
TRAINING

TA301*

Vocational Education and Training Act 1996

**Vocational Education and Training (Colleges)
Amendment Regulations 2015**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Vocational Education and Training (Colleges) Amendment Regulations 2015*.

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 January 2016.

3. Regulations amended

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

4. Regulations 11 and 12 inserted

At the beginning of Part 3 Division 2 insert:

11. Course fees for 2016 — Schedule 1

- (1) The course fee for a course to be commenced by a student in 2016 is as follows —
 - (a) where only one unit is commenced — the relevant fee determined in accordance with Schedule 1 item 2, 3, 4 or 5 (the *unit fee*);
 - (b) if more than one unit is to be commenced — the sum of the unit fees for each unit to be commenced.
- (2) Subregulation (1) does not apply to a course or unit for which there is a determination in force under regulation 15A or 16A.

12. Annual course fee caps

- (1) The fee caps set out in this regulation are applicable to persons, despite the operation of regulation 11(1).

- (2) The maximum amount of course fee payable for 2016 by a student who is not a secondary school aged person is \$7 780.
- (3) The cap in subregulation (2) applies for each course in which the student is enrolled (by enrolling in one or more than one unit of that course) that, if successfully completed, would result in the conferral of a prescribed VET qualification of a Diploma or Advanced Diploma.
- (4) The maximum amount of course fee payable for 2016 by a student who is a secondary school aged person, but not enrolled at school, is \$415.

5. Regulation 13B deleted

Delete regulation 13B.

6. Regulation 13 amended

Delete regulation 13(3) and insert:

- (3) No course fee is payable for a course undertaken by a person enrolled at a school, as defined in the *School Education Act 1999* section 4.

7. Regulation 15A amended

- (1) In regulation 15A(1)(b) delete “13B.” and insert:

11.

- (2) In regulation 15A(4) in the definition of *Australian resident*:

- (a) in paragraph (a) delete “1948” and insert:

2007

- (b) in paragraph (b)(ii) delete “820, 826 or 851” and insert:

820 or 826

8. Regulation 16 amended

Before regulation 16(1) insert:

- (1A) This regulation does not apply to vocational education or training or related services supplied by a college on a fee for service basis under section 37(1)(bb) of the Act.

9. Regulation 16A inserted

At the end of Part 3 Division 3 insert:

16A. Fee for service

- (1) A college may from time to time determine the fee or charge that is payable to the college for the supply of a particular vocational education or training or related service, where that supply is to be provided on a fee for service basis under section 37(1)(bb) of the Act.
- (2) Subregulation (1) does not apply to students who are already subject to a determination under regulation 15A.

10. Regulation 18 amended

In regulation 18(2):

- (a) in paragraph (b) delete “college.” and insert:

college; or

- (b) after paragraph (b) insert:

- (c) has enrolled as a student at a college by satisfying regulation 17(2)(b) by undertaking to arrange for payment of fees by way of Commonwealth assistance (*VET FEE-HELP*), but has not had an eligible application for VET FEE-HELP to the college confirmed within the required period for that unit.

11. Regulation 20A inserted

After regulation 20 insert:

20A. Concessions for existing worker

- (1) This regulation applies to a person, other than an apprentice —
 - (a) regarded as an existing worker under a *Vocational Education and Training (General) Regulations 2009* Schedule 1 training contract; and
 - (b) who is undertaking training in a Certificate IV level qualification or below.

- (2) If the training contract referred to in subregulation (1)(a) was received by the Apprenticeship Office of the Department of Training and Workforce Development on or before 30 September 2015, the fees payable by that person for 2016 are the fees applicable to Category 2 courses.
- (3) If the training contract referred to in subregulation (1)(a) was received by the Apprenticeship Office of the Department of Training and Workforce Development after 30 September 2015, the fees payable by that person for 2016 are the fees applicable to Category 1 courses.

12. Regulation 25 amended

- (1) Delete regulation 25(1).
- (2) Delete regulation 25(3) and insert:
 - (3) For the purpose of subregulation (2), the allowed period for a unit is the period set by the college for that unit, ending no less than 20% of the way through the period during which that unit is undertaken.

13. Schedule 1 amended

In Schedule 1 amend the provisions listed in the Table as set out in the Table.

Table

Provision	Delete	Insert
Sch. 1 it. 2	5.67	5.73
Sch. 1 it. 3(a)	3.09	3.21
Sch. 1 it. 3(b)	1.55	1.61
Sch. 1 it. 4(a)	4.65	4.84
Sch. 1 it. 4(b)	2.32	2.42

K. H. ANDREWS, Clerk of the Executive Council.