

EDUCATION AND TRAINING REFORM ACT 2006

MINISTERIAL ORDER NO. 1472

Order Amending Structured Workplace Learning and Work Experience Arrangements Ministerial Orders (Ministerial Order No. 1412 and Ministerial Order No. 1413)

I, **Ben Carroll**, Minister for Education and Minister responsible for administering the *Education and Training Reform Act 2006* make this Order, which is to be cited as Ministerial Order No. 1472 – Order Amending Structured Workplace Learning and Work Experience Arrangements Ministerial Orders (Ministerial Order No. 1412 and Ministerial Order No. 1413).

Part 1 – Preliminary

1. Purpose

This Order amends:

- (a) Ministerial Order No. 1412 – Structured Workplace Learning Arrangements (**Ministerial Order No. 1412**) and Ministerial Order No. 1413 – Work Experience Arrangements (**Ministerial Order No. 1413**) to:
 - (i) make provision for a ‘nominated person’, who is a person or a member of a class of persons a principal has nominated under section 5.4.2A of the *Education and Training Reform Act 2006*, to perform the powers and functions of the principal which relate to structured workplace learning or work experience;
 - (ii) require principals to ensure that nominated persons have the required knowledge and understanding of obligations in the *Education and Training Reform Act 2006* and Ministerial Order No. 1412 or Ministerial 1413 relating to structured workplace learning arrangements or work experience.

2. Authorising Provisions

This Order is made under sections 5.4.2A, 5.4.4, 5.4.5 and 5.4.6 and section 5.10.4 and items 1 and 2 to Schedule 6 to the **Education and Training Reform Act 2006**.

3. Commencement

This Order commences on the date it is signed.

Part 2 – Amendments to Ministerial Order No. 1412

4. Amendments to clause 5

- (1) In clause 5 in the definition of “hazardous substance” for “regulation 1.1.5” **substitute** “regulation 5”.
- (2) In clause 5 in the definition of “OHS Regulations” for “2007” **substitute** “2017”.
- (3) In clause 5 **insert—**
“**Nominated Person** has the same meaning under section 5.4.1 of the Act.”.
- (4) In the definition of “Structured Workplace Coordinator” in clause 5 after “Principal” **insert** “or Nominated Person”.
- (5) In clause 5 in the definition of “scheduled carcinogenic substance” for “regulation 1.1.5” **substitute** “regulation 5”.
- (6) In clause 5 **insert—**
“**Structured Workplace Learning Travel and Accommodation Form** means the form approved and published by the Department from time to time for the purpose of travel or accommodation arrangements under this Ministerial Order.”.

5. New clause 5A inserted

Before clause 6 **insert—**

- “5A. Principal must ensure nominated persons have required knowledge and understanding**
- 5A.1 A Principal must ensure that any Nominated Person has the required knowledge and understanding of obligations in the Act and this Order relating to structured workplace learning arrangements.”.

6. Amendments to clause 8

- (1) In the heading of clause 8, after “Principal” **insert** “or Nominated Person”.
- (2) In clause 8.1, after “Principal” (where first and second occurring) **insert** “or Nominated Person”.
- (3) In clause 8.1(d), after “Principal” **insert** “, Nominated Person”.

7. Amendments to clause 9

- (1) In the heading of clause 9, after “Principal” **insert** “or Nominated Person”.
- (2) In clause 9.1 of MO 1412, after “Principal” **insert** “or Nominated Person”.
- (3) In clause 9.2, after “Principal” (where first, second and fourth occurring) **insert** “or Nominated Person”.
- (4) In clause 9.2, for “Principal Consent section” **substitute** “School Consent section”.
- (5) In clause 9.3 after “Principal” (wherever occurring) **insert** “or Nominated Person”.
- (6) In clause 9.3(k), for “School” **substitute** “Principal or Nominated Person”.

8. Amendments to clause 10

- (1) In clause 10.2, after “Principal” **insert** “or Nominated Person” (wherever occurring).

9. Amendments to clause 11

- (1) In clauses 11.4, 11.6 and 11.7, after “Principal” **insert** “or Nominated Person” (wherever occurring).
- (2) In clause 11.8 after “Principal” (where first, second, third, fifth and sixth occurring) **insert** “or Nominated Person”.
- (3) In clause 11.8, for “Principal Consent section” **substitute** “School Consent section”.
- (4) In clause 11.9 after “Principal” **insert** “or Nominated Person”.

10. Amendments to clause 12

- (1) In clause 12.2, after “Principal” **insert** “or Nominated Person” (wherever occurring).

11. Amendments to clause 13

- (1) In clause 13.3(c), after “Principal” **insert** “or Nominated Person”.
- (2) In clause 13.3(d), after “Principal” **insert** “, Nominated Person”.

12. Amendments to clause 14

- (1) In clause 14, after “Principal” **insert** “or Nominated Person” (wherever occurring).

13. Amendments to clause 15

- (1) In clause 15.1, after “Principal” **insert** “or Nominated Person”.
- (2) In clause 15.3, after “Principal” **insert** “, the Nominated Person”.
- (3) In clause 15.4, after “Principal” **insert** “or the Nominated Person”.

14. Amendment to clause 17

- (1) In clause 17.2(a) **omit** “attached to this Order”.
- (2) In clause 17.2(b) **omit** “attached to this Order”.

15. Amendment to clause 18

- (1) In clause 18.1(b) **omit** “attached to this Order”.

16. Amendments to clause 19

- (1) In clause 19, after “Principal” **insert** “or Nominated Person” (wherever occurring).
- (2) In clause 19.3, for “7 years” **substitute** “30 years”.

17. Amendment to clause 20

- (1) In clause 20, after “Principal” **insert** “or Nominated Person”.

18. Amendments to clause 21

- (1) In clause 21, after “Principal” **insert** “or Nominated Person” (wherever occurring).

19. Amendments to clause 22

- (1) In the heading of clause 22, after “Principal” **insert** “or Nominated Person”.
- (2) In clause 22, after “Principal” **insert** “or Nominated Person” (wherever occurring).

Part 3 – Amendments to Ministerial Order 1413

20. Amendments to clause 5

(1) In clause 5 in the definition of “hazardous substance” for “regulation 1.1.5” **substitute** “regulation 5”.

(2) In clause 5 in the definition of “OHS Regulations” for “2007” **substitute** “2017”.

(3) In clause 5 **insert**—

“**Nominated Person** has the same meaning under section 5.4.1 of the Act.”.

(4) In paragraph (b) of the definition of “Work Experience Coordinator” in clause 5, after “Principal” **insert** “or Nominated Person”.

(5) In clause 5 in the definition of “scheduled carcinogenic substance” for “regulation 1.1.5” **substitute** “regulation 5”.

(6) In clause 5 **insert**—

“**Work Experience Travel and Accommodation Form** means the form approved and published by the Department from time to time for the purpose of travel or accommodation arrangements under this Ministerial Order.”.

21. New clause 5A inserted

Before clause 6 **insert**—

“5A. Principal must ensure nominated persons have required knowledge and understanding

5A.1 A Principal must ensure that any Nominated Person has the required knowledge and understanding of obligations in the Act and this Order relating to work experience arrangements.”.

22. Amendments to clause 7

(1) In the heading of clause 7, after “Principal” **insert** “or Nominated Person”.

(2) In clause 7.1, after “Principal” (where first and second occurring) **insert** “or Nominated Person”.

(3) In clause 7.1(d), after “Principal,” **insert** “Nominated Person”.

23. Amendments to clause 8

(1) In the heading of clause 8, after “Principal” **insert** “or Nominated Person”.

(2) In clause 8.1, after “Principal” **insert** “or Nominated Person”.

(3) In clause 8.2, after “Principal” **insert** “or Nominated Person”.

(4) In clause 8.2(a), after “Principal” (where first occurring) **insert** “or Nominated Person”.

(5) In clause 8.2(a), for “Principal Consent section” **substitute** “School Consent section”.

(6) In clause 8.2(b), after “Principal” **insert** “or Nominated Person”.

(7) In clause 8.3, after “Principal” **insert** “or Nominated Person”.

(8) In clause 8.3(k), for “School” **substitute** “Principal or Nominated Person”.

(9) In clause 8.3(o), after “Principal” (where first, second and third occurring) **insert** “or Nominated Person”.

(10) In clause 8.3(o)(ii), after “Principal” **insert** “or Nominated Person”.

24. Amendments to clause 9

- (1) In clause 9.1, after “Principal” insert “or Nominated Person”.

25. Amendments to clause 10

- (1) In clause 10.2(a), after “Principal” insert “or Nominated Person”.
- (2) In clause 10.2(b), after “Principal” insert “or Nominated Person”.
- (3) In clause 10.2(b)(iii), after “Principal” insert “or Nominated Person”.

26. Amendments to clause 11

- (1) In clause 11.4, after “Principal” insert “or Nominated Person”.

27. Amendments to clause 13

- (1) In clause 13.3(b), after “Principal” insert “or Nominated Person”.
- (2) In clause 13.3(c), after “Principal,” insert “Nominated Person”.

28. Amendments to clause 14

- (1) In clause 14.1, after “Principal” insert “or Nominated Person”.
- (2) In clause 14.2, after “Principal” insert “or Nominated Person”.

29. Amendments to clause 15

- (1) In clause 15.1(a), after “Principal” insert “or Nominated Person”.
- (2) In clause 15.1(b), after “Principal” insert “or Nominated Person”.
- (3) In clause 15.3, after “Principal” insert “or Nominated Person”.
- (4) In clause 15.4, after “Principal” insert “or Nominated Person”.

30. Amendments to clause 17

- (1) In clause 17.2(a), omit “attached to this Order”.
- (2) In clause 17.2(b), omit “attached to this Order”.

31. Amendments to clause 18

- (1) In clause 18.1(b), omit “attached to this Order”.

32. Amendments to clause 19

- (1) In clause 19.3, after “Principal” insert “or Nominated Person”.
- (2) In clause 19.3, for “7 years” substitute “30 years”.
- (3) In clause 19.4, after “Principal” insert “or Nominated Person”.

33. Amendments to clause 20

- (1) In clause 20.1, after “Principal” (where first and second occurring) insert “or Nominated Person”.
- (2) In clause 20.2, after “Principal” insert “or Nominated Person”.
- (3) In clause 20.3, after “Principal” insert “or Nominated Person”.
- (4) In clause 20.3, for “5 years” substitute “30 years”.
- (5) In clause 20.4, after “Principal” (where first and second occurring) insert “or Nominated Person”.

34. Amendments to clause 22

- (1) In clause 22, after “Principal” insert “or Nominated Person”.

35. Amendments to clause 24

- (1) In clause 24.1, after “Principal” insert “or Nominated Person”.
- (2) In clause 24.1(b), after “Principal” insert “or Nominated Person”.
- (3) In clause 24.2, after “Principal” insert “or Nominated Person”.

36. Amendments to clause 25

- (1) In the heading of clause 25, after “Principal” insert “or Nominated Person”.
- (2) In clause 25.1, after “Principal” insert “or Nominated Person”.
- (3) In clause 25.2, after “Principal” (where first and second occurring) insert “or Nominated Person”.

Dated this

18th

day of

February

2025



The Hon. Ben Carroll MP

Deputy Premier

Minister for Education

Minister for WorkSafe and the TAC