



New South Wales

Defend TAFE Bill 2018

Explanatory note

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

Overview of Bill

The object of this Bill is to preserve TAFE campuses and assets in public ownership and to ensure that funding for vocational education and training is allocated to the TAFE Commission.

Outline of provisions

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.

Clause 4 prohibits the sale or other disposal of TAFE establishments to the private sector.

Clause 5 prohibits the use of a TAFE establishment that has been sold or disposed of for any purpose other than to provide vocational education and training or related purposes.

Clause 6 declares that it is the intention of Parliament that New South Wales government funding for vocational and education training is to be allocated solely to the TAFE Commission.



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Defend TAFE Bill 2018

No , 2018

A Bill for

An Act to preserve TAFE campuses and assets in public ownership and to ensure that funding for vocational education and training is allocated to the TAFE Commission.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Defend TAFE Act 2018</i> .	3
2 Commencement	4
This Act commences on the date of assent to this Act.	5
3 Definitions	6
(1) In this Act:	7
TAFE Commission means the Technical and Further Education Commission constituted under the <i>Technical and Further Education Commission Act 1990</i> .	8
TAFE establishment means a campus or facility established and maintained by the TAFE Commission for the purposes of providing vocational education and training or related services.	9
Note. The <i>Interpretation Act 1987</i> contains definitions and other provisions that affect the interpretation and application of this Act.	10
(2) Notes included in this Act do not form part of this Act.	11
4 TAFE establishments cannot be sold or otherwise disposed of	12
(1) A TAFE establishment or any part of a TAFE establishment cannot be sold, transferred, leased or otherwise disposed of.	13
(2) However, subsection (1) does not prevent the sale, transfer or lease of a TAFE establishment or any part of a TAFE establishment to a NSW government agency that is subject to the control and direction of a Minister.	14
5 Restrictions on use of TAFE establishments	15
(1) A TAFE establishment (including a TAFE establishment or part of a TAFE establishment that has been sold, transferred or leased to a NSW government agency) cannot be used for any purpose other than to provide vocational education and training or related services.	16
(2) This section has effect despite any other Act, statutory instrument or other law.	17
6 TAFE funding guarantee	18
It is the intention of Parliament that any New South Wales government funding for vocational and education training is to be allocated solely to the TAFE Commission.	19