



New South Wales

Vocational Education and Training (Commonwealth Powers) (Transitional) Regulation 2011

under the

Vocational Education and Training (Commonwealth Powers) Act
2010

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Vocational Education and Training (Commonwealth Powers) Act 2010*.

ADRIAN PICCOLI, MP
Minister for Education

Explanatory note

The object of this Regulation is to provide that the Board of Studies is responsible for approving providers to provide courses to overseas students at government schools or non-government schools. This saves the operation of delegations made by the Vocational Education and Training Board to the Board of Studies to approve and regulate persons providing courses to overseas students in New South Wales.

This Regulation is made under clause 2 of Schedule 3 to the *Vocational Education and Training (Commonwealth Powers) Act 2010*.

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Vocational Education and Training (Commonwealth Powers) (Transitional) Regulation 2011

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Vocational Education and Training (Commonwealth Powers) (Transitional) Regulation 2011

under the

Vocational Education and Training (Commonwealth Powers) Act 2010

1 Name of Regulation

This Regulation is the *Vocational Education and Training (Commonwealth Powers) (Transitional) Regulation 2011*.

2 Commencement

This Regulation commences on 30 June 2011 and is required to be published on the NSW legislation website.

3 Definitions

In this Regulation:

Board of Studies means the Board of Studies constituted by the *Education Act 1990*.

government school and **non-government school** have the same meaning as in the *Education Act 1990*.

VET Act means the *Vocational Education and Training Act 2005* as in force immediately before its repeal.

4 Board of Studies responsible for approving providers of courses to overseas students

- (1) For the purposes of the *Education Services for Overseas Students Act 2000* of the Commonwealth, the Board of Studies is responsible for approving providers to provide courses to overseas students at government schools or non-government schools.
- (2) Part 4 (Overseas students) of the VET Act continues to apply (despite the repeal of the Act) to and in respect of the approval under this Regulation of providers to provide courses to overseas students at government schools or non-government schools, and so applies as if references in that Part to the Vocational Education and Training Accreditation Board or the Director were references to the Board of Studies.

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Clause 5

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5 Delegation

The Board of Studies may delegate the exercise of any function of the Board of Studies under this Regulation (other than this power of delegation) to any person or body.

6 Savings

Any approval in force under section 34 of the VET Act immediately before the repeal of that Act is taken to have been given by the Board of Studies pursuant to this Regulation.

7 Repeal of Regulation

This Regulation is repealed at the end of 30 June 2012.