



EDUCATION (NON-GOVERNMENT SCHOOLS) AMENDMENT ACT 1993

No. 19 of 1993

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ANNO QUADRAGESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1993

No. 19 of 1993

An Act to amend the Education Act 1972.

[Assented to 8 April 1993]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Education (Non-Government Schools) Amendment Act 1993*.

(2) The *Education Act 1972* is referred to in this Act as "the principal Act".

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 72—Non-Government Schools Registration Board

3. Section 72 of the principal Act is amended by striking out from subsection (2) (b) "one of whom shall be an officer of the Department" and substituting "of whom one must be an officer of the Department or an officer of the teaching service".

Amendment of s. 72f—Non-Government schools to be registered

4. Section 72f of the principal Act is amended—

(a) by striking out from subsection (2) (a) "\$1 000" and substituting "\$10 000";

(b) by striking out from subsection (2) (b) "\$1 000" and substituting "\$10 000";

and

(c) by striking out from subsection (2) (b) "\$100" and substituting "\$500".

Amendment of s. 72g—Registration of non-Government schools

5. Section 72g of the principal Act is amended by striking out subsections (3) and (4) and substituting the following subsections:

(3) Where the Board is satisfied on an application under this section that—

(a) the nature and content of the instruction offered, or to be offered, at the school is satisfactory;

(b) the school provides adequate protection for the safety, health and welfare of its students;

and

(c) the school has sufficient financial resources to enable it to comply with paragraphs (a) and (b) in the future,

the Board must register that non-Government school for such period as it thinks fit.

(4) The Board may impose such conditions on the registration of a non-Government school as it thinks necessary—

(a) with respect to the safety, health and welfare of students at the school;

and

(b) to ensure that those students receive education of a satisfactory standard.

Insertion of s. 72ga—Certificates of registration

6. The following section is inserted after section 72g of the principal Act:
Certificates of registration

72ga. (1) Where the Board registers a non-Government school, the Registrar must issue to the school a certificate of registration in a form approved by the Minister that includes the following information:

(a) the name of the school;

(b) the address of each of the school's campuses;

(c) the identity of the governing authority of the school;

and

(d) the conditions (if any) that apply to the registration of the school.

(2) Where a registered non-Government school has more than one campus, the Registrar must issue a sufficient number of duplicate certificates of registration to enable the school to comply with subsection (3).

(3) A registered non-Government school must at all times display its certificate of registration, or a duplicate certificate of registration, in a conspicuous place at each of the school's campuses.

Penalty: \$100.

(4) The governing authority of a non-Government school must, within 14 days after—

(a) a condition of the school's registration has been varied or revoked;

(b) any other change in the information recorded in the certificate of registration has occurred;

or

(c) the registration has been cancelled,

return the certificate of registration and the duplicate certificates (if any) to the Registrar.

Penalty: \$100.

(5) On receipt of a certificate of registration, or duplicate certificate of registration, pursuant to subsection (4), the Registrar—

(a) must, if the school's registration has been cancelled, destroy the certificate or duplicate certificate;

(b) may, in any other case, alter the certificate or duplicate certificate or issue a new certificate or duplicate certificate in respect of that school.

Amendment of heading of Division III of Part V

7. The heading of Division III of Part V of the principal Act is struck out and the following heading is substituted:

DIVISION III—REVIEW OF REGISTRATION.

Amendment of s. 72j—Review of registration

8. Section 72j of the principal Act is amended by inserting after subsection (2a) the following subsection:

(2b) Notice in writing addressed to the governing authority identified in the certificate of registration of a non-Government school and—

(a) left at the school with someone apparently over the age of 18 years;

or

(b) sent by post to the school in a pre-paid envelope addressed to the governing authority identified in the certificate of registration,

will be taken to be service of the notice on the governing authority of the school for the purposes of subsection (2).

Amendment of s. 72n—Records to be kept in non-Government schools

9. Section 72n of the principal Act is amended by striking out subsection (3) and substituting the following subsection:

(3) The head teacher of a registered non-Government school who fails to comply with the provisions of this section is guilty of an offence.

Penalty: \$500.

Amendment of s. 72p—Inspection of non-Government schools

10. Section 72p of the principal Act is amended by striking out subsection (2) and substituting the following subsection:

(2) A person who prevents the members of a panel from carrying out an inspection under subsection (1), or hinders such an inspection, is guilty of an offence.

Penalty: \$500.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor