



New South Wales

Skills Board Bill 2013

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to establish the NSW Skills Board for the purposes of:

- (a) providing the Minister with an independent, strategic perspective on the vocational education and training system in New South Wales with a view to strengthening the State's economy and skills base and promoting increased flexibility and choice for the vocational education and training industry and consumers, and
- (b) overseeing major reform of the vocational education and training system in New South Wales.

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Part 2 Constitution and functions of Board

Clause 4 constitutes the NSW Skills Board as a body corporate.

Clause 5 provides that the Board is to consist of not more than 8 part-time members appointed by the Minister and 1 ex-officio member, being the Chief Executive of the Office of Education, Department of Education and Communities or his or her nominee.

Clause 6 sets out the functions of the Board, which include the following:

- (a) providing the Minister with an independent, strategic perspective on the vocational education and training system in New South Wales,
- (b) overseeing major reform of the vocational education and training system and its implementation,
- (c) monitoring and advising the Minister on the performance of the vocational education and training system, including financial performance, fiscal sustainability, levels of training activity and the achievement of State priorities,
- (d) advising the Minister on the allocation of State and Commonwealth vocational education and training funding and the New South Wales vocational education and training budget,
- (e) collecting and analysing labour market intelligence, in particular, intelligence on skills shortages and future skills and workforce development needs in New South Wales,
- (f) coordinating the development of strategic skills plans that reflect the priorities and directions of the New South Wales Government regarding vocational education and training,
- (g) overseeing quality assurance in the vocational education and training system,
- (h) ensuring the availability of accurate consumer information on vocational education and training and appropriate consumer protections,
- (i) commissioning and conducting inquiries and research,
- (j) advising on strategies for more effective educational pathways between secondary school, vocational training and higher education,
- (k) consulting widely with reference groups and other representative bodies and persons in the vocational education and training industry.

Clause 7 enables the Board to delegate its functions.

Clause 8 makes the Board subject to the control and direction of the Minister.

Clause 9 provides for the Board to make use of the services of Department of Education and Communities staff and government facilities.

Part 3 Miscellaneous

Clause 10 provides that the proposed Act binds the Crown.

Clause 11 enables the Minister to delegate his or her functions.

Clause 12 excludes the Board, a member of the Board or a person acting under the Board's direction from personal liability for an act or omission done in good faith for the purposes of executing the proposed Act.

Clause 13 enables the Governor to make regulations for the purposes of the proposed Act.

Clause 14 provides for the review of the proposed Act within 5 years.

Schedule 1 Members and procedure of Board

Schedule 1 contains provisions relating to members and procedure of the Board that are standard provisions for statutory corporations.

Schedule 2 Savings, transitional and other provisions

Schedule 2 provides for the making of regulations of a savings or transitional nature consequent on the enactment of the proposed Act. The Schedule also abolishes the New South Wales Board of Vocational Education and Training and provides for the transfer of its assets, rights and liabilities to the NSW Skills Board.

Schedule 3 Amendment of other legislation

Schedule 3 amends the *Government Information (Public Access) Regulation 2009* and the *Public Finance and Audit Act 1983* to remove references to the New South Wales Board of Vocational Education and Training and insert references to the NSW Skills Board.

Schedule 4 Repeal of Board of Vocational Education and Training Act 1994 No 33

Schedule 4 repeals the *Board of Vocational Education and Training Act 1994*.