

1991

THE PARLIAMENT OF THE COMMONWEALTH
OF AUSTRALIA

HOUSE OF REPRESENTATIVES

EMPLOYMENT, EDUCATION AND TRAINING AMENDMENT BILL 1991

EXPLANATORY MEMORANDUM

(Circulated by authority of the
Minister for Employment, Education and Training,
the Honourable John Dawkins MP)

Employment, Education and Training Amendment Bill 1991

OUTLINE

This Bill gives effect to changes to the reporting requirements of the Higher Education Council and to the appointment of acting members of a constituent Council of the National Board of Employment, Education and Training. The Bill amends the **Employment, Education and Training Act 1988**.

The purpose of the Bill is to require the Higher Education Council to report on the operation of educational profiles and the impact of the Higher Education Contribution Scheme once a year in March, and to allow the Minister to appoint a member or acting member of the National Board of Employment, Education and Training to act as a member of a Council, in order to satisfy the provisions of subsection 32(1) of the Act.

NOTES ON CLAUSES OF THE BILL

Clause 1: Short title etc

1. Provides for the Act to be cited as the **Employment, Education and Training Amendment Act 1991**.

Clause 2: Functions of the Higher Education Council

2. This clause replaces the requirement that the Higher Education Council report in February and August of each year, with the requirement that the Council report in March of each year. This amendment is designed to overcome difficulties faced by the Higher Education Council in reporting in August in a substantive way. At this time of the year, firm data is unavailable in relation to the year's higher education student enrolments, and in relation to educational profiles visits which are not undertaken until later in the calendar year. In addition, the replacement of a February reporting date with one in March of each year is designed to provide more time for a comprehensive analysis of the student enrolment data.

Clause 3: Acting Appointments

3. This clause would replace subsections 33(1) and (2) of the principal Act with two new subsections, which would rectify an existing deficiency and ensure that the Minister has appropriate flexibility to appoint an acting member of a Council who is a member of the National Board of Employment, Education and Training.

The proposed new subsection 33(1) would enable the Minister to appoint a person, during the period of a vacancy on a Council or inability of a Council member to perform his or her duties, to act as a member of that Council for up to twelve months.

The proposed new subsection 33(2) would enable the Minister to make an acting appointment for up to twelve months in the particular situation where there is a vacancy, or inability to perform his or her duties, of a Council member who also is a member of the National Board of Employment, Education and Training. Subsection 32(1) of the principal Act requires two members of each Council to be drawn from the members of that Board. In this situation the Minister may appoint either:

- (a) an existing Board member to act as a member of the Council; or
- (b) a person appointed to act as a member of that Board to also act as a member of the Council.



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