

NORTHERN TERRITORY OF AUSTRALIA  
NORTHERN TERRITORY EMPLOYMENT AND TRAINING AUTHORITY  
AMENDMENT ACT 2002

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Act No. 46 of 2002

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TABLE OF PROVISIONS

Section

1. Short title
  2. Commencement
  3. Principal Act
  4. Long title
  5. Short title
  6. Interpretation
  7. Repeal and substitution
- PART 2 – MINISTERIAL ADVISORY BOARD FOR EMPLOYMENT AND  
TRAINING
8. Repeal and substitution
    4. Establishment of Board
    5. Functions of Board
  9. Repeal and substitution
    7. Composition of Board
  10. Chairperson
  11. Repeal and substitution
    20. Functions of Authority
  12. Funding of training
  13. Repeal
  14. Minister may direct Authority
  15. Matters to be taken into account in deciding whether to register
  16. Repeal and substitution
    44. Authority to consider industry needs
  17. Notice to be given
  18. Fees
  19. Saving





# **NORTHERN TERRITORY OF AUSTRALIA**

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Act No. 46 of 2002

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## **AN ACT**

to amend the *Northern Territory Employment and Training Authority Act*

*[Assented to 13 September 2002]*

*[Second reading 20 June 2002]*

**The Legislative Assembly of the Northern Territory enacts as follows:**

**1. Short title**

This Act may be cited as the *Northern Territory Employment and Training Authority Amendment Act 2002*.

**2. Commencement**

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

**3. Principal Act**

The *Northern Territory Employment and Training Authority Act* is in this Act referred to as the Principal Act.

**4. Long title**

The long title of the Principal Act is amended by omitting "Northern Territory Employment and Training Board" and substituting "Ministerial Advisory Board for Employment and Training".

**5. Short title**

Section 1 of the Principal Act is amended by omitting "Authority".

**6. Interpretation**

Section 3 of the Principal Act is amended by omitting from subsection (1) the definition of "Board" and substituting the following:

"'Board' means the Ministerial Advisory Board for Employment and Training established by section 4;"

**7. Repeal and substitution**

The heading to Part 2 of the Principal Act is repealed and the following substituted:

**"PART 2 – MINISTERIAL ADVISORY BOARD FOR EMPLOYMENT AND TRAINING".**

**8. Repeal and substitution**

Sections 4 and 5 of the Principal Act are repealed and the following substituted:

**"4. Establishment of Board**

"The Ministerial Advisory Board for Employment and Training is established.

**"5. Functions of Board**

"Subject to this Act, the Board has the following functions:

- (a) to advise the Minister and the Authority on policies and programs designed to enhance employment and training skills across the whole of the Territory;
- (b) to recommend to the Minister and the Authority a draft Territory training profile that is based on annual employment projections and priorities and that sets out the vocational and adult community education and training needs for the whole of the Territory, together with proposals to meet those needs;
- (c) to monitor vocational and adult community education and training across the whole of the Territory and to advise the Minister and the Authority of the extent of compliance with national and Territory strategic plans relating to vocational and adult community education and training and with the Territory training profile;

- (d) to recommend to the Minister and the Authority ways of promoting and encouraging the development of, and participation in, vocational and adult community education and training;
- (e) to report at least once annually to the Minister on vocational and adult community education and training across the whole of the Territory and on expenditure by the Authority for the purposes of the Territory training profile;
- (f) to report to the Minister on the matters that the Minister refers in writing to the Board."

**9. Repeal and substitution**

Section 7 of the Principal Act is repealed and the following substituted:

**"7. Composition of Board**

"(1) The Board may have as many as 13 members consisting of the following:

- (a) a Chairperson appointed under section 8(1);
- (b) the Chief Executive Officer;
- (c) the chief executive officer of the Agency allotted responsibility under an Administrative Arrangements Order for industrial development;
- (d) one person with expertise as a vocational education practitioner;
- (e) one person who is responsible for administering and managing vocational education and training programs in the Territory and is nominated by the Minister of State for the Commonwealth responsible for vocational education and training;
- (f) 3 persons, each of whom is resident in a regional centre or community outside the major centres of Darwin and Palmerston;
- (g) 2 persons, each of whom chairs a training advisory council;
- (h) one person who is nominated by the Aboriginal and Torres Strait Islander Commission established by the *Aboriginal and Torres Strait Islander Commission Act 1989* of the Commonwealth and whose nomination is accepted by the Minister;
- (i) one person who is nominated by the Northern Territory Trades and Labor Council and whose nomination is accepted by the Minister;

*Northern Territory Employment and Training Authority Amendment Bill 2002*

- (j) one person who is nominated by the Northern Territory Chamber of Commerce and Industry Inc. and whose nomination is accepted by the Minister.

"(2) The Minister may in writing appoint a person to be a member of the Board referred to in subsection (1)(d), (e), (f), (g), (h), (i) or (j).

"(3) Subject to sections 10 and 11, a member of the Board appointed under subsection (2) holds office on the terms and conditions the Minister thinks fit."

**10. Chairperson**

Section 8 of the Principal Act is amended –

- (a) by omitting from subsection (1) "a person" and substituting "a person who is not the Chief Executive Officer"; and
- (b) by omitting from subsection (3) "section 7(1)(d)" and substituting "section 7(1)(c), (d), (e), (f), (g), (h), (i) or (j)".

**11. Repeal and substitution**

Section 20 of the Principal Act is repealed and the following substituted:

**"20. Functions of Authority**

"The functions of the Authority are –

- (a) to provide employment and vocational training advice to the Territory;
- (b) to fund the provision of training, and assessment of training, authorised under this Act;
- (c) to provide registration and associated services;
- (d) to represent the Territory at a national level in relation to vocational education and training;
- (e) to provide support to the Board in the exercise of its powers and the performance of its functions; and
- (f) any other functions conferred on it by this or any other Act."

**12. Funding of training**

Section 22 of the Principal Act is amended by omitting from subsection (2) "Board" and substituting "Chief Executive Officer".

**13. Repeal**

Section 24 of the Principal Act is repealed.

**14. Minister may direct Authority**

Section 25 of the Principal Act is amended –

- (a) by omitting from subsection (1) "(1) The" and substituting "The"; and
- (b) by omitting subsection (2).

**15. Matters to be taken into account in deciding whether to register**

Section 38 of the Principal Act is amended –

- (a) by omitting from subsection (3)(a) "provide;" and substituting "provide; and";
- (b) by omitting from subsection (3)(b) "provide; and" and substituting "provide."; and
- (c) by omitting subsection (3)(c).

**16. Repeal and substitution**

Section 44 of the Principal Act is repealed and the following substituted:

**"44. Authority to consider industry needs**

"The Authority must have regard to the requirements of industry in the Territory in determining whether to approve a type of apprenticeship under section 45(1)."

**17. Notice to be given**

Section 99 of the Principal Act is amended by omitting "or the Chief Executive Officer".

**18. Fees**

Section 100 of the Principal Act is amended by omitting "Board" and substituting "Authority".

**19. Saving**

A determination that was made by the Board under section 100 of the Principal Act and is in force immediately before the commencement date is taken

*Northern Territory Employment and Training Authority Amendment Bill 2002*

to be a determination made by the Authority under section 100 of the Principal Act as amended by this Act.

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