

## HOUSE OF REPRESENTATIVES

## Supplementary Order Paper

Tuesday, 16 June 1992

## INDUSTRY TRAINING BILL

*Proposed Amendments*

Hon. Dr LOCKWOOD SMITH, in Committee, to move the following amendments:

*Clause 5B:* To omit *paragraph (d)*, and substitute the following paragraph:

- (d) The organisation's intentions in relation to the involvement of people employed in that industry in the doing of the things referred to in paragraphs (a) and (b) of section 5A of this Act; and

*Clause 5c (2) (a):* To omit the expression "5B", and substitute the expression "5A".

*Clause 6:* To omit from *subclause (1)* the words "sections 6A and 6B", and substitute the words "section 6A".

To omit from line 7 on page 11 the word "recognised".

*Clause 18:* To omit *paragraph (a)*, and substitute the following paragraph:

- (a) Recognise any programme of industry training (undertaken or to be undertaken pursuant to one or more employment contracts) that, in the Board's opinion, demonstrates (fully or to a large extent) the following characteristics:
- (i) An obligation on each employee who is undertaking or will undertake the training, and on the employee's employer, to take all reasonable steps to ensure that the employee is taught, and acquires, skills characteristic of or likely to be valuable to people engaged in a particular industry or 2 or more industries:
- (ii) Provision for most or all of those skills to be acquired by means of practical training in the course of the employee's employment, but with the possibility of the augmentation of the training by formal instruction received elsewhere:
- (iii) Provision for some formal recognition that the employee has acquired those skills if the employee in fact acquires them:

To omit from *paragraph (b)* the expression "section 18 (a) of this Act", and substitute the expression "paragraph (a) of this section".

*Clause 22:* To omit from *subclause (3) (aa)* the word “training” where it first occurs.

*Third Schedule:* To omit the word “Industry” where it secondly, thirdly, and fourthly occurs.

To omit the expression “1973, Vol. III, p. 4113”, and substitute the expression “1980, Vol. III, p. 4113”.

*Title:* To omit from *paragraph (a)* the words “funding of industry training organisations”, and substitute the words “recognition and funding of organisations (to be known as industry training organisations) setting skill standards for, and administering the delivery of, industry-based training”.

To omit *paragraphs (d) to (e)*.

To insert, after *paragraph (f)*, the following paragraph:

**(ff) Provide for the protection of people receiving industry-based training under certain training arrangements in the nature of apprenticeship, or under contracts under the Technicians Training Act 1967 or the Apprenticeship Act 1983; and**

#### EXPLANATORY NOTE

The amendment to *clause 5* replaces *paragraph (d)* with a new paragraph. The present paragraph requires the Board of the Education and Training Support Agency, when determining whether to recognise an industry training organisation, to have regard to “the extent to which the organisation intends” to involve employees in its activities. The proposed new paragraph requires the Board to have regard to “the organisation’s intentions in relation to” the involvement of employees in its activities.

The amendment to *clause 18* replaces *paragraph (a)* with a new paragraph. The present paragraph empowers the Board to recognise for certain purposes programmes of industry training demonstrating “most or all” of 4 features specified in section 3 of the Apprenticeship Act 1983 (an Act that the Bill repeals) as characteristic features of apprenticeship. The proposed new paragraph specifies 3 of those features directly, omits the fourth (a relationship between the period for which a trainee is to be employed and the extent of the skills the trainee is intended to acquire), and provides that the 3 features specified must be demonstrated “fully or to a large extent”.

The amendments to the Title insert into *paragraph (a)* references to the setting of skill standards and the administration of the delivery of industry-based training, omit *paragraph (d)* (which will no longer be necessary in the light of the amendment proposed to be made to *paragraph (a)*), and replace *paragraph (e)* with a new *paragraph (ff)*. Proposed new *paragraph (ff)* describes more precisely than *paragraph (e)* the trainees in respect of whom the Bill gives the Board of the Education and Training Support Agency particular powers. Because those trainees include people receiving industry-based training under contracts under the Technicians Training Act 1967 or the Apprenticeship Act 1983, the paragraph seems better placed after the paragraph referring to the repeal of those Acts rather than before it.

The other amendments are minor verbal adjustments.