(b))
<i>Vocational Education and Training Amendment Regulations (No. 2) 2008</i>	21 Nov 2008 p. 4920-1	r. 1 and 2: 21 Nov 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Nov 2008 (see r. 2(b))
<i>Vocational Education and Training Amendment Regulations 2009</i>	31 Dec 2008 p. 5681-2	r. 1 and 2: 31 Dec 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2009 (see r. 2(b))
<a href="#"><i>Vocational Education and Training Amendment Regulations (No. 2) 2009</i></a>	<a href="#">22 May 2009</a> <a href="#">p. 1693-4</a>	<a href="#">r. 1 and 2: 22 May 2009 (see r. 2(a));</a> <a href="#">Regulations other than r. 1 and 2: 23 May 2009 (see r. 2(b))</a>

<sup>2</sup> Repealed by the *Australian Citizenship (Transitionals and Consequentials) Act 2007* of the Commonwealth.

<sup>3</sup> Formerly referred, incorrectly, to the *Student and Youth Allowances Act 1973* of the Commonwealth. The correct short title of the Act was the *Student and Youth Assistance Act 1973*. That short title was changed to the *Student Assistance Act 1973* by the *Social Security Legislation Amendment (Youth Allowance Consequential and Related Measures) Act 1998* of the Commonwealth. The reference was changed under the *Reprints Act 1984* s. 7(3)(h).



## Vocational Education and Training (Colleges) Regulations 1996

---

- <sup>4</sup> Repealed by the *Skilling Australia's Workforce (Repeal and Transitional Provisions) Act 2005* of the Commonwealth.
- <sup>5</sup> Repealed by the *Vocational Education and Training Act 1996*.
- <sup>6</sup> Repealed by the *School Education Act 1999*.
- <sup>7</sup> The *Vocational Education and Training Amendment Regulations 1997* r. 4 and 5 were disallowed on 21 May 1998 (see *Gazette* 9 Jun 1998 p. 3098).
- <sup>8</sup> The *Vocational Education and Training Amendment Regulations 2005* r. 6(3) reads as follows:

“

**6. Regulation 15A amended and savings**

- (3) A determination issued under regulation 15A that is in force immediately before these regulations commence and specifies a tuition fee for a course for a student, continues in force after these regulations commence and the fee so specified is to be taken to be the course fee specified for that course for that student.

”

<sup>9</sup> [Now known as \*Vocational Education and Training \(Colleges\) Regulations 1996\*: citation changed \(see note under r. 1\).](#)