

**TRAINING AND SKILLS DEVELOPMENT AMENDMENT BILL 2018
SERIAL NO. 59**

LEGISLATIVE ASSEMBLY OF THE
NORTHERN TERRITORY

MINISTER FOR WORKFORCE TRAINING

EXPLANATORY STATEMENT

GENERAL OUTLINE

This Bill amends the *Training and Skills Development Act*.

This Bill abolishes the Northern Territory Training Commission (the Commission) from the *Training and Skills Development Act* (the Act) and removes all references to the Commission from the Act.

NOTES ON CLAUSES

Clause 1. Short Title

This is a formal clause which provides for the citation of the Bill. The Bill, when passed, will be cited as the *Training and Skills Development Amendment Act 2018*.

Clause 2. Commencement

This clause sets out how the amendment Act will be commenced. In this case, this will be done on the day after the day on which the Administrator's assent to this Act is declared.

Clause 3. Act amended

This is a formal clause that provides that the Bill amends the Act.

Clause 4. Section 4 amended (Definitions)

This clause omits definitions that directly relate to the Commission which are no longer used throughout the Act.

Clause 5. Part 2, Divisions 1 and 2 and Division 3 heading repealed

This clause repeals Part 2, Divisions 1 and 2. These two Divisions are no longer required with the removal of the Commission.

Division 1 outlines the Minister's responsibility and delegation to hold the Commission accountable to the Minister in performance of its functions. The Minister no longer requires powers and functions relating to the Commission under the Act. The Minister's power to delegate is no longer required as the only remaining power is subjecting the Chief Executive Officer to Ministerial direction in section 31 which cannot be delegated.

Division 2 establishes the Commission and sets out its powers and functions. This Division is no longer required.

This clause also repeals the Division 3 heading. This will improve readability in the Act as there is only one Division left under Part 2.

Clause 6. Section 29 amended (Functions of Chief Executive Officer)

The clause omits the paragraph 29(c) to remove Chief Executive Officer's function to support the Commission as it is no longer required.

Clause 7. Section 98 amended (Protection from liability)

This clause omits paragraph 98(1)(a) and subsections 2 and 3. The paragraph 98(1)(a) and subsection (2) provides protection from liability for a member of the Commission, and for acts done or omitted to be done by the Commission in the exercise of a power or performance of a function under the Act. This is no longer required once the Commission is removed.

Subsection (3) is then reinserted consequentially to remove the references to subsection (2) and the Commission.

Clause 8. Repeal of Act

This is a standard clause for amending legislation which provides that the *Training and Skills Development Amendment Act 2018* is repealed on the day after it commences.