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

Contents

1 Short title 1

2 Commencement 2

3 Schedules 2

Schedule 1—Repeals of Acts 3

Part 1—Repeals 3

Australian Research Council (Consequential and Transitional Provisions) Act 2001 3

Australian Technical Colleges (Flexibility in Achieving Australia’s Skills Needs) Act 2005 3

Skilling Australia’s Workforce Act 2005 3

Skilling Australia’s Workforce (Repeal and Transitional Provisions) Act 2005 3

Part 2—Consequential amendments 4

Social Security Act 1991 4

Part 3—Saving and transitional provisions 5

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Note: This table relates only to the provisions of this Act as originally enacted.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 Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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)