



Education and Training Legislation Repeal Act 2017

No. 88, 2017

**An Act to repeal certain obsolete Acts relating to
education and training, and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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Education and Training Legislation Repeal Act 2017

No. 88, 2017

An Act to repeal certain obsolete Acts relating to education and training, and for related purposes

[Assented to 23 August 2017]

The Parliament of Australia enacts:

1 Short title

This Act is the *Education and Training Legislation Repeal Act 2017*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after this Act receives the Royal Assent.	24 August 2017

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Repeals of Acts

Part 1—Repeals

Australian Research Council (Consequential and Transitional Provisions) Act 2001

1 The whole of the Act

Repeal the Act.

Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Act 2005

2 The whole of the Act

Repeal the Act.

Skilling Australia's Workforce Act 2005

3 The whole of the Act

Repeal the Act.

Skilling Australia's Workforce (Repeal and Transitional Provisions) Act 2005

4 The whole of the Act

Repeal the Act.

Part 2—Consequential amendments

Social Security Act 1991

5 Subsection 23(1) (definition of *VET provider*)

Repeal the definition, substitute:

VET provider means a registered training organisation (within the meaning of the *National Vocational Education and Training Regulator Act 2011*) that provides vocational education and training.

Part 3—Saving and transitional provisions

6 Saving provision

Despite the repeal of the *Australian Technical Colleges (Flexibility in Achieving Australia's Skills Needs) Act 2005* made by Part 1 of this Schedule:

- (a) a Part 2 agreement in force under that Act immediately before the commencement of this item continues in force on and after that commencement; and
- (b) that Act, as in force immediately before that commencement, continues to apply on and after that commencement in relation to the Part 2 agreement.

7 Transitional rules

- (1) The Minister may, by legislative instrument, make rules prescribing matters of a transitional nature (including prescribing any saving or application provisions) relating to the amendments or repeals made by this Schedule.
- (2) To avoid doubt, the rules may not do the following:
 - (a) create an offence or civil penalty;
 - (b) provide powers of:
 - (i) arrest or detention; or
 - (ii) entry, search or seizure;
 - (c) impose a tax;
 - (d) set an amount to be appropriated from the Consolidated Revenue Fund under an appropriation in this Act;
 - (e) directly amend the text of this Schedule.
- (3) This Schedule (other than subitem (2)) does not limit the rules that may be made for the purposes of subitem (1).

*[Minister's second reading speech made in—
House of Representatives on 22 June 2017
Senate on 17 August 2017]*

(140/17)
