

Explanatory Statement

Standards for VET Accredited Courses made under the *National Vocational Education and Training Regulator Act 2011*

Issued by the authority of the Minister for Tertiary Education, Skills, Science and Research

Subject: *National Vocational Education and Training Regulator Act 2011*
Standards for VET Accredited Courses 2012

Authority

Subsection 188(1) of the *National Vocational Education and Training Regulator Act 2011* (the Act) provides that the Minister may, by legislative instrument, make standards for VET accredited courses, as agreed by the Ministerial Council. Subsection 188(2) of the Act provides that the agreed standards are to be known as the *Standards for VET Accredited Courses*.

In accordance with subsections 44(1) and 54(1) of the *Legislative Instruments Act 2003*, the *Standards for VET Accredited Courses* (the Standards) are not subject to disallowance or sunseting.

Purpose and Operation

The purpose of the Standards is to revoke the *Standards for VET Accredited Courses 2011* (F2011L01330) and to remake the Standards to formally identify the requirements for accrediting VET courses previously found in the Australian Quality Training Framework (AQTF).

The Standards have adopted the existing AQTF standards for accredited courses. The Standards are not intended to change the existing standards for accrediting courses found in the AQTF except where necessary to reflect the new legislative regime. Compliance with the Standards is a requirement for accreditation of a VET course by the National VET Regulator. The objectives of the Standards are to ensure that the requirements for accrediting courses are met.

Paragraph 191A(1)(d) of the Act enables the Standards to incorporate the following documents as they exist from time to time:

- *Australian Qualifications Framework*, as published on <http://www.aqf.edu.au>
- *Training Packages*, as published on <http://training.gov.au>
- *Training Package Development Handbook*, as published on http://www.nssc.natase.gov.au/vet_standards/standards_for_training_packages

In accordance with subsections 15(b) and 15(c) of the *Legislative Instruments Act 2003*, the repeal of the *Standards for VET Accredited Courses 2011* (F2011L01330) does not effect the previous operation of the former instrument or provision or anything duly done or suffered under the former instrument or provision or any right, privilege, obligation or liability acquired, accrued or incurred under the instrument or provision.

Consultation

The Standards were first consulted upon with stakeholders (unions, training provider peak bodies, employer groups, industry bodies and State and Territory representatives) at a consultation meeting held on 20 and 21 April 2011.

The need for the Standards to require compliance with key documents as and when they are updated was consulted upon with stakeholders (unions, training provider peak bodies, employer groups, industry bodies and State and Territory representatives) as part of the broader consultation process for the *National Vocational Education and Training Regulator Amendment Act 2012* on 9 and 10 August 2011.

Before the Minister made the Standards, they were circulated to the Ministerial Council for endorsement which was received on 27 August 2012.

Description of the provisions of the Standards for VET Accredited Courses 2012

Part 1—Preliminary

Division 1—Arrangements on commencement

VAC 1: Name of Standards

VAC 1 names the Standards for VET Accredited Courses 2012.

VAC 2: Commencement

VAC 2 provides that the Standards commence on the day after registration on the Federal Register of Legislative Instruments.

VAC 3: Definitions

VAC 3 defines terms used throughout the Standards.

Part 2—Introduction and purpose

VAC 4: Introduction

VAC 4 provides an explanation of accredited courses.

VAC 5: Purpose of the standards

VAC 5 sets out the purpose of the Standards to set out requirements to be considered by the National VET Regulator prior to making a decision about a course put forward for accreditation.

Part 3 – Course design standards

Part 3 provides that applications for course accreditation will be assessed by the National VET Regulator against the design standards that are outlined in VAC 6 and VAC 7 and must be met for accreditation. Part 3 also provides that the accreditation of a VET accredited course may be cancelled under section 52 of the Act if these standards cease to be met.

VAC 6: Duplication

VAC 6 clarifies applications for course accreditation will not be successful if the course duplicates the outcomes of an existing endorsed Training Package qualification.

VAC 7: Course design standards

VAC 7 sets out in detail the course design standards for an accredited course.

Part 4 – Obligations of persons in respect of whom a course is accredited

A note to Part 4 provides that a VET accredited course must be delivered by an RTO and it is an offence under the Act to deliver such a course without being an RTO. The note further provides that a person who is not an RTO, and who does not intend to become an RTO, is required to develop an agreement with an RTO for the delivery of the course under the conditions they have determined.

VAC 8: Obligations of persons in respect of whom a course is accredited

VAC 8 identifies the obligations of a person in respect of whom a course is accredited, throughout the course accreditation period.

Appendix 1

The appendix contains the template for course documentation for accreditation that should be used by an applicant seeking accreditation of a course.