



Speech by


**Annastacia Palaszczuk**

**MEMBER FOR INALA**

Hansard Thursday, 21 June 2012

---

## **VOCATIONAL EDUCATION AND TRAINING (COMMONWEALTH POWERS) BILL**

 **Ms PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (11.41 am): I rise to make a contribution on the Vocational Education and Training (Commonwealth Powers) Bill 2012. From the outset, I would like to advise that the opposition will not be opposing this bill. This is the second time this bill has been introduced into the Queensland parliament. It was first introduced by Minister Hinchliffe in October 2011 and it was referred to the Industry, Education, Training and Industrial Relations Committee for report back by 6 February 2012. The committee reported in December 2011, however, due to the election the first bill had lapsed. The second bill was then introduced on 29 May this year and the committee was to report by 12 June. There was a public briefing on 6 June. However, the bill differed from the first bill in only a small number of respects—one was to adopt one of the recommendations of the previous committee and another was to correct a small oversight that had been missed in the first bill.

I welcome what the minister said in relation to the recommendations that were discussed by the committee. I thank the chair of the committee and everybody else. The briefings that we received from the department were more than satisfactory. They were able to answer all of our questions.

Perhaps whilst the minister is here, I will ask him to correct me if I am wrong in relation to what I thought he just said—that is, that the government supports recommendations Nos 1 and 3 of the committee, but in relation to recommendation No. 2, whilst not accepting it from a Queensland level, the minister will be writing to the Commonwealth minister to ask them to monitor the impact of fees on small and registered training organisations.

**Mr Langbroek:** Yes.

**Ms PALASZCZUK:** I note that the minister has indicated that that is his reasoning. Because of that, we will support this bill. Essentially, the bill aims to give effect to a COAG agreement whereby Queensland, along with other jurisdictions, agrees to refer power to the Commonwealth to regulate vocational education and training providers. New South Wales, the ACT, the Northern Territory, South Australia and Tasmania have all referred powers already, and Victoria and Western Australia have referred powers in relation to providers who operate in a referring jurisdiction or who train overseas students. These jurisdictions have not referred powers in relation to all of their training providers. Queensland has until 30 June 2012 to refer power to the Commonwealth or it will become a non-referring jurisdiction. If this is not done, there would in effect be two different regulatory bodies operating in Queensland applying two different sets of standards. The confusion and duplication would make this situation simply unworkable.

When the Commonwealth enacted its legislation, it created the new national VET regulator—the Australian Skills Quality Authority—and it is already regulating training providers in other jurisdictions. There are two areas where Queensland currently has legislative provisions dealing with the training that is required by certain occupational groups. These would become invalid on the passage of this legislation because of inconsistency with the Commonwealth legislation, if not for the further amendments included in

this bill. The first is pool safety inspectors and the other is those who provide training in the responsible service of alcohol and gambling.

In relation to pool safety inspectors, the Pool Safety Council was previously authorised to approve courses under guidelines issued by the chief executive of the department of public works. Under this bill, the Pool Safety Council will still be able to approve courses but these will be accredited under the VET system. In relation to the responsible service of alcohol and responsible service of gambling training providers, the RTOs currently have to be approved to deliver training by the Office of Liquor and Gaming Regulation, which then decides the way that training should be delivered. Because these RTOs have been delivering this training for a few years now, it was decided to allow them to transition to the national scheme over a two-year period. The bill therefore includes a displacement provision so that the national law will not apply to these providers during this period but the current arrangement will continue to apply until the RTOs transition fully to the new scheme.

The fee structure is something that has been noted by the committee—at both the most recent committee hearing and the hearing of the previous committee last year. For the benefit of the House, I note that one of the differences between the last bill and this bill is in relation to the fee charges of the small RTOs, the medium RTOs and the large RTOs. Essentially, we see some small changes as outlined in the committee report on page 7. I thank the chair of the committee because we thought it was important to incorporate the updated figures as part of the discussions for today's debate in parliament. What we do see is some slight variations from what was put forward under the previous bill. The department was able to explain the changes and we were satisfied with its explanation.

The committee noted a number of large increases particularly for the small training organisations. The department advised at the public briefing that because there is a move across government for a full cost recovery of fees there could still be an increase in fees of the same scale, even if Queensland did not refer the power to the Commonwealth. Because of the increased costs, particularly for small registered training organisations, the committee has recommended that the department annually monitor and report on the impact of these fee increases. But, as the minister stated prior to my speech, essentially he will be writing to the Commonwealth minister and I think that will be acceptable to both sides of the House.

For the next 12 months ASQA will continue to not charge schools who offer VET courses the accreditation fees. However, this agreement expires in 12 months and there is no indication whether it will be continued. I was reassured by the statements made by the director-general at the committee hearing, as she advised the committee that the department is looking at various ways of ensuring that schools are not impacted in their ability to deliver training courses. She explained the different things they were looking at, including having one RTO for all schools or for schools within a particular region so that each school did not have to pay the fees. The minister also said in his explanatory speech that the government will ensure that schools are not adversely affected by the move to the national regulation of VET.

The committee also recommended that the department monitor and report annually on the impact of registered training organisation fees on schools. I think this is important because many students leave school with a head start on the job stakes, taking with them a VET qualification. There are also a couple of procedural matters that the previous committee noted—one was the fact that the minister had not tabled a copy of the national law in the parliament when the bill was introduced. I note that the minister in introducing this bill has tabled copies of the national laws, and I commend him for taking the recommendation of the committee on board.

The other matter is that the previous committee also recommended that a provision be included in the bill requiring the minister to table a copy of any amendments made to the national law in the Queensland parliament. This is because when Queensland referred the power to the Commonwealth the Commonwealth can amend the law without reference to the parliament. This is a safeguard to ensure that parliament maintains authority over its powers that have been referred. I note that this recommendation has been taken into account and there is such a provision in the latest version of the bill. I am pleased to see the bill brought back to the parliament, and I commend the bill to the House.