

EDUCATION (AMENDMENT) ACT, 1978, No. 147

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 147, 1978.

An Act to amend the Education Act, 1961, in relation to the membership and chairmanship of the Secondary Schools Board and the Board of Senior School Studies, and for certain other purposes. [Assented to, 29th December, 1978.]

Education (Amendment).

BE it enacted by the Queen's Most Excellency Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Education (Amendment) Act, 1978".

Commence- **2.** (1) This section and section 1 shall commence on the date
ment. of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the *Gazette*.

Dissolution **3.** The Secondary Schools Board and the Board of Senior
of Boards. School Studies as constituted immediately before the day appointed and notified under section 2 (2) shall be deemed to have been dissolved immediately before that day.

Amendment **4.** The Education Act, 1961, is amended in the manner set
of Act No. forth in Schedule 1.
47, 1961.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE EDUCATION ACT, 1961.

(1) (a) Section 7 (1)—

Omit "twenty", insert instead "22".

Education (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE EDUCATION ACT, 1961—*continued.*

(b) Section 7 (1)—

After “who”, insert “, except in the case of an ex officio member,”.

(c) Section 7 (2) (b)—

Omit the paragraph.

(d) Section 7 (2) (c)—

Omit “four”, insert instead “six”.

(e) Section 7 (2) (j)—

Omit “Secondary Teachers’ Association”, insert instead “Council”.

(f) Section 7 (2) (k)—

Omit the paragraph, insert instead:—

(k) one, nominated by the Minister, shall be a person who is a member of a parents and citizens association or a like organisation;

(g) Section 7 (2) (l), (m) —

After section 7 (2) (k), insert :—

(l) one shall be a person nominated in the manner prescribed by the prescribed organisations of employees; and

(m) one shall be a person nominated in the manner prescribed by the prescribed organisations of employers.

(h) Section 7 (3), (3A)—

Omit section 7 (3), insert instead :—

Education (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE EDUCATION ACT, 1961—*continued.*

(3) The Minister may appoint one of the members appointed pursuant to subsection (2) (c) to be the Chairman of the Secondary Schools Board.

(3A) The Chairman may appoint one of the members appointed pursuant to subsection (2) (c) to act in the office of Chairman during the absence of the Chairman from his office and a member shall, while so acting, be deemed to be the Chairman and shall have the powers, authorities, duties and functions of the Chairman.

(2) (a) Section 9 (1)—

Omit “nineteen”, insert instead “22”.

(b) Section 9 (1)—

After “who”, insert “, except in the case of an ex officio member,”.

(c) Section 9 (2) (b)—

Omit the paragraph.

(d) Section 9 (2) (c)—

Omit “three”, insert instead “four”.

(e) Section 9 (2) (h)—

Omit “Secondary Teachers’ Association”, insert instead “Council”.

(f) Section 9 (2) (i), (j), (k), (l)—

Omit section 9 (2) (i), insert instead:—

(i) one, nominated by the Minister, shall be a person who is a member of a parents and citizens association or a like organisation;

Education (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE EDUCATION ACT, 1961—*continued.*

- (j) one shall be a person nominated in the manner prescribed by the prescribed organisations of employees;
- (k) one shall be a person nominated in the manner prescribed by the prescribed organisations of employers; and
- (l) one shall be a person selected as prescribed by members referred to in paragraphs (a) to (k) inclusive.

(g) Section 9 (3), (3A)—

Omit section 9 (3), insert instead :—

(3) The Minister may appoint one of the members appointed pursuant to subsection (2) (c) to be the Chairman of the Board of Senior School Studies.

(3A) The Chairman may appoint one of the members appointed pursuant to subsection (2) (c) to act in the office of Chairman during the absence of the Chairman from his office and a member shall, while so acting, be deemed to be the Chairman and shall have the powers, authorities, duties and functions of the Chairman.

(3) Section 13—

Omit the section, insert instead :—

13. (1) A member of a Board, other than an ex officio member and the member referred to in section 9 (2) (1), shall be appointed for a term of 4 years. Tenure
of office.

Education (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE EDUCATION ACT, 1961—*continued.*

(2) The member referred to in section 9 (2) (1) shall be appointed for a term expiring at the same time as the term of office of the members who selected him.

(3) A member appointed for a term is, if otherwise qualified, eligible for re-appointment on the expiration of that term.

(4) Section 14 (2)—

After “member”, insert “, other than an ex officio member,”.

(5) (a) Section 17 (1)—

Omit “the Deputy Chairman”, insert instead “the member appointed to act in the office of Chairman pursuant to section 7 (3A) or 9 (3A), as the case may be,”.

(b) Section 17 (2)—

Omit the subsection.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 29th December, 1978.*





EDUCATION (AMENDMENT) BILL, 1978 (No. 2)

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE objects of this Bill are—

- (a) to increase the size of the Secondary Schools Board from 20 members to 22 members by adding to the membership of the Board—
 - (i) a person who is a nominee of the prescribed organisations of employees; and
 - (ii) a person who is a nominee of the prescribed organisations of employers (Schedule 1 (1) (g));
- (b) to empower the Minister to appoint a member of the Secondary Schools Board who is an officer of the Department of Education to be Chairman of the Secondary Schools Board (Schedule 1 (1) (h));
- (c) to empower the Chairman of the Secondary Schools Board to appoint a member of the Board who is an officer of the Department of Education to act as Chairman during the Chairman's absence from office (Schedule 1 (1) (h));
- (d) to increase the size of the Board of Senior School Studies from 19 members to 22 members by adding to the membership of the Board—
 - (i) a person nominated by the Minister, that person being a member of a parents and citizens association;
 - (ii) a person who is a nominee of the prescribed organisations of employees; and
 - (iii) a person who is a nominee of the prescribed organisations of employers (Schedule 1 (2) (f));
- (e) to empower the Minister to appoint a member of the Board of Senior School Studies who is an officer of the Department of Education to be Chairman of the Board of Senior School Studies (Schedule 1 (2) (g));
- (f) to empower the Chairman of the Board of Senior School Studies to appoint a member of the Board who is an officer of the Department of Education to act as Chairman during the Chairman's absence from office (Schedule 1 (2) (g));
- (g) to remove from the Education Act, 1961, references to the Director-General of Education and the Director of Secondary Education (Schedule 1 (1) (c), (2) (c));

(h) to remove from the Education Act, 1961, references to the Secondary Teachers' Association of the New South Wales Teachers' Federation (Schedule 1 (1) (e), (2) (e)); and

(i) to make other provisions of a minor or ancillary nature.

EDUCATION (AMENDMENT) BILL, 1978 (No. 2)

No. , 1978.

A BILL FOR

An Act to amend the Education Act, 1961, in relation to the membership and chairmanship of the Secondary Schools Board and the Board of Senior School Studies, and for certain other purposes.

[MR BEDFORD—28 November, 1978.]

Education (Amendment).

BE it enacted by the Queen's Most Excellency Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

- 5 **1.** This Act may be cited as the "Education (Amendment) Act, 1978". Short title.
- 2.** (1) This section and section 1 shall commence on the date of assent to this Act. Commencement.
- (2) Except as provided in subsection (1), this Act shall
10 commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.
- 3.** The Secondary Schools Board and the Board of Senior School Studies as constituted immediately before the day appointed
15 and notified under section 2 (2) shall be deemed to have been dissolved immediately before that day. Dissolution of Boards.
- 4.** The Education Act, 1961, is amended in the manner set forth in Schedule 1. Amendment of Act No. 47, 1961.

SCHEDULE 1.

Sec. 4.

20 AMENDMENTS TO THE EDUCATION ACT, 1961.

(1) (a) Section 7 (1)—

 Omit "twenty", insert instead "22".

Education (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE EDUCATION ACT, 1961—*continued.*

- (b) Section 7 (1)—
5 After “who”, insert “, except in the case of an ex officio member,”.
- (c) Section 7 (2) (b)—
 Omit the paragraph.
- (d) Section 7 (2) (c)—
 Omit “four”, insert instead “six”.
- 10 (e) Section 7 (2) (j)—
 Omit “Secondary Teachers’ Association”, insert instead “Council”.
- (f) Section 7 (2) (k)—
 Omit the paragraph, insert instead:—
15 (k) one, nominated by the Minister, shall be a person who is a member of a parents and citizens association or a like organisation;
- (g) Section 7 (2) (l), (m) —
 After section 7 (2) (k), insert :—
20 (l) one shall be a person nominated in the manner prescribed by the prescribed organisations of employees; and
 (m) one shall be a person nominated in the manner prescribed by the prescribed
25 organisations of employers.
- (h) Section 7 (3), (3A)—
 Omit section 7 (3), insert instead :—

Education (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE EDUCATION ACT, 1961—*continued.*

5 (3) The Minister may appoint one of the members appointed pursuant to subsection (2) (c) to be the Chairman of the Secondary Schools Board.

10 (3A) The Chairman may appoint one of the members appointed pursuant to subsection (2) (c) to act in the office of Chairman during the absence of the Chairman from his office and a member shall, while so acting, be deemed to be the Chairman and shall have the powers, authorities, duties and functions of the Chairman.

(2) (a) Section 9 (1)—

Omit “nineteen”, insert instead “22”.

15 (b) Section 9 (1)—

After “who”, insert “, except in the case of an ex officio member,”.

(c) Section 9 (2) (b)—

Omit the paragraph.

20 (d) Section 9 (2) (c)—

Omit “three”, insert instead “four”.

(e) Section 9 (2) (h)—

Omit “Secondary Teachers’ Association”, insert instead “Council”.

25 (f) Section 9 (2) (i), (j), (k), (l)—

Omit section 9 (2) (i), insert instead:—

(i) one, nominated by the Minister, shall be a person who is a member of a parents and citizens association or a like organisation;

Education (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE EDUCATION ACT, 1961—*continued.*

- 5 (j) one shall be a person nominated in the manner prescribed by the prescribed organisations of employees;
- (k) one shall be a person nominated in the manner prescribed by the prescribed organisations of employers; and
- 10 (l) one shall be a person selected as prescribed by members referred to in paragraphs (a) to (k) inclusive.

(g) Section 9 (3), (3A)—

Omit section 9 (3), insert instead :—

15 (3) The Minister may appoint one of the members appointed pursuant to subsection (2) (c) to be the Chairman of the Board of Senior School Studies.

20 (3A) The Chairman may appoint one of the members appointed pursuant to subsection (2) (c) to act in the office of Chairman during the absence of the Chairman from his office and a member shall, while so acting, be deemed to be the Chairman and shall have the powers, authorities, duties and functions of the Chairman.

(3) Section 13—

25 Omit the section, insert instead :—

13. (1) A member of a Board, other than an ex officio ^{Tenure} member and the member referred to in section 9 (2) (1), ^{of office.} shall be appointed for a term of 4 years.

Education (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE EDUCATION ACT, 1961—*continued.*

5 (2) The member referred to in section 9 (2) (1) shall be appointed for a term expiring at the same time as the term of office of the members who selected him.

(3) A member appointed for a term is, if otherwise qualified, eligible for re-appointment on the expiration of that term.

(4) Section 14 (2)—

10 After “member”, insert “, other than an ex officio member,”.

(5) (a) Section 17 (1)—

15 Omit “the Deputy Chairman”, insert instead “the member appointed to act in the office of Chairman pursuant to section 7 (3A) or 9 (3A), as the case may be,”.

(b) Section 17 (2)—

Omit the subsection.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1978







