

TASMANIA

**TASMANIAN QUALIFICATIONS AUTHORITY
AMENDMENT BILL 2015**

CONTENTS

PART 1 – PRELIMINARY

1. Short title
2. Commencement

**PART 2 – TASMANIAN QUALIFICATIONS AUTHORITY ACT 2003
AMENDED**

3. Principal Act
4. Long title amended
5. Section 1 amended (Short title)
6. Section 3 amended (Interpretation)
7. Part 2: Heading amended
8. Part 2, Division 1: Heading amended
9. Section 7 amended (Office of Tasmanian Assessment, Standards and Certification)
10. Section 8 substituted
 8. Constitution of Office
11. Section 9 amended (Objectives of Office)
12. Section 10 substituted
 10. Functions of Office
13. Section 11 amended (Powers of Office)
14. Section 12 amended (Delegation)

15. Section 13 amended (Ministerial directions)
16. Section 14 amended (Independence of Office)
17. Part 2, Division 2 repealed
18. Part 2, Division 3: Heading amended
19. Sections 16, 17 and 18 substituted
 16. Executive Officer
 17. Staff
20. Section 19 amended (Authorised officers)
21. Section 20 amended (Committees)
22. Section 22 amended (Authorised deposit-taking institution accounts)
23. Section 23 amended (Accounting records)
24. Section 24 substituted
 24. Annual report to Secretary of Department
25. Part 3, Division 1 inserted
 - Division 1 – Preliminary*
 - 24A. Priorities for curriculum
 - 24B. Responsibilities of Secretary of Department for senior secondary curriculum
 - 24C. Committees
 - 24D. Procedure of committees
 - 24E. Development and review of senior secondary accreditation framework
 - 24F. Senior secondary accreditation framework
 - 24G. Compliance with senior secondary accreditation framework
 - 24H. Framework Advisory Council
 - 24I. Procedure of Framework Advisory Council
26. Part 3, Division 1: Heading amended
27. Section 25 amended (Application for accreditation of senior secondary course)
28. Section 26 amended (Accreditation of senior secondary course)
29. Section 27 amended (Term of accreditation of accredited senior secondary course)
30. Section 28 substituted
 28. Renewal of accreditation as accredited senior secondary course

31. Section 29 amended (Cancellation of accreditation as accredited senior secondary course)
32. Section 31 amended (Assessment of accredited senior secondary courses)
33. Section 32 amended (Conferral or issue of approved qualification)
34. Section 33 amended (Standards for provision and assessment of accredited senior secondary courses)
35. Section 33A amended (Examination or assessment of senior secondary education)
36. Section 33B amended (Senior secondary education qualification)
37. Section 33C amended (Standards and qualifications for senior secondary education)
38. Section 33D amended (Application for registration of student exchange organisation)
39. Section 33E amended (Registration as registered student exchange organisation)
40. Section 33F amended (Registration (student exchange organisation) certificate)
41. Section 33I amended (Amendment of registration)
42. Section 33J amended (Renewal of registration)
43. Section 33L amended (Guidelines)
44. Section 33M amended (Direction to registered student exchange organisation)
45. Section 33N amended (Cancellation or suspension of registration)
46. Section 35 amended (Application for accreditation of course)
47. Section 36 amended (Accreditation of higher education course)
48. Section 37 amended (Term of accreditation of accredited higher education course)
49. Section 38 amended (Accredited higher education course subject to conditions)
50. Section 40 amended (Cancellation of accreditation as accredited higher education course)
51. Section 42 amended (Application for registration)

- 52. Section 43 amended (Registration as registered higher education provider)
- 53. Section 44 amended (Registration subject to conditions)
- 54. Section 45 amended (Registration certificate)
- 55. Section 48 amended (Amendment of registration)
- 56. Section 49 amended (Renewal of registration)
- 57. Section 51 amended (Direction to registered higher education provider)
- 58. Section 52 amended (Cancellation or suspension of registration)
- 59. Section 55A amended (Application for approval)
- 60. Section 55B amended (Approval as approved overseas higher education provider)
- 61. Section 55C amended (Approval subject to conditions)
- 62. Section 55D amended (Approval certificate)
- 63. Section 55G amended (Amendment of approval)
- 64. Section 55H amended (Renewal of approval)
- 65. Section 55J amended (Direction to approved overseas higher education provider)
- 66. Section 55K amended (Cancellation of approval of higher education course)
- 67. Section 55L amended (Cancellation or suspension of approval of approved overseas higher education provider)
- 68. Section 55N amended (Application to be self-accrediting higher education provider)
- 69. Section 55O amended (Grant of status of self-accrediting higher education provider)
- 70. Section 55P amended (Grant of status subject to conditions)
- 71. Section 55Q amended (Certificate of self-accrediting status)
- 72. Section 55T amended (Amendment of grant of status)
- 73. Section 55U amended (Renewal of grant of status)
- 74. Section 55W amended (Direction to self-accrediting higher education provider)
- 75. Section 55X amended (Cancellation or suspension of grant of status)

76. Section 55ZG amended (Offences relating to use of “university”, &c.)
77. Section 55ZH amended (Application for accreditation of other education course)
78. Section 55ZI amended (Accreditation of other education course)
79. Section 55ZJ amended (Term of accreditation of other education course)
80. Section 55ZL amended (Cancellation of accreditation as accredited other education course)
81. Section 55ZN amended (Standards for provision and assessment of accredited other education courses)
82. Section 55ZP amended (Examination or assessment of other education)
83. Section 55ZQ amended (Other education qualification)
84. Section 55ZR amended (Standards and qualifications for other education)
85. Section 55ZT amended (Application for accreditation of education program)
86. Section 55ZU amended (Accreditation of education program)
87. Section 55ZV amended (Term of accreditation of accredited education program)
88. Section 55ZW amended (Accredited education program subject to conditions)
89. Section 55ZY amended (Cancellation of accreditation as accredited education program)
90. Section 55ZZ amended (Application for registration)
91. Section 55ZZA amended (Registration as registered education (overseas students) provider)
92. Section 55ZZB amended (Registration subject to conditions)
93. Section 55ZZC amended (Registration (overseas students) certificate)
94. Section 55ZZF amended (Amendment of registration)
95. Section 55ZZG amended (Renewal of registration)
96. Section 55ZZI amended (Direction to registered education (overseas students) provider)

97. Section 55ZZJ amended (Cancellation or suspension of registration)
98. Section 55ZZL amended (Application for recognition of other qualifications)
99. Section 55ZZM amended (Recognition of other qualification)
100. Section 55ZZN amended (Cancellation of recognition)
101. Section 55ZZO amended (Application for recommendation for establishment of new university)
102. Section 55ZZP amended (Initial assessment of application)
103. Section 55ZZQ amended (Investigation of application)
104. Part 4D, Division 3: Heading amended
105. Section 55ZZR amended (Recommendation of Office)
106. Section 56 amended (Investigations)
107. Section 57 amended (Inspections)
108. Section 58 amended (Documents)
109. Section 59 amended (Use of document or information obtained)
110. Section 60 amended (Review of decisions)
111. Section 61 amended (Registers)
112. Section 62 amended (Manner of keeping registers)
113. Section 63 amended (Access to registers)
114. Section 64 amended (Rules)
115. Section 64A amended (Consolidated statements of qualifications)
116. Section 64B amended (Providing information to authorities, &c., under corresponding laws)
117. Section 64C amended (Registered training organisations to provide information to Office)
118. Section 65 amended (Offences relating to exercise of powers by Office or authorised officer)
119. Section 67 amended (*Land Acquisition Act 1993* does not apply)
120. Section 68 amended (Judicial notice of certain signatures)
121. Section 69 amended (Presumptions)
122. Section 70 amended (Evidentiary matters)

- 123. Section 71 amended (Service of documents)
- 124. Section 72 amended (Regulations)
- 125. Section 73A substituted
 - 73A. Savings and transitional provisions consequent on *Tasmanian Qualifications Authority Amendment Act 2015*
- 126. Schedules 1 and 2 repealed
- 127. Schedule 3 amended (Savings and Transitional Provisions)

PART 3 – EDUCATION AND TRAINING (TASMANIAN ACADEMY) ACT 2008 AMENDED

- 128. Principal Act
- 129. Section 4 amended (Interpretation)

PART 4 – VOCATIONAL EDUCATION AND TRAINING (COMMONWEALTH POWERS) ACT 2011 AMENDED

- 130. Principal Act
- 131. Section 11 amended (Provision of information and assistance to National VET Regulator)

PART 5 – YOUTH PARTICIPATION IN EDUCATION AND TRAINING (GUARANTEEING FUTURES) ACT 2005 AMENDED

- 132. Principal Act
- 133. Section 5 amended (Interpretation)
- 134. Section 7 amended (Eligible options)
- 135. Section 18 amended (Application for dispensation)
- 136. Section 23 amended (Notice about decision to Office of Tasmanian Assessment, Standards and Certification)
- 137. Section 27 amended (Notice of review, &c., to Office of Tasmanian Assessment, Standards and Certification)
- 138. Section 29 amended (Opening participation record)
- 139. Section 31 amended (Obligation to open an account)
- 140. Section 32 amended (Use and disclosure of information by Office of Tasmanian Assessment, Standards and Certification)
- 141. Section 34 amended (Overseas students)

142. Section 44 amended (Aggregated information)

143. Section 45 amended (Confidentiality)

PART 6 – MISCELLANEOUS

144. Repeal of Act

**TASMANIAN QUALIFICATIONS AUTHORITY
AMENDMENT BILL 2015**

*(Brought in by the Minister for Education and Training, the
Honourable Jeremy Page Rockliff)*

A BILL FOR

An Act to amend the *Tasmanian Qualifications Authority Act 2003*, to rename that Act, to consequentially amend certain other Acts and for related purposes

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Tasmanian Qualifications Authority Amendment Act 2015*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 3

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

**PART 2 – TASMANIAN QUALIFICATIONS
AUTHORITY ACT 2003 AMENDED**

3. Principal Act

In this Part, the *Tasmanian Qualifications Authority Act 2003** is referred to as the Principal Act.

4. Long title amended

The long title of the Principal Act is amended by omitting “establish the Tasmanian Qualifications Authority,” and substituting “create the Office of Tasmanian Assessment, Standards and Certification,”.

5. Section 1 amended (Short title)

Section 1 of the Principal Act is amended by omitting “Tasmanian Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”.

6. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended as follows:

- (a) by omitting “Authority” from the definition of *assessment recommendation* and substituting “Office”;

*No. 62 of 2003

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 6

- (b) by omitting the definition of *Authority*;
- (c) by omitting the definition of *chief executive officer*;
- (d) by inserting the following definition after the definition of *education program*:

Executive Officer means the
Executive Officer (Office of
Tasmanian Assessment,
Standards and Certification)
appointed under section 16;

- (e) by omitting “Authority;” from paragraph (b)(i) of the definition of *formal education* and substituting “Office;”;
- (f) by inserting the following definition after the definition of *formal education*:

Framework Advisory Council means
the Framework Advisory Council
established by the Minister under
section 24H;

- (g) by omitting the definition of *MCEETYA* and substituting the following definition:

MCEETYA means –

- (a) the Ministerial Council on
Education, Employment,
Training and Youth
Affairs created in 1993 by
the Council of Australian
Governments and which

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 6

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

consists of the Ministers from the Commonwealth, States and Territories having responsibility for education, employment, training and youth affairs; or

- (b) any other Ministerial Council consisting of the Ministers from the Commonwealth, States and Territories having responsibility for senior secondary education and tertiary education, whether created in substitution for, or in addition to, the Ministerial Council on Education, Employment, Training and Youth Affairs referred to in paragraph (a), or otherwise;

- (h) by inserting the following definition after the definition of *national standard*:

Office means the Office of Tasmanian Assessment, Standards and Certification created under section 7(1);

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 6

(i) by omitting “Authority” from the definition of *recognised qualification* and substituting “Office”;

(j) by inserting the following definition after the definition of *registered higher education provider*:

registered school has the same meaning as in the *Education Act 1994*;

(k) by inserting the following definition after the definition of *rules*:

school has the same meaning as in the *Education Act 1994*;

(l) by inserting the following definition after the definition of *self-accrediting higher education provider*:

senior secondary accreditation framework means the framework relating to the accreditation of senior secondary courses approved by the Minister under section 24F, as amended or substituted from time to time under that section;

(m) by inserting the following definition after the definition of *senior secondary education*:

State school has the same meaning as in the *Education Act 1994*;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 7

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

7. Part 2: Heading amended

Part 2 of the Principal Act is amended by omitting “**TASMANIAN QUALIFICATIONS AUTHORITY**” from the heading to that Part and substituting “**OFFICE OF TASMANIAN ASSESSMENT, STANDARDS AND CERTIFICATION**”.

8. Part 2, Division 1: Heading amended

Division 1 of Part 2 of the Principal Act is amended by omitting “*Tasmanian Qualifications Authority*” from the heading to that Division and substituting “*Office of Tasmanian Assessment, Standards and Certification*”.

9. Section 7 amended (Office of Tasmanian Assessment, Standards and Certification)

Section 7 of the Principal Act is amended as follows:

(a) by omitting subsection (1) and substituting the following subsection:

(1) The Tasmanian Qualifications Authority, within the meaning of this Act as in force on the day on which the *Tasmanian Qualifications Authority Amendment Act 2015* commenced, is continued as the

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 10

Office of Tasmanian Assessment,
Standards and Certification.

- (b) by omitting from subsection (2)
“Authority –” and substituting
“Office –”;
- (c) by omitting from subsection (3)
“Authority.” and substituting “Office.”.

10. Section 8 substituted

Section 8 of the Principal Act is repealed and the following section is substituted:

8. Constitution of Office

The Office is constituted by the
Executive Officer.

11. Section 9 amended (Objectives of Office)

Section 9 of the Principal Act is amended by
omitting “Authority” and substituting “Office”.

12. Section 10 substituted

Section 10 of the Principal Act is repealed and
the following section is substituted:

10. Functions of Office

- (1) The Office has the following functions:
 - (a) to provide a consolidated
statement of the approved

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 12

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- qualifications and other qualifications of a person at his or her request;
- (b) to accredit courses for senior secondary education, higher education and other education;
 - (c) to register providers of higher education;
 - (d) to determine standards and qualifications in senior secondary education and other education and to provide for or determine related matters;
 - (e) to set, to conduct or arrange for the conduct of and to mark examinations and assessments in senior secondary education and other education and to provide for or determine related matters;
 - (f) to accredit education programs for overseas students, register providers of such programs and provide for or determine related matters;
 - (g) to collect, record and distribute individual student information relating to senior secondary education, vocational education, higher education and other education;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 12

-
- (h) to provide advice to the Minister on matters relating to qualifications;
 - (i) to –
 - (i) collect and record data relating to the educational outcomes, attainment, retention and assessment of students; and
 - (ii) collect and record student demographic data; and
 - (iii) provide to the Minister, at the request of the Minister, the data collected and recorded under subparagraphs (i) and (ii) or such of that data as is specified in the Minister's request; and
 - (iv) provide to the Secretary of the Department, for the purpose of performing his or her functions under this or any other Act, the data collected and recorded under subparagraphs (i) and (ii) in so far as it relates to State schools; and
 - (v) provide to a school, or an organisation representing

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 12

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

all or a group of
registered schools, the
data collected and
recorded under
subparagraphs (i) and (ii)
in so far as it relates to
that school or to a
registered school
represented by that
organisation;

- (j) to distribute the data referred to in paragraph (i), or part of that data, as required by or under any law;
 - (k) to provide to the Secretary of the Department, or another person or an organisation agreed by the Secretary and the Office, the data referred to in paragraph (i) so as to enable the Department to manage the data on behalf of the Office;
 - (l) functions imposed on the Office by any other Act;
 - (m) other functions imposed on the Office by this Act;
 - (n) other functions imposed on the Office by the Minister by written notice provided to the Office.
- (2) For the purposes of subsection (1)(i)(iii) and (v), information that identifies a student may only be distributed to the

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 13

school, or an organisation representing the registered school, that the student attends.

- (3) Nothing in this section prevents any school or organisation representing all, or a group of, registered schools from providing data acquired under, or of a kind referred to in, subsection (1)(i) to any school or any such organisation.

13. Section 11 amended (Powers of Office)

Section 11 of the Principal Act is amended as follows:

- (a) by omitting “Authority” first occurring and substituting “Office”;
- (b) by omitting from paragraph (ab) “Authority” and substituting “Office”.

14. Section 12 amended (Delegation)

Section 12 of the Principal Act is amended by omitting “Authority” and substituting “Office”.

15. Section 13 amended (Ministerial directions)

Section 13 of the Principal Act is amended as follows:

- (a) by omitting subsection (1) and substituting the following subsection:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 16

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

(1) The Minister may give to the Office –

- (a) the policy expectations of the Minister; and
 - (b) written directions with respect to the compliance by the Office with those policy expectations in performing and exercising its functions and powers under this Act.
- (b) by omitting from subsection (2) “Authority” and substituting “Office”;
- (c) by inserting in subsection (3) “the policy expectations and” after “details of”.

16. Section 14 amended (Independence of Office)

Section 14 of the Principal Act is amended by omitting “Authority” twice occurring and substituting “Office”.

17. Part 2, Division 2 repealed

Division 2 of Part 2 of the Principal Act is repealed.

18. Part 2, Division 3: Heading amended

Division 3 of Part 2 of the Principal Act is amended by omitting “*Chief executive officer*”

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 19

and other staff” from the heading to that Division and substituting “***Executive Officer and staff of Office***”.

19. Sections 16, 17 and 18 substituted

Sections 16, 17 and 18 of the Principal Act are repealed and the following sections are substituted:

16. Executive Officer

Subject to and in accordance with the *State Service Act 2000*, a person may be appointed as Executive Officer (Office of Tasmanian Assessment, Standards and Certification).

17. Staff

- (1) The Office may arrange with the Secretary of the Department for State Service officers and State Service employees employed in the Department to be made available to enable the Office to perform and exercise its functions and powers.
- (2) On the written request of the Office, the Secretary of the Department may arrange with the Head of a State Service Agency for State Service officers and State Service employees employed in that Agency to be made available to enable the Office to perform and exercise its functions and powers.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 20

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (3) All expenses associated with the use by the Office of a State Service officer or State Service employee made available under subsection (2) to the Office by the Head of a State Service Agency are to be met by the Office unless otherwise agreed between the Secretary of the Department and the Head of that Agency.

20. Section 19 amended (Authorised officers)

Section 19 of the Principal Act is amended as follows:

- (a) by omitting subsection (1) and substituting the following subsection:
 - (1) The Office may appoint a State Service officer or State Service employee made available under section 17 to the Office to be an authorised officer.
- (b) by omitting from subsection (2) “Authority” twice occurring and substituting “Office”.

21. Section 20 amended (Committees)

Section 20 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” twice occurring and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 22

-
- (b) by omitting from subsection (2) “Authority” and substituting “Office”;
 - (c) by omitting subsection (3) and substituting the following subsection:
 - (3) The Executive Officer may be a member of a committee.
 - (d) by omitting from subsection (4) “Authority” and substituting “Office”;
 - (e) by omitting from subsection (7) “Authority” and substituting “Office”.

22. Section 22 amended (Authorised deposit-taking institution accounts)

Section 22 of the Principal Act is amended by omitting “Authority” and substituting “Office”.

23. Section 23 amended (Accounting records)

Section 23 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” first occurring and substituting “Office”;
- (b) by omitting from subsection (1)(b)(i) “Authority” and substituting “Office”;
- (c) by omitting from subsection (1)(b)(iii) “Authority” and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 24

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (d) by omitting from subsection (1)(b)(iv) “Authority” and substituting “Office”;
- (e) by omitting from subsection (2) “Authority” and substituting “Office”.

24. Section 24 substituted

Section 24 of the Principal Act is repealed and the following section is substituted:

24. Annual report to Secretary of Department

- (1) So as to enable the Secretary of the Department to comply with section 36 of the *State Service Act 2000*, the Office, in each year, is to provide to the Secretary of the Department a report on the performance and exercise of its functions and powers for the period of 12 months that ended on the last preceding 30 June.
- (2) The report is to –
 - (a) include any information required by the Secretary of the Department; and
 - (b) be completed by the date determined by the Secretary of the Department.

25. Part 3, Division 1 inserted

After the heading to Part 3 of the Principal Act, the following Division is inserted in Part 3:

Division 1 – Preliminary

24A. Priorities for curriculum

The Minister is to establish the priorities for the development of the curriculum for senior secondary education.

24B. Responsibilities of Secretary of Department for senior secondary curriculum

(1) In this section –

registered school has the same meaning as in the *Education Act 1994*;

State school has the same meaning as in the *Education Act 1994*;

Tasmanian Academy means the Tasmanian Academy continued by section 5 of the *Education and Training (Tasmanian Academy) Act 2008*.

(2) The Secretary of the Department has the following responsibilities in relation to the curriculum for senior secondary education:

(a) to advise the Minister on the priorities in relation to the development or revision of the curriculum for senior secondary education;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 25

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (b) to cause the Department to develop, and regularly revise, the curriculum for senior secondary education;
 - (c) to ensure that the curriculum for senior secondary education is –
 - (i) developed and revised in accordance with any priorities established by the Minister under section 24A; and
 - (ii) suitable for use in State schools, registered schools and the Tasmanian Academy.
- (3) In undertaking his or her responsibilities, the Secretary of the Department is to –
 - (a) consult and work collaboratively with any organisations that represent all, or any group of, registered schools; and
 - (b) consider –
 - (i) the needs of the Tasmanian workforce; and
 - (ii) the needs of providers of vocational education and training, and of higher education, in developing

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 25

their own accredited
training courses and
higher education courses.

24C. Committees

- (1) The Secretary of the Department may establish such committees as he or she considers appropriate to advise him or her in relation to the undertaking, performance and exercise of his or her responsibilities, functions and powers under this Act.
- (2) A committee consists of such persons as the Secretary of the Department appoints after consulting with all organisations that represent all, or any group of, registered schools.
- (3) The Secretary of the Department may be a member of a committee.
- (4) A member of a committee holds office as a member for the term, and on the conditions, specified in his or her instrument of appointment.
- (5) The Secretary of the Department may abolish a committee at any time.

24D. Procedure of committees

- (1) The Secretary of the Department, in writing provided to a committee established under section 24C, may

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 25

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

provide for the regulation of its proceedings.

- (2) A committee established under section 24C must keep accurate minutes of its proceedings.
- (3) Except as otherwise provided by the Secretary of the Department or by this Act, a committee established under section 24C may regulate its own proceedings.

24E. Development and review of senior secondary accreditation framework

- (1) The Office is to –
 - (a) develop a draft framework relating to the accreditation of senior secondary courses; and
 - (b) at the request of the Minister or from time to time on its own discretion, review the senior secondary accreditation framework.
- (2) In developing the draft framework, providing a substitute draft framework in accordance with the Minister's requirement under section 24F(2)(c) or reviewing the senior secondary accreditation framework, the Office –

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 25

-
- (a) is to request the Framework Advisory Council to provide, as soon as is reasonably practicable, a report containing its recommendations relating to the draft framework, draft substitute framework or senior secondary accreditation framework; and
 - (b) is to take the report and recommendations into consideration; and
 - (c) at any time during the development or review, may consult with the Framework Advisory Council.
- (3) After a review of the senior secondary accreditation framework, the Office is to, as it considers appropriate, prepare –
- (a) a draft amendment to the senior secondary accreditation framework; or
 - (b) a draft framework to be substituted for the senior secondary accreditation framework; or
 - (c) a report stating that the senior secondary accreditation framework does not need amendment or replacement and the reasons supporting that conclusion.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 25

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

24F. Senior secondary accreditation framework

(1) After completing under section 24E(1) or (3) –

- (a) a draft framework; or
- (b) a draft amendment to the senior secondary accreditation framework; or
- (c) a draft framework to replace the senior secondary accreditation framework; or
- (d) a report stating that the senior secondary accreditation framework does not need amendment or replacement –

the Office is to provide it to the Minister, together with a copy of the report of the Framework Advisory Council prepared in accordance with a request under section 24E(2).

(2) On receipt of a draft framework, the Minister may –

- (a) approve the draft framework, with or without modification; or
- (b) require the Office to amend the draft framework and provide the amended draft framework for approval; or

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 25

-
- (c) require the Office to provide a substitute draft framework for approval.
 - (3) The framework is to include –
 - (a) priorities for the accreditation of senior secondary courses; and
 - (b) the processes for determining whether or not to accredit any senior secondary course; and
 - (c) the standards which must be met by a senior secondary course for it to be accredited as a senior secondary course.
 - (4) The framework may include any other matters the Minister considers appropriate.
 - (5) If the Minister is provided by the Office with a draft amendment to the senior secondary accreditation framework, or a draft replacement framework for the senior secondary accreditation framework together with a recommendation that the senior secondary accreditation framework be rescinded and substituted, the Minister may –
 - (a) approve the draft amendment of the framework or rescind the framework and substitute the draft replacement framework; or

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 25

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (b) require the Office to amend the draft amendment or draft replacement framework and provide the amended draft amendment or draft replacement framework for approval.
- (6) If the Minister is provided by the Office with a report stating that the senior secondary accreditation framework does not need amendment or replacement, the Minister may –
 - (a) accept that report and neither amend nor replace the senior secondary accreditation framework; or
 - (b) require the Office to provide a draft amendment to the senior secondary accreditation framework or a draft replacement framework for the senior secondary accreditation framework.
- (7) The Minister is to provide a copy of the senior secondary accreditation framework, and any amendment to the senior secondary accreditation framework or replacement senior secondary accreditation framework, to the Office and, so as to assist the Secretary of the Department in undertaking his or her responsibilities under section 24B, to the Secretary.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 25

(8) The Office –

- (a) is to make a copy of the framework, as amended or substituted from time to time, available for inspection by any person during its normal business hours; and
 - (b) on the request of any person and payment of any prescribed fee, is to provide a copy of that framework, or part of that framework, to the person; and
 - (c) is to publish that framework on its website; and
 - (d) may make that framework available to the public, or publish it, in any other manner the Office considers appropriate.
- (9) The senior secondary accreditation framework, an amendment to it, and a replacement senior secondary accreditation framework are not statutory rules for the purposes of the *Rules Publication Act 1953*.

24G. Compliance with senior secondary accreditation framework

- (1) The Office is to perform and exercise its functions and powers in a manner that is

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 25

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

consistent with the senior secondary accreditation framework.

- (2) In complying with and implementing the senior secondary accreditation framework, the Office may consult with the Framework Advisory Council.

24H. Framework Advisory Council

- (1) The Framework Advisory Council is established.
- (2) The functions of the Framework Advisory Council are –
- (a) to advise and assist the Office and the Minister in relation to the development and review of the senior secondary accreditation framework; and
 - (b) to advise and assist the Office on any matters that may arise from the implementation of the senior secondary accreditation framework.
- (3) The Framework Advisory Council consists of –
- (a) the Secretary of the Department or his or her nominee; and
 - (b) a person nominated by each organisation that represents

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 25

-
- registered schools or a group of
registered schools; and
- (c) a person nominated by TasTAFE;
and
- (d) a person nominated by the
University of Tasmania; and
- (e) such other persons as the Minister
considers appropriate to ensure a
breadth of community
representation.
- (4) The members of the Framework
Advisory Council referred to in
subsection (3)(b), (c), (d) and (e) are
appointed by the Minister and hold office
as a member for the term, and on the
conditions, specified in his or her
instrument of appointment.
- (5) Before appointing a member of the
Framework Advisory Council referred to
subsection (3)(b), (c) or (d), the Minister
is to request the organisation, TasTAFE
or the University to nominate a suitable
person for appointment.
- (6) If an organisation, TasTAFE or the
University fails to make a nomination
when requested under subsection (5), the
Minister may appoint a person that he or
she considers appropriate as the relevant
member of the Framework Advisory
Council.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 26

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (7) In appointing persons under subsection (3)(e), the Minister is to ensure that the membership of the Framework Advisory Council fairly represents all educational sectors.
- (8) The Minister is to appoint a member of the Framework Advisory Council as its chairperson.

24I. Procedure of Framework Advisory Council

- (1) The Minister, in writing provided to the Framework Advisory Council, may provide for the regulation of its proceedings.
- (2) The Framework Advisory Council must keep accurate minutes of its meetings.
- (3) The Executive Officer is entitled to attend and participate in the meetings of the Framework Advisory Council but is not entitled to a vote.
- (4) Except as otherwise provided by the Minister or this Act, the Framework Advisory Council may regulate its own proceedings.

26. Part 3, Division 1: Heading amended

Division 1 of Part 3 of the Principal Act is amended by omitting “*Accredited senior secondary courses*” from the heading to that

Division and substituting “*Accredited senior secondary courses*”.

27. Section 25 amended (Application for accreditation of senior secondary course)

Section 25 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting subsection (2) and substituting the following subsection:
 - (2) An application is to be in a form approved by the Office.
- (c) by omitting from subsection (3) “Authority” and substituting “Office”.

28. Section 26 amended (Accreditation of senior secondary course)

Section 26 of the Principal Act is amended as follows:

- (a) by omitting subsection (1);
- (b) by omitting from subsection (2) “Authority” and substituting “Office”;
- (c) by omitting from subsection (3) “Authority may only” and substituting “Office must”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 29

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (d) by inserting the following paragraph after paragraph (a) in subsection (3):
 - (ab) that the course has been developed in accordance with the senior secondary accreditation framework; and
- (e) by omitting from subsection (3)(c) “national standards in relation to the principles, process or other matters to be applied in accrediting courses.” and substituting “national standards.”;
- (f) by omitting from subsection (4) “Authority” and substituting “Office”;
- (g) by omitting from subsection (5) “Authority” twice occurring and substituting “Office”.

29. Section 27 amended (Term of accreditation of accredited senior secondary course)

Section 27 of the Principal Act is amended by omitting “period, not exceeding 5 years, determined by the Authority.” and substituting “period determined by the Office.”.

30. Section 28 substituted

Section 28 of the Principal Act is repealed and the following section is substituted:

28. Renewal of accreditation as accredited senior secondary course

- (1) A person who applied for the accreditation of an accredited senior secondary course may apply for the renewal of the accreditation of that course not less than 6 calendar months before the accreditation ceases to have effect.
- (2) The Office may require the applicant to provide any further information it considers relevant to the application.
- (3) On receipt of an application, the Office may –
 - (a) renew the accreditation of the senior secondary course; or
 - (b) refuse to renew the accreditation of the senior secondary course.
- (4) The Office may only renew the accreditation of the senior secondary course if satisfied that the course complies with the senior secondary accreditation framework.
- (5) The Office may only refuse to renew the accreditation of the senior secondary course if satisfied that –
 - (a) the course and the methods of delivering the course are no longer achieving the purposes,

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 31

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

aims and learning outcomes of the course; or

- (b) the contents and standards of the course, and the methods of delivering the course are no longer consistent with any relevant national standards.

- (6) If the Office renews the accreditation of a senior secondary course –

- (a) the course is accredited for the period determined by the Office; and

- (b) the qualification that is conferred on the successful completion of the course remains the same qualification as was conferred before the renewal.

- (7) If on considering an application the Office renews, or refuses to renew, the accreditation of a senior secondary course, the Office is to provide written notice of that decision to the applicant.

31. Section 29 amended (Cancellation of accreditation as accredited senior secondary course)

Section 29(1) of the Principal Act is amended by omitting “Authority” twice occurring and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 32

32. Section 31 amended (Assessment of accredited senior secondary courses)

Section 31 of the Principal Act is amended by omitting “Authority” and substituting “Office”.

33. Section 32 amended (Conferral or issue of approved qualification)

Section 32 of the Principal Act is amended by omitting “Authority,” and substituting “Office,”.

34. Section 33 amended (Standards for provision and assessment of accredited senior secondary courses)

Section 33 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” twice occurring and substituting “Office”;
- (c) by omitting from subsection (4) “Authority” and substituting “Office”.

35. Section 33A amended (Examination or assessment of senior secondary education)

Section 33A of the Principal Act is amended by omitting “Authority” and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 36

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

36. Section 33B amended (Senior secondary education qualification)

Section 33B of the Principal Act is amended by omitting “Authority” twice occurring and substituting “Office”.

37. Section 33C amended (Standards and qualifications for senior secondary education)

Section 33C of the Principal Act is amended by omitting “Authority” and substituting “Office”.

38. Section 33D amended (Application for registration of student exchange organisation)

Section 33D of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (c) by omitting from subsection (3) “Authority” and substituting “Office”.

39. Section 33E amended (Registration as registered student exchange organisation)

Section 33E of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 40

- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(h) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”.

40. Section 33F amended (Registration (student exchange organisation) certificate)

Section 33F of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(b) “Authority” and substituting “Office”.

41. Section 33I amended (Amendment of registration)

Section 33I of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” twice occurring and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 42

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

42. Section 33J amended (Renewal of registration)

Section 33J(3) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

43. Section 33L amended (Guidelines)

Section 33L of the Principal Act is amended as follows:

- (a) by omitting “Authority” first occurring and substituting “Office”;
- (b) by omitting from paragraph (c) “Authority” and substituting “Office”.

44. Section 33M amended (Direction to registered student exchange organisation)

Section 33M(1) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

45. Section 33N amended (Cancellation or suspension of registration)

Section 33N of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” twice occurring and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”.

46. Section 35 amended (Application for accreditation of course)

Section 35 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (c) by omitting from subsection (2)(c)(ii) “Authority” and substituting “Office”;
- (d) by omitting from subsection (2)(d)(ii) “Authority” and substituting “Office”;
- (e) by omitting from subsection (3) “Authority” and substituting “Office”.

47. Section 36 amended (Accreditation of higher education course)

Section 36 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(d) “Authority;” and substituting “Office;”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 48

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (d) by omitting from subsection (2)(e) “Authority” and substituting “Office”;
- (e) by omitting from subsection (2A) “Authority” and substituting “Office”;
- (f) by omitting from subsection (2B) “Authority” and substituting “Office”;
- (g) by omitting from subsection (3) “Authority” and substituting “Office”;
- (h) by omitting from subsection (3A) “Authority” and substituting “Office”;
- (i) by omitting from subsection (4) “Authority” and substituting “Office”.

48. Section 37 amended (Term of accreditation of accredited higher education course)

Section 37(1) of the Principal Act is amended by omitting “Authority.” and substituting “Office.”.

49. Section 38 amended (Accredited higher education course subject to conditions)

Section 38 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”.

50. Section 40 amended (Cancellation of accreditation as accredited higher education course)

Section 40(1) of the Principal Act is amended as follows:

- (a) by omitting “Authority,” and substituting “Office,”;
- (b) by omitting “Authority” second occurring and substituting “Office”.

51. Section 42 amended (Application for registration)

Section 42 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(a) “Authority,” and substituting “Office,”;
- (c) by omitting from subsection (2)(ba)(ii) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”.

52. Section 43 amended (Registration as registered higher education provider)

Section 43 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 53

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(g) “Authority” and substituting “Office”;
- (d) by omitting from subsection (2A) “Authority” and substituting “Office”;
- (e) by omitting from subsection (2B) “Authority” and substituting “Office”;
- (f) by omitting from subsection (3) “Authority” and substituting “Office”.

53. Section 44 amended (Registration subject to conditions)

Section 44(1) of the Principal Act is amended by omitting “Authority” and substituting “Office”.

54. Section 45 amended (Registration certificate)

Section 45 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(e) “Authority” and substituting “Office”;
- (c) by omitting from subsection (3) “Authority” twice occurring and substituting “Office”.

55. Section 48 amended (Amendment of registration)

Section 48 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” twice occurring and substituting “Office”.

56. Section 49 amended (Renewal of registration)

Section 49(3) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

57. Section 51 amended (Direction to registered higher education provider)

Section 51(1) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

58. Section 52 amended (Cancellation or suspension of registration)

Section 52 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” twice occurring and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 59

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (b) by omitting from subsection (2) “Authority” and substituting “Office”.

59. Section 55A amended (Application for approval)

Section 55A of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(a) “Authority” and substituting “Office”;
- (c) by omitting from subsection (2)(b)(ii) “Authority;” and substituting “Office;”;
- (d) by omitting from subsection (2)(c)(ii) “Authority” and substituting “Office”;
- (e) by omitting from subsection (3) “Authority” and substituting “Office”.

60. Section 55B amended (Approval as approved overseas higher education provider)

Section 55B of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 61

- (c) by omitting from subsection (2)(h) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”;
- (e) by omitting from subsection (4) “Authority” and substituting “Office”;
- (f) by omitting from subsection (5) “Authority” and substituting “Office”;
- (g) by omitting from subsection (6) “Authority” and substituting “Office”.

61. Section 55C amended (Approval subject to conditions)

Section 55C of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” twice occurring and substituting “Office”.

62. Section 55D amended (Approval certificate)

Section 55D of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 63

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (b) by omitting from subsection (2)(e) “Authority” and substituting “Office”;
- (c) by omitting from subsection (3) “Authority” twice occurring and substituting “Office”.

63. Section 55G amended (Amendment of approval)

Section 55G of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” twice occurring and substituting “Office”.

64. Section 55H amended (Renewal of approval)

Section 55H(3) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

65. Section 55J amended (Direction to approved overseas higher education provider)

Section 55J(1) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 66

66. Section 55K amended (Cancellation of approval of higher education course)

Section 55K(1) of the Principal Act is amended by omitting “Authority” twice occurring and substituting “Office”.

67. Section 55L amended (Cancellation or suspension of approval of approved overseas higher education provider)

Section 55L of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” twice occurring and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”.

68. Section 55N amended (Application to be self-accrediting higher education provider)

Section 55N of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (c) by omitting from subsection (3) “Authority” and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 69

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

69. Section 55O amended (Grant of status of self-accrediting higher education provider)

Section 55O of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority.” and substituting “Office.”;
- (c) by omitting from subsection (3) “Authority” first occurring and substituting “Office”;
- (d) by omitting from subsection (3)(g) “Authority” and substituting “Office”;
- (e) by omitting from subsection (4) “Authority” and substituting “Office”;
- (f) by omitting from subsection (5) “Authority” and substituting “Office”;
- (g) by omitting from subsection (6) “Authority” and substituting “Office”.

70. Section 55P amended (Grant of status subject to conditions)

Section 55P(1) of the Principal Act is amended by omitting “Authority” and substituting “Office”.

71. Section 55Q amended (Certificate of self-accrediting status)

Section 55Q of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(e) “Authority” and substituting “Office”;
- (c) by omitting from subsection (3) “Authority” twice occurring and substituting “Office”.

72. Section 55T amended (Amendment of grant of status)

Section 55T of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (3) “Authority” twice occurring and substituting “Office”.

73. Section 55U amended (Renewal of grant of status)

Section 55U(3) of the Principal Act is amended by omitting “Authority” 3 times occurring and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 74

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

74. Section 55W amended (Direction to self-accrediting higher education provider)

Section 55W(1) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

75. Section 55X amended (Cancellation or suspension of grant of status)

Section 55X of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” twice occurring and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”.

76. Section 55ZG amended (Offences relating to use of “university”, &c.)

Section 55ZG(1) of the Principal Act is amended by omitting “Authority” from paragraph (b) of the definition of *overseas university* and substituting “Office”.

77. Section 55ZH amended (Application for accreditation of other education course)

Section 55ZH of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 78

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (c) by omitting from subsection (3) “Authority” and substituting “Office”.

78. Section 55ZI amended (Accreditation of other education course)

Section 55ZI of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(d) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”;
- (e) by omitting from subsection (4) “Authority” and substituting “Office”.

79. Section 55ZJ amended (Term of accreditation of other education course)

Section 55ZJ of the Principal Act is amended by omitting “Authority.” and substituting “Office.”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 80

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

80. Section 55ZL amended (Cancellation of accreditation as accredited other education course)

Section 55ZL(1) of the Principal Act is amended as follows:

- (a) by omitting “Authority” first occurring and substituting “Office”;
- (b) by omitting from paragraph (b) “Authority,” and substituting “Office,”.

81. Section 55ZN amended (Standards for provision and assessment of accredited other education courses)

Section 55ZN of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” twice occurring and substituting “Office”.

82. Section 55ZP amended (Examination or assessment of other education)

Section 55ZP of the Principal Act is amended by omitting “Authority” and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 83

83. Section 55ZQ amended (Other education qualification)

Section 55ZQ of the Principal Act is amended by omitting “Authority” twice occurring and substituting “Office”.

84. Section 55ZR amended (Standards and qualifications for other education)

Section 55ZR of the Principal Act is amended by omitting “Authority” and substituting “Office”.

85. Section 55ZT amended (Application for accreditation of education program)

Section 55ZT of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (c) by omitting from subsection (2)(d)(ii) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”.

86. Section 55ZU amended (Accreditation of education program)

Section 55ZU of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 87

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(g) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”;
- (e) by omitting from subsection (4) “Authority” and substituting “Office”;
- (f) by omitting from subsection (5) “Authority” and substituting “Office”;
- (g) by omitting from subsection (6) “Authority” and substituting “Office”.

87. Section 55ZV amended (Term of accreditation of accredited education program)

Section 55ZV(3) of the Principal Act is amended by omitting “Authority.” and substituting “Office.”.

88. Section 55ZW amended (Accredited education program subject to conditions)

Section 55ZW of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 89

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”.

89. Section 55ZY amended (Cancellation of accreditation as accredited education program)

Section 55ZY of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority,” and substituting “Office,”;
- (b) by omitting from subsection (1) “Authority” second occurring and substituting “Office”;
- (c) by omitting from subsection (3) “Authority” first occurring and substituting “Office”;
- (d) by omitting from subsection (3)(b) “Authority” and substituting “Office”.

90. Section 55ZZ amended (Application for registration)

Section 55ZZ of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 91

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (b) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (c) by omitting from subsection (3) “Authority” and substituting “Office”.

91. Section 55ZZA amended (Registration as registered education (overseas students) provider)

Section 55ZZA of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(g) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”.

92. Section 55ZZB amended (Registration subject to conditions)

Section 55ZZB of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 93

- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2) “Authority” second occurring and substituting “Office”;
- (d) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (e) by omitting from subsection (2)(b) “Authority.” and substituting “Office.”.

93. Section 55ZZC amended (Registration (overseas students) certificate)

Section 55ZZC of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(e) “Authority” and substituting “Office”;
- (c) by omitting from subsection (3) “Authority” twice occurring and substituting “Office”.

94. Section 55ZZF amended (Amendment of registration)

Section 55ZZF of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 95

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” twice occurring and substituting “Office”.

95. Section 55ZZG amended (Renewal of registration)

Section 55ZZG(3) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

96. Section 55ZZI amended (Direction to registered education (overseas students) provider)

Section 55ZZI(1) of the Principal Act is amended by omitting “Authority” three times occurring and substituting “Office”.

97. Section 55ZZJ amended (Cancellation or suspension of registration)

Section 55ZZJ of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” twice occurring and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 98

- (c) by omitting from subsection (3) “Authority” first occurring and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” second occurring and substituting “Office”;
- (e) by omitting from subsection (3)(b) “Authority” and substituting “Office”.

98. Section 55ZZL amended (Application for recognition of other qualifications)

Section 55ZZL of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” first occurring and substituting “Office”;
- (b) by omitting from subsection (1) “Authority.” and substituting “Office.”;
- (c) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”.

99. Section 55ZZM amended (Recognition of other qualification)

Section 55ZZM of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 100

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(d) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”.

100. Section 55ZZN amended (Cancellation of recognition)

Section 55ZZN of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(b) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority” and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 101

101. Section 55ZZO amended (Application for recommendation for establishment of new university)

Section 55ZZO of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(a) “Authority;” and substituting “Office;”;
- (c) by omitting from subsection (3) “authority” and substituting “Office”.

102. Section 55ZZP amended (Initial assessment of application)

Section 55ZZP of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”;
- (c) by omitting from subsection (3) “Authority” and substituting “Office”.

103. Section 55ZZQ amended (Investigation of application)

Section 55ZZQ of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 104

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (a) by omitting from subsection (1) “Authority” twice occurring and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”;
- (c) by omitting from subsection (3) “Authority” first occurring and substituting “Office”;
- (d) by omitting from subsection (3)(a) “Authority;” and substituting “Office;”;
- (e) by omitting from subsection (3)(c) “Authority.” and substituting “Office.”;
- (f) by omitting from subsection (4) “Authority” first occurring and substituting “Office”;
- (g) by omitting from subsection (4)(c) “Authority” and substituting “Office”;
- (h) by omitting from subsection (5) “Authority” and substituting “Office”.

104. Part 4D, Division 3: Heading amended

Division 3 of Part 4D of the Principal Act is amended by omitting “*Authority*” from the heading to that Division and substituting “*Office*”.

105. Section 55ZZR amended (Recommendation of Office)

Section 55ZZR of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (c) by omitting from subsection (2)(k) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3)(b) “Authority” first occurring and substituting “Office”;
- (e) by omitting from subsection (3)(b) “Authority;” and substituting “Office;”;
- (f) by omitting from subsection (3)(c)(ii) “Authority” and substituting “Office”;
- (g) by omitting from subsection (4) “Authority” and substituting “Office”;
- (h) by omitting from subsection (5) “Authority” and substituting “Office”.

106. Section 56 amended (Investigations)

Section 56 of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 107

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (a) by omitting from subsection (1) “Authority” first occurring and substituting “Office”;
- (b) by omitting from subsection (1)(b)(v) “Authority” and substituting “Office”;
- (c) by omitting from subsection (2) “Authority” and substituting “Office”;
- (d) by omitting from subsection (3) “Authority,” and substituting “Office,”.

107. Section 57 amended (Inspections)

Section 57(1) of the Principal Act is amended as follows:

- (a) by omitting “Authority” first occurring and substituting “Office”;
- (b) by omitting “Authority:” and substituting “Office:”.

108. Section 58 amended (Documents)

Section 58 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” twice occurring and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 109

- (c) by omitting from subsection (3) “Authority” twice occurring and substituting “Office”;
- (d) by omitting from subsection (4) “Authority” and substituting “Office”;
- (e) by omitting from subsection (4) “chief executive officer” and substituting “Executive Officer”.

109. Section 59 amended (Use of document or information obtained)

Section 59 of the Principal Act is amended by omitting “Authority” and substituting “Office”.

110. Section 60 amended (Review of decisions)

Section 60 of the Principal Act is amended as follows:

- (a) by omitting “Authority” first occurring and substituting “Office”;
- (b) by omitting from paragraph (i) “Authority” and substituting “Office”.

111. Section 61 amended (Registers)

Section 61 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” first occurring and substituting “Office”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 112

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (b) by omitting from subsection (1)(i) “Authority” and substituting “Office”;
- (c) by omitting from subsection (2) “Authority” and substituting “Office”.

112. Section 62 amended (Manner of keeping registers)

Section 62 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2) “Authority” and substituting “Office”.

113. Section 63 amended (Access to registers)

Section 63 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” first occurring and substituting “Office”;
- (b) by omitting from subsection (1) “Authority.” and substituting “Office.”;
- (c) by inserting the following subsections after subsection (2):
 - (3) The Office is to publish a register established and maintained under this Part on its website.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 114

- (4) The Office may make a register established and maintained under this Part available to the public, or publish it, in any other manner the Office considers appropriate.

114. Section 64 amended (Rules)

Section 64 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” and substituting “Office”;
- (b) by omitting from subsection (2)(e) “Authority” and substituting “Office”;
- (c) by omitting from subsection (2)(g) “Authority” and substituting “Office”;
- (d) by omitting from subsection (5) “Authority or chief executive officer.” and substituting “Office or the Executive Officer.”;
- (e) by omitting from subsection (6) “Authority –” and substituting “Office –”;
- (f) by omitting from subsection (6)(b) “person.” and substituting “person; and”;
- (g) by inserting the following paragraphs after paragraph (b) in subsection (6):
 - (c) is to publish the rules on its website; and

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 115

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (d) may make the rules available to the public, or publish them, in any other manner the Office considers appropriate.
- (h) by omitting from subsection (8)(b) “chief executive officer.” and substituting “Executive Officer.”.

115. Section 64A amended (Consolidated statements of qualifications)

Section 64A of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” first occurring and substituting “Office”;
- (b) by omitting from subsection (1)(c) “Authority” and substituting “Office”;
- (c) by omitting from subsection (2) “Authority” and substituting “Office”.

116. Section 64B amended (Providing information to authorities, &c., under corresponding laws)

Section 64B of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “Authority” and substituting “Office”;
- (b) by omitting from subsection (3) “Authority” and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 117

117. Section 64C amended (Registered training organisations to provide information to Office)

Section 64C of the Principal Act is amended as follows:

- (a) by omitting “Qualifications Authority,” and substituting “Office;”;
- (b) by omitting “Qualifications Authority” second occurring and substituting “Office”;
- (c) by omitting “Qualifications Authority” third occurring and substituting “Office”.

118. Section 65 amended (Offences relating to exercise of powers by Office or authorised officer)

Section 65 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(d) “Authority” and substituting “Office”;
- (b) by omitting from subsection (1)(e) “Authority” and substituting “Office”;
- (c) by omitting from subsection (3) “Authority” and substituting “Office”.

119. Section 67 amended (*Land Acquisition Act 1993* does not apply)

Section 67 of the Principal Act is amended by omitting “Authority” and substituting “Office”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 120

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

120. Section 68 amended (Judicial notice of certain signatures)

Section 68 of the Principal Act is amended as follows:

- (a) by omitting paragraph (a) and substituting the following paragraph:
 - (a) the official signature of a person who is or has been the Executive Officer; and
- (b) by omitting from paragraph (b) “concerned.” and substituting “of Executive Officer.”.

121. Section 69 amended (Presumptions)

Section 69 of the Principal Act is amended as follows:

- (a) by omitting “Authority,” and substituting “Office,”;
- (b) by omitting from paragraph (a) “Authority,” and substituting “Office,”;
- (c) by omitting from paragraph (b) “Authority,” and substituting “Office,”;
- (d) by omitting from paragraph (c) “any member of the Authority,” and substituting “the Executive Officer,”;
- (e) by omitting paragraph (d);

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 122

-
- (f) by omitting from paragraph (e) “the chief executive officer,”.

122. Section 70 amended (Evidentiary matters)

Section 70(1) of the Principal Act is amended by omitting “chief executive officer” and substituting “Executive Officer”.

123. Section 71 amended (Service of documents)

Section 71 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Authority” first occurring and substituting “Office”;
- (b) by omitting from subsection (1)(a) “Authority;” and substituting “Office;”;
- (c) by omitting from subsection (1)(b) “Authority’s” and substituting “Office’s”;
- (d) by omitting from subsection (2) “Authority” first occurring and substituting “Office”;
- (e) by omitting from subsection (2)(a)(ii) “Authority;” and substituting “Office;”.

124. Section 72 amended (Regulations)

Section 72 of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 125

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

- (a) by omitting from subsection (1)(b) “Authority” and substituting “Office under”;
- (b) by omitting from subsection (5) “Authority or chief executive officer.” and substituting “Office or Executive Officer.”.

125. Section 73A substituted

Section 73A of the Principal Act is repealed and the following section is substituted:

73A. Savings and transitional provisions consequent on *Tasmanian Qualifications Authority Amendment Act 2015*

- (1) In this section –

commencement day means the day on which the *Tasmanian Qualifications Authority Amendment Act 2015* commences;

previous Act means this Act as in force immediately before the commencement day.

- (2) If a person, immediately before the commencement day, held the office of chief executive officer of the Authority, within the meaning of the previous Act, under an appointment made under section 16 of the previous Act –

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 125

-
- (a) that person is taken to have been appointed under the *State Service Act 2000* as the Director of Education and Training Research within the Department for the term, and on the conditions, specified in his or her instrument of appointment as such chief executive officer; and
 - (b) a reference in that instrument of appointment to the office or position of chief executive officer of the Tasmanian Qualifications Authority is taken to be a reference to the office of Director of Education and Training Research in the Department.
 - (3) Persons appointed under section 18 of the previous Act who held that appointment immediately before the commencement day are taken to have been appointed subject to and in accordance with the *State Service Act 2000* for the purposes of the Department.
 - (4) The State Service officer or State Service employee –
 - (a) employed in the Department; and
 - (b) who, immediately before the commencement day and in compliance with the direction of the Premier under section 21A of

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 125

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

the *Acts Interpretation Act 1931*,
is performing and exercising the
duties, obligations, rights and
powers of the office of Director
of Equity Services –

is taken to hold the office of Executive
Officer under this Act until such time as
an Executive Officer is appointed under
section 16.

- (5) Despite section 24, the report that the Office is required to provide to the Secretary of the Department under that section for the financial year ending on 30 June 2015 need relate only to the period of 6 months ending on that day.
- (6) Despite section 36 of the *State Service Act 2000*, the report that the Secretary of the Department is required to provide to the Minister under that section for the financial year ending on 30 June 2015 need relate only to the period of 6 months ending on that day in so far as it relates to the performance and exercise of the functions and powers of the Authority and the Office.
- (7) If –
 - (a) the accreditation of an accredited senior secondary course would cease to have effect after the commencement day but before

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 2 – Tasmanian Qualifications Authority Act 2003 Amended

s. 126

the Minister has approved the
senior secondary framework; and

- (b) an application for the renewal of
that course has been, or is, made
to the Authority in accordance
with section 28 of the previous
Act or to the Office under
section 28 of this Act –

the Office may process and determine
that application under section 28 of this
Act and, for that purpose, section 28(4)
of this Act does not apply.

126. Schedules 1 and 2 repealed

Schedules 1 and 2 to the Principal Act are
repealed.

127. Schedule 3 amended (Savings and Transitional Provisions)

Schedule 3 to the Principal Act is amended by
inserting after the definition of *Assessment
Board* in clause 1 of Part 1 the following
definition:

Authority means the Tasmanian
Qualifications Authority established by
section 7 of this Act as in force before
the day on which the *Tasmanian
Qualifications Authority Amendment Act
2015* commenced and, where
appropriate, includes the Office;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 128 Part 3 – Education and Training (Tasmanian Academy) Act 2008 Amended

**PART 3 – EDUCATION AND TRAINING (TASMANIAN
ACADEMY) ACT 2008 AMENDED**

128. Principal Act

In this Part, the *Education and Training (Tasmanian Academy) Act 2008** is referred to as the Principal Act.

129. Section 4 amended (Interpretation)

Section 4 of the Principal Act is amended by omitting “*Tasmanian Qualifications Authority Act 2003*;” from the definition of *post-Year 10 education* and substituting “*Office of Tasmanian Assessment, Standards and Certification Act 2003*;”.

*No. 42 of 2008

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 4 – Vocational Education and Training (Commonwealth Powers) Act
2011 Amended

s. 130

**PART 4 – VOCATIONAL EDUCATION AND
TRAINING (COMMONWEALTH POWERS) ACT 2011
AMENDED**

130. Principal Act

In this Part, the *Vocational Education and Training (Commonwealth Powers) Act 2011** is referred to as the Principal Act.

131. Section 11 amended (Provision of information and assistance to National VET Regulator)

Section 11 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Qualifications Authority,” first occurring and substituting “Office of Tasmanian Assessment, Standards and Certification,”;
- (b) by omitting from subsection (1) “the Qualifications Authority,” and substituting “that Office,”;
- (c) by omitting from subsection (1) “the Qualifications Authority’s” and substituting “that Office’s”;
- (d) by omitting from subsection (1)(a) “Qualifications Authority” and substituting “Office of Tasmanian

*No. 50 of 2011

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 131 Part 4 – Vocational Education and Training (Commonwealth Powers) Act
2011 Amended

Assessment, Standards and
Certification”;

- (e) by inserting the following definition before the definition of *National VET Regulator* in subsection (2):

***Office of Tasmanian Assessment,
Standards and Certification***
means the Office of Tasmanian
Assessment, Standards and
Certification created under
section 7 of the *Office of
Tasmanian Assessment,
Standards and Certification Act
2003*;

- (f) by omitting “Commonwealth;” from the definition of *National VET Regulator* in subsection (2) and substituting “Commonwealth.”;
- (g) by omitting the definition of *Qualifications Authority* from subsection (2).

**PART 5 – YOUTH PARTICIPATION IN EDUCATION
AND TRAINING (GUARANTEEING FUTURES) ACT
2005 AMENDED**

132. Principal Act

In this Part, the *Youth Participation in Education and Training (Guaranteeing Futures) Act 2005** is referred to as the Principal Act.

133. Section 5 amended (Interpretation)

Section 5 of the Principal Act is amended as follows:

- (a) by inserting the following definition after the definition of *notice*:

Office of Tasmanian Assessment, Standards and Certification
means the Office of Tasmanian Assessment, Standards and Certification created under section 7 of the *Office of Tasmanian Assessment, Standards and Certification Act 2003*;

- (b) by omitting the definition of *Qualifications Authority*.

*No. 13 of 2005

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 134

Part 5 – Youth Participation in Education and Training (Guaranteeing
Futures) Act 2005 Amended

134. Section 7 amended (Eligible options)

Section 7 of the Principal Act is amended as follows:

- (a) by omitting from paragraph (a) “*Tasmanian Qualifications Authority Act 2003*,” and substituting “*Office of Tasmanian Assessment, Standards and Certification Act 2003*”;
- (b) by omitting from paragraph (d) “*Tasmanian Qualifications Authority Act 2003*,” and substituting “*Office of Tasmanian Assessment, Standards and Certification Act 2003*”.

135. Section 18 amended (Application for dispensation)

Section 18(2)(e) of the Principal Act is amended by omitting “Qualifications Authority.” and substituting “Office of Tasmanian Assessment, Standards and Certification.”.

136. Section 23 amended (Notice about decision to Office of Tasmanian Assessment, Standards and Certification)

Section 23 of the Principal Act is amended by omitting “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 5 – Youth Participation in Education and Training (Guaranteeing
Futures) Act 2005 Amended

s. 137

137. Section 27 amended (Notice of review, &c., to Office of Tasmanian Assessment, Standards and Certification)

Section 27 of the Principal Act is amended by omitting “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”.

138. Section 29 amended (Opening participation record)

Section 29(3) of the Principal Act is amended by omitting “Qualifications Authority,” and substituting “Office of Tasmanian Assessment, Standards and Certification,”.

139. Section 31 amended (Obligation to open an account)

Section 31 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”;
- (b) by omitting from subsection (2) “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 140

Part 5 – Youth Participation in Education and Training (Guaranteeing
Futures) Act 2005 Amended

**140. Section 32 amended (Use and disclosure of
information by Office of Tasmanian Assessment,
Standards and Certification)**

Section 32 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”;
- (b) by omitting from subsection (3) “Qualifications Authority” first occurring and substituting “Office of Tasmanian Assessment, Standards and Certification”;
- (c) by omitting from subsection (3) “Qualifications Authority” second occurring and substituting “that Office”;
- (d) by omitting from subsection (4) “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”;
- (e) by omitting from subsection (5) “Qualifications Authority” first occurring and substituting “Office of Tasmanian Assessment, Standards and Certification”;

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 5 – Youth Participation in Education and Training (Guaranteeing
Futures) Act 2005 Amended

s. 141

-
- (f) by omitting from subsection (5) “annual report under section 24 of the *Tasmanian Qualifications Authority Act 2003*” and substituting “report under section 24 of the *Office of Tasmanian Assessment, Standards and Certification Act 2003*”;
 - (g) by omitting from subsection (6) “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”.

141. Section 34 amended (Overseas students)

Section 34(2) of the Principal Act is amended by omitting “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”.

142. Section 44 amended (Aggregated information)

Section 44 of the Principal Act is amended by omitting “Qualifications Authority” and substituting “Office of Tasmanian Assessment, Standards and Certification”.

143. Section 45 amended (Confidentiality)

Paragraph (a)(iii) of the definition of *prescribed person* in section 45(1) of the Principal Act is amended as follows:

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

s. 143

Part 5 – Youth Participation in Education and Training (Guaranteeing
Futures) Act 2005 Amended

- (a) by omitting “Qualifications Authority” first occurring and substituting “Office of Tasmanian Assessment, Standards and Certification”;
- (b) by omitting “*Tasmanian Qualifications Authority Act 2003*,” and substituting “*Office of Tasmanian Assessment, Standards and Certification Act 2003*,”.

Tasmanian Qualifications Authority Amendment Act 2015
Act No. of

Part 6 – Miscellaneous

s. 144

PART 6 – MISCELLANEOUS

144. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which it commences.