

**EDUCATION AND TRAINING (TASMANIAN POLYTECHNIC) AMENDMENT
BILL 2010**

CLAUSE NOTES

Clause 1	Short title <i>Education and Training (Tasmanian Polytechnic) Amendment Act 2010</i>
Clause 2	Commencement 1 January 2011
Clause 3	Principal Act <i>The Education and Training (Tasmanian Polytechnic) Act 2008</i>
Clause 4	Long title amended Amends the long title of the Principal Act to: <ul style="list-style-type: none"> • ‘Continue’ the previously ‘established’ Tasmanian Polytechnic.
Clause 5	Section 3 amended (Guiding principle) Removes the definition of the Academy and the Skills Institute from the guiding principle as they are now defined in the Interpretation section.
Clause 6	Section 4 amended (Interpretation) <ul style="list-style-type: none"> • Deletes definitions for terms no longer required and adds definitions for new terms required due to amendment of the Principal Act. • Redefines the Polytechnic as “continuing” rather than “established”.
Clause 7	Parts 2, 3 and 4 substituted Repeals parts 2, 3 and 4 which provided all of the structural and administrative elements of the statutory authority including the Board and CEO and substitutes with new parts. <p align="center">PART 2 – Tasmanian Polytechnic</p> <p align="center"><i>Division 1 – Continuation of Tasmanian Polytechnic</i></p> <p align="center">5. Continuation of Tasmanian Polytechnic</p> <p align="center">Continues the Polytechnic, but as a State educational institution.</p>

	<p>6. Objectives of Polytechnic</p> <p>Establishes the objectives of the Polytechnic.</p>
	<p>Division 2 - Employees</p> <p>7. Executive officer</p> <p>Establishes the requirement for an executive officer which has functions prescribed by various clauses in the bill.</p>
	<p>8. Other employees</p> <p>Provides for State Service employees to be appointed for the purposes of this Act.</p> <p>Includes provisions from Principal Act for employment of sessional employees. These are unchanged from the current provisions and consistent with the provisions for the Skills Institute Act.</p>
	<p>Division 3 – Management of facilities and equipment of Polytechnic</p> <p>9. Hiring out Polytechnic facilities and equipment, &c.</p> <p>Enables hiring out of facilities and equipment and sale of educational materials and equipment etc.</p>
	<p>10. Property and equipment</p> <p>Gives the Secretary the power to lease any property or equipment and authorise any person to occupy any property.</p>
Clause 8	<p>Section 33 amended (Fees, levies and charges)</p> <p>Amends the Principal Act to reflect the changed governance arrangements so that the authority rests with the Secretary of the Department.</p>
Clause 9	<p>Section 34, 35 and 36 substituted</p> <p>Repeals sections 35 and 36 to reflect changed governance arrangements and replaces section 34.</p> <p>34. Reviews</p> <p>Gives the Minister and the Secretary the power to instigate reviews of the Polytechnic to assess the Polytechnic’s achievement of its objectives.</p>
	<p>35. Secretary’s instructions</p> <p>Provides for the Secretary to issue instructions in relation to the Act.</p>

	<p>36. Delegations by Secretary and executive officer</p> <p>Gives the Secretary and executive officer the power to delegate any of their functions or powers under the act.</p>
Clause 10	<p>Section 37 amended (Regulations)</p> <p>Provides for the governor to make regulations including in relation to student organisations and conduct and discipline of persons.</p>
Clause 11	<p>Schedule 1, 2 and 3 repealed</p> <p>Repeals the schedules dealing with directors and meetings of the board and committees.</p>
Clause 12	<p>Repeal of Act</p> <p>Provides for repeal of the amendment act.</p>