

TEACHING SERVICE (AMENDMENT) BILL, 1980

EXPLANATORY NOTE

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

The Education Commission (Amendment) Bill, 1980, is cognate with this Bill.

The object of this Bill is to amend section 27 of the Teaching Service Act, 1970, to require the Director-General of Education—

- (a) to appoint a female officer of the Teaching Service to the office of principal of a girls' high school where there is a vacancy in that office, unless—
 - (i) there is no female officer named in the promotions list from which appointments to that office are made; or
 - (ii) there are female officers who are so named but those female officers do not desire appointment; and
- (b) to appoint a male officer of the Teaching Service to the office of principal of a boys' high school where there is a vacancy in that office (clause 3).

The Bill consequentially amends section 33A of the Teaching Service Act, 1970, which relates to rights of appeal to the Government and Related Employees Appeal Tribunal against decisions of the Director-General under section 27 of the Teaching Service Act, 1970 (clause 4).

The proposed Act is to be repealed on and from the day appointed and notified under section 2 (2) of the proposed Education Commission Act, 1980 (clause 5).

TEACHING SERVICE (AMENDMENT) BILL, 1980

No. , 1980.

A BILL FOR

An Act to amend the Teaching Service Act, 1970, to provide for appointments of principals of certain high schools.

[MR BEDFORD—2 *April*, 1980.]

See also Education Commission (Amendment) Bill, 1980.

Teaching Service (Amendment).

BE it enacted by the Queen's Most Excellent 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 "Teaching Service (Amend- Short title.
ment) Act, 1980".

2. (1) Except as provided by subsection (2), this Act shall Commence-
commence on the date of assent to this Act. ment.

(2) Section 4 shall commence on—

10 (a) the date of assent to this Act; or

(b) the day appointed and notified under section 2 (2) of the Government and Related Employees Appeal Tribunal Act, 1980,

whichever is the later.

15 **3.** The Teaching Service Act, 1970, is amended—

(a) by omitting from section 27 (1) the word "Where" and by inserting instead the words "Except as provided by subsections (1A), (1B) and (1C), where";

Amendment
of Act No.
4, 1970.
Sec. 27.
(Filling
vacancies.)

20 (b) by inserting after section 27 (1) the following sub-
sections :—

(1A) Where there is a vacancy in the office of principal of a girls' high school, the Director-General shall, if he is of the opinion that the vacancy should be filled, appoint to the vacant office a female officer whose name is on the promotions list from which officers are appointed to the office of principal of a high school, regard being had to the relative seniority and fitness respectively of female officers whose names are on that promotions list.

25

Teaching Service (Amendment).

(1B) Subsection (1A) does not apply where the promotions list referred to in that subsection—

(a) does not include the name of a female officer;
or

5 (b) does include the name of a female officer or
the names of female officers but the female of-
ficer does not apply for or accept appoint-
ment to the vacancy or none of those female
10 officers applies for or accepts appointment to
the vacancy.

(1C) Where there is a vacancy in the office of prin-
cipal of a boys' high school, the Director-General shall,
if he is of the opinion that the vacancy should be filled,
appoint to the vacant office a male officer whose name
15 is on the promotions list from which officers are appoint-
ed to the office of principal of a high school, regard being
had to the relative seniority and fitness respectively of
male officers whose names are on that promotions list.

20 (c) by omitting from section 27 (2) the matter "subsection
(1)" where firstly occurring and by inserting instead the
matter "subsections (1)–(1C)";

(d) by omitting from section 27 (2) the matter "subsection
(1)" where secondly occurring and by inserting instead
the words "those subsections";

25 (e) by omitting from section 27 (3) the words "paragraph
(a) of subsection (1)" and by inserting instead the words
"subsection (1) (a), (1A) or (1C)".

Teaching Service (Amendment).

4. The Teaching Service Act, 1970, is further amended by inserting after section 33A (2) the following subsections :—

Further amendment of Act No. 4, 1970.

5 (3) Subsection (2) does not operate so as to enable the making of an appeal against a decision or determination referred to in that subsection—

Sec. 33A. (Appeals under the Government and related Employees Appeal Tribunal Act, 1980.)

(a) by a male officer, where the decision is to appoint a female officer to the office of principal of a girls' high school; or

10 (b) by a female officer, where the decision is to appoint a male officer to the office of principal of a boys' high school.

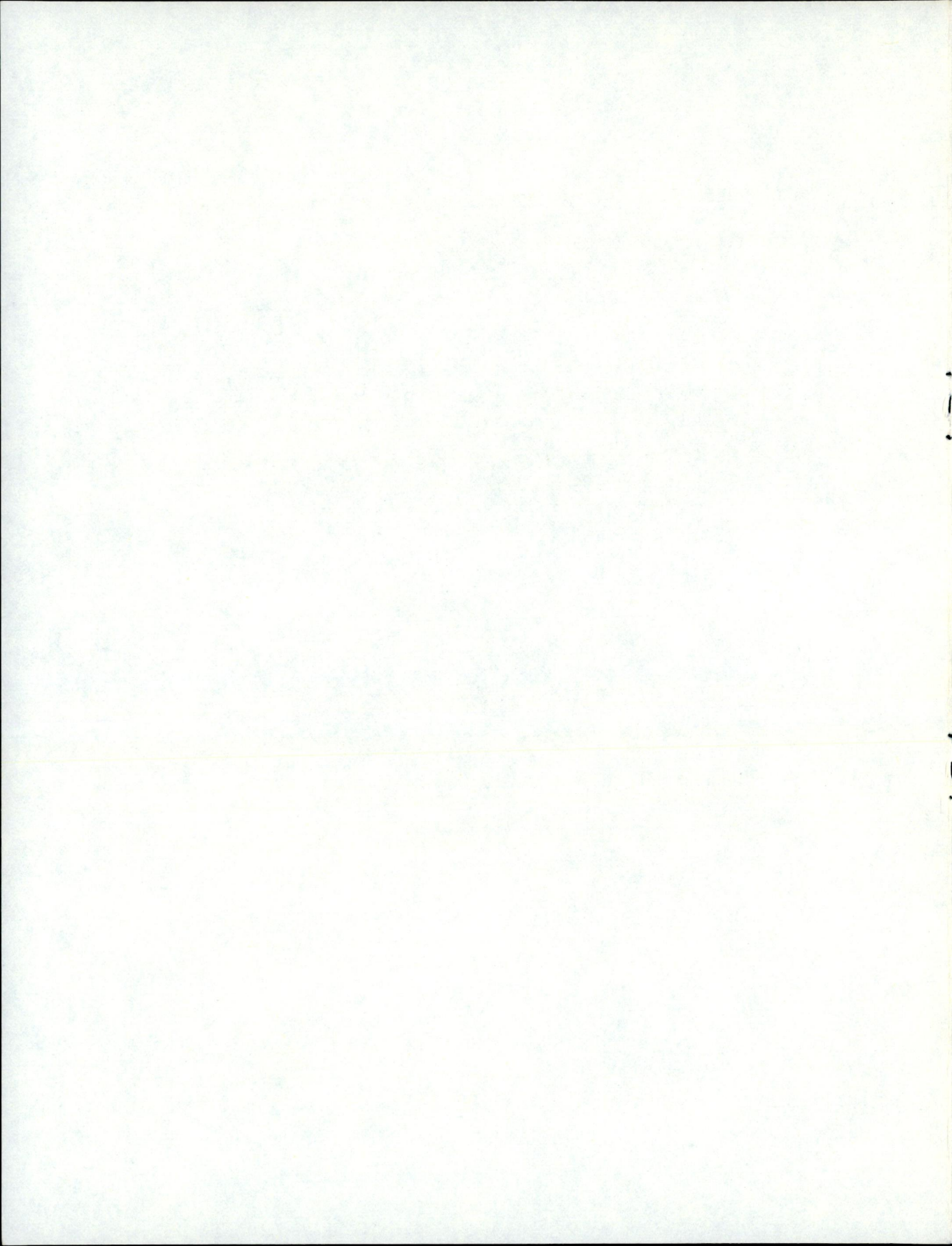
5. On and from the day appointed and notified under section 2 (2) of the Education Commission Act, 1980, this Act is repealed.

Repeal.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

(10c)



**TEACHING SERVICE (AMENDMENT) ACT, 1980,
No. 98**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 98, 1980.

An Act to amend the Teaching Service Act, 1970, to provide for appointments of principals of certain high schools. [Assented to, 1st May, 1980.]

Teaching Service (Amendment).

BE it enacted by the Queen's Most Excellent 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 "Teaching Service (Amendment) Act, 1980".

Commence- **2.** (1) Except as provided by subsection (2), this Act shall
ment. commence on the date of assent to this Act.

(2) Section 4 shall commence on—

(a) the date of assent to this Act; or

(b) the day appointed and notified under section 2 (2) of the Government and Related Employees Appeal Tribunal Act, 1980,

whichever is the later.

Amendment
of Act No.
4, 1970.
Sec. 27.
(Filling
vacancies.)

3. The Teaching Service Act, 1970, is amended—

(a) by omitting from section 27 (1) the word "Where" and by inserting instead the words "Except as provided by subsections (1A), (1B) and (1C), where";

(b) by inserting after section 27 (1) the following subsections :—

(1A) Where there is a vacancy in the office of principal of a girls' high school, the Director-General shall, if he is of the opinion that the vacancy should be filled, appoint to the vacant office a female officer whose name is on the promotions list from which officers are appointed to the office of principal of a high school, regard being had to the relative seniority and fitness respectively of female officers whose names are on that promotions list.

Teaching Service (Amendment).

(1B) Subsection (1A) does not apply where the promotions list referred to in that subsection—

(a) does not include the name of a female officer;
or

(b) does include the name of a female officer or the names of female officers but the female officer does not apply for or accept appointment to the vacancy or none of those female officers applies for or accepts appointment to the vacancy.

(1C) Where there is a vacancy in the office of principal of a boys' high school, the Director-General shall, if he is of the opinion that the vacancy should be filled, appoint to the vacant office a male officer whose name is on the promotions list from which officers are appointed to the office of principal of a high school, regard being had to the relative seniority and fitness respectively of male officers whose names are on that promotions list.

(c) by omitting from section 27 (2) the matter "subsection (1)" where firstly occurring and by inserting instead the matter "subsections (1)–(1C)";

(d) by omitting from section 27 (2) the matter "subsection (1)" where secondly occurring and by inserting instead the words "those subsections";

(e) by omitting from section 27 (3) the words "paragraph (a) of subsection (1)" and by inserting instead the words "subsection (1) (a), (1A) or (1C)".

Teaching Service (Amendment).

Further amendment of Act No. 4, 1970.

4. The Teaching Service Act, 1970, is further amended by inserting after section 33A (2) the following subsections :—

Sec. 33A.
(Appeals under the Government and Related Employees Appeal Tribunal Act, 1980.)

(3) Subsection (2) does not operate so as to enable the making of an appeal against a decision or determination referred to in that subsection—

- (a) by a male officer, where the decision is to appoint a female officer to the office of principal of a girls' high school; or
- (b) by a female officer, where the decision is to appoint a male officer to the office of principal of a boys' high school.

Repeal.

5. On and from the day appointed and notified under section 2 (2) of the Education Commission Act, 1980, this Act is repealed.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 1st May, 1980.*