



# **National Vocational Education and Training Regulator Amendment (Enforcement and Other Measures) Regulations 2018**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 12 July 2018

Peter Cosgrove  
Governor-General

By His Excellency's Command

Karen Andrews  
Assistant Minister for Vocational Education and Skills  
Parliamentary Secretary to the Minister for Education and Training

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## 1 Name

This instrument is the *National Vocational Education and Training Regulator Amendment (Enforcement and Other Measures) Regulations 2018*.

## 2 Commencement

- (1) Each provision of this instrument 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. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	18 July 2018
2. Schedule 1, Part 1	The day after this instrument is registered.	18 July 2018
3. Schedule 1, Part 2	1 September 2018.	1 September 2018

Note: This table relates only to the provisions of this instrument as originally made.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

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

## 3 Authority

This instrument is made under the *National Vocational Education and Training Regulator Act 2011*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## **Schedule 1—Amendments**

### **Part 1—Amendments commencing on day after registration**

#### *National Vocational Education and Training Regulator Regulations 2011*

##### **1 Regulation 5 (after the heading)**

Insert:

- (1) For the purposes of paragraph 111(1)(a) of the Act, the condition of an NVR registered training organisation’s registration mentioned in subsection 22(1) of the Act (complying with the Standards for NVR Registered Training Organisations) is prescribed.

##### **2 Regulation 5**

Omit “For”, substitute “(2) For the purposes of”.

##### **3 Regulation 5**

Omit “training organisation”, substitute “training organisation’s registration”.

##### **4 After paragraph 7(d)**

Insert:

- (da) subsection 111(2), but only to the extent that a contravention of that subsection relates to the condition of registration set out in subsection 22(3) (complying with the Data Provision Requirements);

##### **5 After Part 4**

Insert:

### **Part 4A—National Register**

#### **15A National Register**

- (1) This regulation is made for the purposes of subsection 216(3) of the Act.
- (2) The National VET Regulator must ensure for each VET accredited course and each former VET accredited course that the title and code of each unit of competency or module of the course are entered in the National Register.
- (3) The National VET Regulator must ensure that the following details for each VET accredited course are entered in the National Register:
  - (a) a description of the course;
  - (b) the outcomes of the course.

##### **6 At the end of Part 5**

Add:

**17 Application provisions for the *National Vocational Education and Training Regulator Amendment (Enforcement and Other Measures) Regulations 2018***

- (1) The amendments made by items 1 and 4 of Part 1 of Schedule 1 to the *National Vocational Education and Training Regulator Amendment (Enforcement and Other Measures) Regulations 2018* (the **amending regulations**) apply in relation to acts or omissions that occur on or after the commencement of this regulation.
- (2) Subregulation 15A(2) of these Regulations, as inserted by item 5 of Part 1 of Schedule 1 to the amending regulations, applies in relation to:
  - (a) a VET accredited course whether the course was accredited before, on or after the commencement of this regulation; and
  - (b) a former VET accredited course if one or more students were enrolled in all or part of the course on or after 1 January 2015.
- (3) Subregulation 15A(3) of these Regulations, as inserted by item 5 of Part 1 of Schedule 1 to the amending regulations, applies in relation to a VET accredited course accredited on or after the commencement of this regulation.

## Part 2—Amendments commencing 1 September 2018

### *National Vocational Education and Training Regulator Regulations 2011*

#### **7 At the end of regulation 15A**

Add:

- (4) If:
- (a) there is an earlier or later version of a course (the *relevant VET course*) that is a VET accredited course or a former VET accredited course; and
  - (b) the earlier or later version is a VET accredited course on or after 1 September 2018;
- the National VET Regulator must ensure that a reference to that version is entered in the National Register for the relevant VET course.

#### **8 At the end of regulation 17**

Add:

- (4) Subregulation 15A(4) of these Regulations, as inserted by item 7 of Part 2 of Schedule 1 to the amending regulations, applies in relation to:
- (a) a VET accredited course whether the course was accredited before, on or after 1 September 2018; and
  - (b) a former VET accredited course if it becomes a former VET accredited course on or after 1 September 2018.