



Skills Australia Amendment (Australian Workforce and Productivity Agency) Act 2012

No. 69, 2012

An Act to amend the *Skills Australia Act 2008*, and for related purposes

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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No. 69, 2012

An Act to amend the *Skills Australia Act 2008*, and for related purposes

[Assented to 27 June 2012]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Skills Australia Amendment (Australian Workforce and Productivity Agency) Act 2012*.

Skills Australia Amendment (Australian Workforce and Productivity Agency) Act 2012 No. 69,
2012 1

2 Commencement

This Act commences on 1 July 2012.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the Skills Australia Act 2008

Part 1—Main amendments

1 Title

Omit “**Skills Australia**”, substitute “**the Australian Workforce and Productivity Agency**”.

2 Section 1

Omit “*Skills Australia*”, substitute “*Australian Workforce and Productivity Agency*”.

Note: This item amends the short title of the Act. If another amendment of the Act is described by reference to the Act’s previous short title, that other amendment has effect after the commencement of this item as an amendment of the Act under its amended short title (see section 10 of the *Acts Interpretation Act 1901*).

3 Section 3

Insert:

Australian Workforce and Productivity Agency means the body continued in existence by section 5.

4 Section 4 (heading)

Repeal the heading, substitute:

4 Object

5 Section 4

After “development needs,”, insert “and the allocation of Commonwealth funding,”.

6 Section 5

Repeal the section, substitute:

5 Establishment

The body known immediately before the commencement of this section as Skills Australia is continued in existence as the Australian Workforce and Productivity Agency.

Note 1: See also section 25B of the *Acts Interpretation Act 1901*.

Note 2: For the commencement of this section, see section 2 of the *Skills Australia Amendment (Australian Workforce and Productivity Agency) Act 2012*.

7 At the end of subsection 6(1)

Add:

- ; (c) improving the productivity of the Australian workforce;
- (d) the allocation of Commonwealth funding (including through the National Workforce Development Fund) to address the matters mentioned in paragraphs (a), (b) and (c).

8 After paragraph 6(3)(b)

Insert:

- (ba) assessing research relating to improving the productivity of the Australian workforce;
- (bb) analysing the funding available to address the matters mentioned in paragraphs (1)(a), (b) and (c);

9 Paragraph 8(b)

Omit “6”, substitute “9”.

10 Subsection 9(2)

Repeal the subsection, substitute:

- (2) In making appointments, the Minister must ensure that the members of the Australian Workforce and Productivity Agency have, between them, experience in:
 - (a) academia; and
 - (b) the provision of education or training; and
 - (c) economics; and
 - (d) industry; and
 - (e) the representation of employees.

Part 2—Consequential amendments

Division 1—Changing the name of Skills Australia

11 Multiple amendments

The specified provisions of the *Skills Australia Act 2008* listed in this Division are amended by omitting “Skills Australia” (wherever occurring) and substituting “the Australian Workforce and Productivity Agency”.

12 Section 3 (definition of *Chair*)

13 Section 3 (definition of *member*)

14 Subsections 6(3), 7(1) and (3), 9(2) and 15(3)

15 Paragraph 15(5)(a)

16 Subsection 15(6)

17 Paragraph 18(2)(b)

18 Subsections 19(2) and 21(1)

19 Paragraph 21(2)(a)

20 Subsections 24(2) and (3) and 25(3)

21 Section 26

Division 2—Further changes to the name of Skills Australia

22 Multiple amendments

The specified provisions of the *Skills Australia Act 2008* listed in this Division are amended by omitting “Skills Australia” (wherever occurring) and substituting “The Australian Workforce and Productivity Agency”.

23 Subsections 6(1) and (2) and 7(4)

24 Section 8

**25 Subsections 19(1), 23(1) and (2), 24(4), 25(1), (2) and (6)
and 27(1) and (2)**

Division 3—Other consequential amendments

26 Section 3 (definition of *Skills Australia*)

Repeal the definition.

27 Part 2 (heading)

Repeal the heading, substitute:

**Part 2—Establishment and functions of the
Australian Workforce and Productivity
Agency**

28 Subsection 6(4)

Omit “Skills Australia” (first occurring), substitute “The Australian Workforce and Productivity Agency”.

29 Paragraph 6(4)(b)

Omit “Skills Australia”, substitute “the Agency”.

30 Section 7 (heading)

Repeal the heading, substitute:

**7 Minister may give directions to the Australian Workforce and
Productivity Agency**

31 Part 3 (heading)

Repeal the heading, substitute:

Part 3—Constitution and membership of the Australian Workforce and Productivity Agency

32 Section 15 (heading)

Repeal the heading, substitute:

15 Disclosure of interests to the Australian Workforce and Productivity Agency

33 Subsection 15(1)

Omit “Skills Australia” (first occurring), substitute “the Australian Workforce and Productivity Agency”.

34 Subsection 15(1)

Omit “Skills Australia” (second occurring), substitute “the Agency”.

35 Subsection 15(4)

Omit “Skills Australia” (first occurring), substitute “the Australian Workforce and Productivity Agency”.

36 Paragraphs 15(4)(a) and (b)

Omit “Skills Australia”, substitute “the Agency”.

37 Part 4 (heading)

Repeal the heading, substitute:

Part 4—Meetings of the Australian Workforce and Productivity Agency

38 Subsection 24(1)

Omit “Skills Australia” (first occurring), substitute “The Australian Workforce and Productivity Agency”.

39 Paragraph 24(1)(b)

Omit “Skills Australia”, substitute “the Agency”.

40 Section 26 (heading)

Repeal the heading, substitute:

**26 Staff assisting the Australian Workforce and Productivity
Agency**

41 Subsection 27(1)

Omit “Skills Australia’s”, substitute “the Agency’s”.

Part 3—Transitional provisions

42 Termination of appointment of members

An appointment of a person as a member under section 9 of the *Skills Australia Act 2008* that is in force immediately before the commencement of this item is, by force of this item, terminated on that commencement.

43 Committees cease to exist

A committee established under section 25 of the *Skills Australia Act 2008* and in existence immediately before the commencement of this item ceases, by force of this item, to exist after that commencement.

[Minister's second reading speech made in—
House of Representatives on 22 March 2012
Senate on 18 June 2012]