

Immigration (Education)

No. 3 of 1971

An Act relating to the provision of certain Courses of Instruction for Immigrants and certain other Persons.

[Assented to 12 March 1971]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title.

1. This Act may be cited as the *Immigration (Education) Act* 1971.

Commence-
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Definitions.

3. In this Act, unless the contrary intention appears—

“ approved course of instruction ” means a course provided in accordance with arrangements made under the next succeeding section;

“ capital equipment of an educational nature ” includes tape recording and playing equipment, but does not include any building;

“ independent school ” means a school or institution in Australia, other than a school or institution conducted by the Government of the Commonwealth or of a State, at which primary education or secondary education is, or both are, provided, but does not include a school conducted for the profit, direct or indirect, of an individual or individuals;

“ school authority ”, in relation to an independent school, means the person or body conducting the school;

“ teaching and learning materials ” includes textbooks, films, sound recordings and wall charts.

4.—(1.) The courses of instruction to which this section relates are—

(a) courses in the English language; and

(b) courses designed to impart an understanding of the rights and duties of an Australian citizen and of the way of living of the Australian people.

Arrangements
for certain
courses of
instruction.

(2.) The Minister may arrange for—

(a) the provision outside Australia of courses of instruction to which this section relates for intending immigrants to Australia, whether in the countries in which they reside, in other countries or on their way to Australia; and

(b) the provision in Australia of courses of instruction to which this section relates for persons ordinarily resident in Australia who—

(i) came to Australia as immigrants; or

(ii) are persons under the age of twenty-one years whose parents, or one of whose parents, came to Australia as immigrants or as an immigrant.

5. The Minister may arrange for the purchase or production of, and the distribution of, teaching and learning materials—

Teaching and
learning
materials to
be provided.

(a) for use in approved courses of instruction; or

(b) for use in schools (whether in an approved course of instruction or otherwise) in—

(i) the teaching of the English language; or

(ii) the imparting of an understanding of the rights and duties of an Australian citizen and of the way of living of the Australian people,

to children referred to in paragraph (b) of sub-section (2.) of the last preceding section.

6. The regulations may make provision for, or in relation to, the payment of living allowances, at such rates and in accordance with such conditions as are prescribed, to persons (other than school children) attending such approved courses of instruction as are prescribed.

Living
allowances.

7.—(1.) The Minister may arrange for the provision of training courses for teachers who are engaged, or intend to engage, in the giving of approved courses of instruction.

Training
courses for
teachers.

(2.) Where a teacher attending a training course referred to in the last preceding sub-section is paid salary by his employer for the whole or

a part of the period of his attendance, the Minister may authorize the payment to the employer of the whole or a part of the cost of the salary so paid.

(3.) In this section—

“ employer ” includes the Government of a State;

“ salary ” includes an allowance in the nature of a travelling allowance.

Research projects.

8. The Minister may arrange for the conduct of research projects designed to improve the form or content of courses of instruction of the kind referred to in section 4 of this Act.

Payments under arrangements.

9.—(1.) An arrangement under this Act may make provision for, or in relation to, the making of payments by the Commonwealth to another party to the arrangement in connexion with matters to which the arrangement relates.

(2.) Without limiting the generality of the last preceding sub-section, an arrangement under section 4 of this Act for the provision of courses of instruction by the Government of a State or by the school authority of an independent school may make provision for, or in relation to, the payment by the Commonwealth of the whole or a part of—

- (a) the cost of salaries and fees of teaching staff engaged in the giving of the courses;
- (b) administrative costs (including the salaries of administrative staff) incurred in connexion with the courses;
- (c) the cost of capital equipment of an educational nature to be used in the courses; and
- (d) the cost of teaching and learning materials (other than materials provided under section 5 of this Act) to be used in the courses.

Delegation.

10.—(1.) The Minister may, by instrument in writing, delegate to an officer of the Public Service of the Commonwealth, either generally or otherwise as provided in the instrument of delegation, all or any of his powers or functions under this Act, except this power of delegation.

(2.) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.

(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Minister.

Expenditure to be made from appropriations.

11. Expenditure by the Commonwealth for the purposes of this Act shall be made out of moneys appropriated by the Parliament for those purposes.

Annual reports by the Minister.

12. The Minister shall, as soon as practicable after the thirtieth day of June in each year, commencing with the year One thousand nine hundred and seventy-one, cause to be laid before each House of the Parliament

a report on the operation of this Act during the year ended on that date, including particulars of expenditure by the Commonwealth for the purposes of this Act during that year.

13. The Governor-General may make regulations, not inconsistent ^{Regulations.} with this Act, prescribing all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act.
