



NORTHERN TERRITORY OF AUSTRALIA

No. 97 of 1982

AN ACT

To amend the *Industries Training Act*

[Assented to 15 December 1982]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Industries Training Amendment Act 1982*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Industries Training Act* is in this Act referred to as the Principal Act.

4. CITATION OF PRINCIPAL ACT AS AMENDED

The Principal Act, as amended by this Act, may be cited as the *Vocational Training Commission Act*.

5. LONG TITLE

The long title of the Principal Act is amended by adding "and the technical and further education of persons in the Territory".

Industries Training Amendment

6. INTERPRETATION

Section 5(1) of the Principal Act is amended -

(a) by omitting from the definition of "Chairman" the words "appointed under section 15(1)" and substituting "appointed under section 15(1), and includes the Deputy Chairman when acting as Chairman";

(b) by omitting the definition of "Commission" and substituting the following:

"'Commission' means the Vocational Training Commission established by section 7;

'Deputy Chairman' means the Deputy Chairman of the Commission appointed under section 15(1);"; and

(c) by omitting the definition of "member" and substituting the following:

"'member' means a member of the Commission appointed by or under section 9;".

7. COMMISSION

Section 7 of the Principal Act is amended by omitting sub-section (1) and substituting the following:

"(1) There is hereby established a commission by the name of the Northern Territory Vocational Training Commission."

8. REPEAL AND SUBSTITUTION

Sections 9, 10, 11 and 12 of the Principal Act are repealed and the following substituted:

"9. COMPOSITION OF COMMISSION

"The Commission shall consist of 10 members one of whom shall be the Departmental Head of the Department of the Public Service primarily responsible to the relevant minister for the administration of the *Education Act*, or his nominee, and the remaining 9 shall be appointed by the Minister by notice in the *Gazette*, of whom -

(a) 2 shall be employees within the meaning of the *Public Service Act*;

(b) 2 shall be appointed to represent employers in the Territory;

Industries Training Amendment

- (c) 2 shall be appointed to represent employees in the Territory;
- (d) one shall be appointed on the nomination of the Council of the Darwin Community College; and
- (e) one shall be appointed on the nomination of the Council of the Community College of Central Australia.

"10. NOMINATIONS

"The Minister shall not appoint a person to be a member referred to in section 9(b) or (c) unless he has given -

- (a) in the case of a member referred to in section 9(b) - employers in the Territory and persons claiming to represent employers in the Territory; and
- (b) in the case of a member referred to in section 9(c) - employees in the Territory and persons claiming to represent employees in the Territory,

an opportunity to recommend persons to be so appointed."

9. REPEAL AND SUBSTITUTION

Sections 15 and 16 of the Principal Act are repealed and the following substituted:

"15. CHAIRMAN AND ACTING CHAIRMAN

"(1) The Minister shall, by notice in the *Gazette*, appoint a person who is, or is to be, a member referred to in section 9(a) to be the Chairman and the other member referred to in that paragraph to be the Deputy Chairman.

"(2) The Deputy Chairman may exercise the powers, and shall perform the duties, of the Chairman during the absence of the Chairman from duty.

"(3) Subject to sub-section (4), the Chairman or, in his absence the Deputy Chairman, shall preside at meetings of the Commission.

"(4) In the absence of the Chairman and Deputy Chairman, the members present at a meeting of the Commission shall elect one of their number to preside at the meeting and, while so presiding, that member shall perform the functions, and may exercise the powers, of the Chairman in relation to that meeting."

Industries Training Amendment

10. TERM OF APPOINTMENT

Section 17 of the Principal Act is amended by omitting "under section 16" (twice occurring) and substituting "under section 9".

11. COMMITTEES

Section 25 of the Principal Act is amended by omitting sub-section (1) and substituting the following:

"(1) The Commission may establish -

- (a) a committee to be known as the Industrial Training Advisory Committee to advise the Commission on such matters relating to industrial training;
- (b) a committee to be known as the Technical and Further Education Advisory Committee to advise the Commission on such matters relating to technical and further education; and
- (c) such other committees, if any, as it thinks fit to advise and make recommendations to the Commission on such matters within the Commission's powers, duties and functions,

as are referred to the committee by the Commission."

12. PROCEDURE

Section 26 of the Principal Act is amended by omitting sub-section (2) and substituting the following:

"(2) At a meeting of the Commission -

- (a) 4 members constitute a quorum; and
- (b) all questions shall be decided by a majority of the votes of members present and voting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote."

13. FUNCTIONS

Section 28 of the Principal Act is amended -

- (a) by omitting sub-section (1)(a) and substituting the following:
 - "(a) to consider and advise the Minister on, and furnish reports and make recommendations to the Minister in relation to, any matter connected with training in:

Industries Training Amendment

- (i) apprenticeship trades; and
 - (ii) other vocational skills nominated by the Minister;";
- (b) by omitting sub-section (1)(e) and substituting the following:
- "(e) to promote training in apprenticeship trades and in industry generally;
 - (ea) to formulate and give to the Minister policy and planning advice on matters relating to the co-ordination of technical and further education activities in the Territory;
 - (eb) to prepare co-ordinated funding proposals relating to technical and further education activities in the Territory for use of the Minister;
 - (ec) to advise the Minister generally on technical and further education funding and building needs in the Territory in relation to both Commonwealth and Territory funding sources;
 - (ed) to evaluate and record appropriate recognition of technical and further education courses of study conducted in the Territory; and"; and
- (b) by omitting sub-section (2).
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