
EDUCATION

ED301*

Vocational Education and Training Act 1996

**Vocational Education and Training Amendment
Regulations 2005**

Made by the Lieutenant-Governor and Administrator in Executive Council.

1. Citation

These regulations are the *Vocational Education and Training Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Vocational Education and Training Regulations 1996**.

[* *Reprint 2 as at 17 December 2004.*]

3. Regulation 3 amended

Regulation 3 is amended as follows:

- (a) before “In these regulations” by inserting the subregulation designation “(1)”;

- (b) at the end of the regulation by inserting the following subregulations —

“

- (2) In these regulations a reference to the number of hours for 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
 - (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 in the training package as being the number of hours in which an average student could reasonably be expected to complete the course.
- (3) For the purposes of these regulations “**completing a course**” —
- (a) includes undertaking any assessment required to be undertaken to complete the course; 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.

”.

4. **Regulation 6 amended**

Regulation 6(1)(a) is amended by deleting “tuition” and inserting instead —

“ number of hours ”.

5. **Part 3 Division 2 heading and regulations 12 to 15 replaced**

The heading to Part 3 Division 2 and regulations 12 to 15 are repealed and the following is inserted instead —

“

Division 2 — Course fees

12. Course fees

- (1) Subject to regulation 15A the course fee for a course is as follows —
- (a) for a category A course — the fee determined in accordance with Schedule 1 clause 5;
 - (b) for a category B course — nil;

- (c) for a category C course — the fee determined in accordance with Schedule 1 clause 6;
 - (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).

”.

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

- (1) Regulation 15A(1) is amended as follows:
- (a) by deleting “tuition fee” and inserting instead —
“ course fee ”;
 - (b) in subregulation (1)(b) by deleting “calculated in accordance with regulation 12, 13, 14 or 15, as the case requires.” and inserting instead —
“ determined in accordance with regulation 12. ”.
- (2) Regulation 15A(2) is amended by deleting “tuition fee” and inserting instead —
“ course fee ”.
- (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.

7. **Regulation 17 amended**

Regulation 17(2)(b)(ii) is deleted and the following subparagraph is inserted instead —

“

- (ii) subject to regulations 22 and 23, the course fee for the course provided for by Part 3 Division 2;

”.

8. **Regulation 19 amended**

Regulation 19(2) is amended by deleting “for which the tuition” and inserting instead —

“ the number of hours for which ”.

9. **Regulation 20 amended**

- (1) Regulation 20(2) is amended as follows:
- (a) by deleting “tuition fees” in the first place where it occurs and inserting instead —
“ course fee ”;

- (b) by deleting paragraph (g) and inserting the following paragraph instead —

“

- (g) dependents of persons referred to in paragraphs (a) to (f).

”.

- (2) Regulation 20(2b) is amended as follows:

- (a) by deleting “tuition fees” in the first place where it occurs and inserting instead —

“ course fee ”;

- (b) by deleting paragraph (e) and inserting the following paragraph instead —

“

- (e) dependents of persons referred to in paragraphs (a) to (d).

”.

10. Regulations 21, 22 and 23 amended

Regulations 21, 22(1) and 23(1) are amended by deleting “tuition fee” in each place where it occurs and inserting instead —

“ course fee ”.

11. Regulation 24 amended

Regulation 24 is amended as follows:

- (a) by deleting “tuition fee — ” and inserting instead —

“ course fee — ”;

- (b) in paragraph (b)(i) by deleting “when tuition is given;” and inserting instead —

“ scheduled for the course; ”.

12. Regulation 25 amended

- (1) Regulation 25(1) is amended by deleting “tuition fee” and inserting instead —

“ course fee ”.

- (2) Regulation 25(2) is amended as follows:

- (a) in paragraph (a) by deleting “tuition has begun” and inserting instead —

“ the course commences ”;

- (b) in paragraph (b) by deleting “tuition hours of the”.

13. Regulation 26 amended

- (1) Regulation 26(1) is amended by deleting “tuition fee” and inserting instead —

“ course fee ”.

- (2) Regulation 26(2) is repealed and the following subregulation is inserted instead —

“

- (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.

”.

14. Schedule 1 amended

- (1) Schedule 1 items 5 and 6 are deleted and the following items are inserted instead —

“

5. Course fee for a category A course for each hour, or part of an hour, for the course (reg. 12) —
- | | |
|---|------|
| (a) if concessional rate applies under reg. 20(2) or 21 | 0.71 |
| (b) otherwise | 1.36 |

The maximum fee under this item for all category A courses taken by a person in a semester is —

- | | |
|---|--------|
| (i) if concessional rate applies under reg. 20(2) or 21 | 259.15 |
| (ii) otherwise | 496.40 |
6. Course fee for a category C course for each hour, or part of an hour, for the course (reg. 12)
- | | |
|--|------|
| | 4.15 |
|--|------|

”.

- (2) Schedule 1 item 8 is amended by deleting “22.20” and inserting instead —

“ 22.76 ”.

By Command of the Lieutenant-Governor and Administrator,

G. M. PIKE, Clerk of the Executive Council.