



National Vocational Education and Training Regulator (Authorised Officer Requirements) Determination 2023

I, Brendan O'Connor, Minister for Skills and Training, make the following Determination.

Dated 23 March 2023

Brendan O'Connor
Minister for Skills and Training

Contents

1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Definitions	1
5 Schedules	1
6 Experience, training and qualification requirements.....	1
7 Areas of experience	2
Schedule 1—Repeals	3

1 Name

This instrument is the *National Vocational Education and Training Regulator (Authorised Officer Requirements) Determination 2023*.

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. The whole of this instrument	The day after registration.	

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 89(2A) of the *National Vocational Education and Training Regulator Act 2011*.

4 Definitions

A number of expressions used in this instrument are defined in section 3 of the *National Vocational Education and Training Regulator Act 2011*, including the following:

- (a) authorised officer; and
- (b) National VET Regulator.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6 Experience, training and qualification requirements

- (1) A person satisfies the experience, training and qualification requirements for appointment as an authorised officer if the National VET Regulator is satisfied the person meets the requirements specified in subsection 6(2).

-
- (2) For the purposes of subsection 6(1) the person must:
- (a) have completed a Certificate IV in Government Investigation; or
 - (b) demonstrate they have relevant experience and will obtain appropriate training and qualification by:
 - (i) providing appropriate documentary evidence demonstrating sufficient experience relevant to performing the functions of an authorised officer in any area of experience as set out in section 7; and
 - (ii) undertaking to complete a Certificate IV in Government Investigation within 12 months of being appointed as an authorised officer as a condition of their appointment.

Note: Appropriate documentary evidence may consist of previous work or training experience; completed course qualifications; or any other documentation the National VET Regulator considers as reasonably evidencing sufficient experience.

- (3) If paragraph (2)(b) applied to a person appointed as an authorised officer, but that person subsequently did not complete a certificate IV in Government Investigation within 12 months of their appointment, they are taken to no longer meet the experience, training and qualification requirements for appointment as an authorised officer.

7 Areas of experience

- (1) For the purposes of subparagraph 6(2)(b)(i), the areas of experience are:
- (a) evidence gathering;
 - (b) data validation and analysis;
 - (c) compliance with legislation;
 - (d) exercising regulatory power;
 - (e) fraud detection;
 - (f) planning and conducting investigations;
 - (g) risk assessment and risk management;
 - (h) conducting search and seizure of evidential material;
 - (i) conducting and recording interviews;
 - (j) preparing evidence briefs and statements;
 - (k) workplace communication strategies;
 - (l) ethical conduct;
 - (m) workplace safety; and
 - (n) principles and ethos of public service.

Schedule 1—Repeals

ASQA Authorised Officer Requirements 2012

1 The whole of the instrument

Repeal the instrument