

Education (General Provisions) Bill 2006

Amendments agreed to during Consideration

1 Clause 49 (Meaning of *remote area*)—

At page 49, line 11, ‘at least’—

omit, insert—

‘less than’.

2 Clause 52 (Fee for distance education provided by a State school)—

At page 51, lines 10 and 11, ‘under subsection (1)’—

omit.

3 Clause 55 (Charging for specialised educational program)—

At page 54, lines 21 to 23—

omit, insert—

‘(1) This section applies to a State school that is approved by the chief executive to offer a specialised educational program prescribed under a regulation.’.

4 Clause 55 (Charging for specialised educational program)—

At page 54, lines 24, 28 and 30, ‘charge’—

omit, insert—

‘fee’.

5 Clause 55 (Charging for specialised educational program)—

At page 55, after line 3—

insert—

- ‘(4A) The chief executive must ensure a list of State schools approved under subsection (1) is available for public inspection, without charge—
- (a) during normal business hours at the department’s head office; and
 - (b) on the department’s web site on the Internet.

Editor’s note—

The department’s web site address on the Internet is <www.education.qld.gov.au>.’.

6 After clause 75—

At page 66, lines 1 to 33, page 67, lines 1 to 31 and page 68, lines 1 to 15—

omit, insert—

‘Chapter 5 Religious instruction

‘76 Religious instruction in school hours

- ‘(1) Any minister of a religious denomination or society, or an accredited representative of a religious denomination or society, which representative has been approved by the Minister for the purpose, shall be entitled during school hours to give to the students in attendance at a State school who are members of the denomination or society of which the person is a minister or the accredited representative religious instruction in accordance with regulations prescribed in that behalf during a period not exceeding 1 hour in each week on such day as the principal of that school appoints.
- ‘(2) Instruction in accordance with a regulation may be given in State primary and special schools during school hours in selected Bible lessons.
- ‘(3) A separate reading book shall be provided for such purpose.
- ‘(4) Instruction of a kind mentioned in subsection (2) is not to include any teaching in the distinctive tenets or doctrines of any religious denomination, society or sect.

- ‘(5) Notwithstanding anything in this section, any parent of a student in attendance at a State school may withdraw such student from all religious instruction in such school by notification in writing to the principal that the parent desires the student to be so withdrawn.
- ‘(6) The provisions pursuant to this section shall not apply or extend to State preschool centres.’.

7 Clause 186 (Flexible arrangements—non-State school)—

At page 123, line 2, ‘impracticable or’—

omit.

8 Clause 190 (Application for exemption)—

At page 124, line 20, ‘who is of compulsory school age’—

omit.

9 Clause 243 (Obligation to ensure participation)—

At page 148, line 10, ‘5’—

omit, insert—

‘6’.

10 Clause 243 (Obligation to ensure participation)—

At page 148, line 12, ‘10’—

omit, insert—

‘12’.

11 Clause 259 (How an account is opened)—

At page 156, after line 20—

insert—

- ‘(2) However, subsection (1)(e) does not apply if the person opening the student account is satisfied it would be

inappropriate in the circumstances to give notice of the name and address of a parent of the young person.

Example—

It may be inappropriate to give notice of the name and address of a parent of the young person if the young person is living independently of his or her parents.’.

12 Clause 263 (Obligation to open an account)—

At page 158, after line 19—

insert—

- ‘(4) However, the provider is not required to give notice of the information mentioned in section 259(1)(e) relating to the young person if the provider is satisfied it would be inappropriate in the circumstances to give notice of the information.

Example—

It may be inappropriate to give notice of the information if the young person is living independently of his or her parents.’.

13 Clause 391 (Application for enrolment)—

At page 235, after line 12—

insert—

- ‘(5A) However, if the relevant person for the former student or continuing student is a parent of the former student or continuing student, subsection (5) does not apply if the new school’s principal is reasonably satisfied it would be inappropriate in the circumstances to notify the parent that the first notice has been given.

Example—

It may be inappropriate, in certain circumstances, to notify a parent of the former student or continuing student that the first notice has been given if the former student or continuing student is living independently of his or her parents.

- ‘(5B) If subsection (5A) applies, the new school’s principal must notify the former student or continuing student that the first notice has been given.’.

14 Clause 413 (Statement of complainant's knowledge)—

At page 245, line 11—

omit, insert—

'413 Statements at start of proceedings'.**15 Clause 413 (Statement of complainant's knowledge)—**

At page 245, after line 15—

insert—

- '(2) In a proceeding for an offence against this Act defined as involving false or misleading information, or a false or misleading document, it is enough for a charge to state that the information or document was, without specifying which, 'false or misleading'.'

16 Clause 430 (Confidentiality)—

At page 252, lines 27 and 28—

omit, insert—

- '(iii) a minister, or an accredited representative, of a religious denomination or society mentioned in section 76(1); or'.

17 Clause 430 (Confidentiality)—

At page 253, line 29—

omit.

18 Clause 435 (Delegation by Minister)—

At page 255, line 31, 'powers'—

omit, insert—

'functions'.

19 Clause 435 (Delegation by Minister)—

At page 256, line 3, 'to exercise the power'—

omit, insert—

‘for the function’.

20 Clause 435 (Delegation by Minister)—

At page 256, after line 5—

insert—

‘*functions* includes powers.’.

21 Clause 436 (Delegation by chief executive)—

At page 256, line 8, ‘powers’—

omit, insert—

‘functions’.

22 Clause 436 (Delegation by chief executive)—

At page 256, line 12, ‘to exercise the power’—

omit, insert—

‘for the function’.

23 Clause 436 (Delegation by chief executive)—

At page 256, after line 14—

insert—

‘*functions* includes powers.’.

24 Clause 438 (Regulation-making power)—

At page 256, after line 26—

insert—

‘(da) the requirements about the age for enrolment of a child at a State school or non-State school;’.

25 Clause 450 (State educational institutions)—

At page 260, after line 26—

insert—

- ‘(3A) A State preschool centre established under the repealed E(GP) Act, section 17, and in existence immediately before the commencement, is taken to be a State educational institution established under section 15.’.

26 Clause 453 (Instruction in a religious or other belief)—

At page 261, lines 22 to 34—

*omit, insert—***‘453 Religious instruction**

- ‘(1) An accredited representative of a religious denomination or society who, immediately before the commencement, was entitled to give religious instruction to students of a State school under the repealed E(GP) Act, section 26(1), is taken to be approved to give religious instruction to students of a State school under section 76(1).
- ‘(2) A notice given under the repealed E(GP) Act, section 26(5) and in effect immediately before the commencement is taken to have been given under section 76(5).’.

27 After clause 499—

At page 278, after line 8—

*insert—***‘499A Student account**

‘A student account opened under the repealed YPET Act, part 4, and in existence immediately before the commencement, is taken to be a student account opened under chapter 11.’.

28 Schedule 2 (Amendments commencing on 1 January 2007)—

At page 315, line 30, ‘to’—

omit.

29 Schedule 2 (Amendments commencing on 1 January 2007)—

At page 316, line 10, ‘changes.’—

omit, insert—

‘changes.’

‘239 Transitional regulation-making power

‘(1) A regulation (a *transitional regulation*) may make provision for a matter—

(a) relating to a school no longer being able to be provisionally accredited, or accredited, to provide the type of education mentioned in section 12(1)(a) of the pre-amended Act; and

(b) for which this Act does not make provision or sufficient provision.

‘(2) A transitional regulation may have retrospective operation to a day not earlier than the commencement.

‘(3) A transitional regulation must declare it is a transitional regulation.

‘(4) This section and any transitional regulation expire 1 year after the commencement.’.

30 Schedule 2 (Amendments commencing on 1 January 2007)—

At page 318, lines 7 to 16—

omit, insert—

‘7 Sections 76(6) ‘State preschool centres’—

omit, insert—

‘students enrolled in the preparatory year at a State school’.

31 Schedule 2 (Amendments commencing on 1 January 2007)—

At page 319, line 22, ‘490’—

omit, insert—

‘491’.

32 Schedule 2 (Amendments commencing on 1 January 2007)—

At page 320, line 17, ‘74(b)’—

omit, insert—

‘74(1)(b)’.

33 Schedule 2 (Amendments commencing on 1 January 2007)—

At page 320, line 19, ‘74(c)’—

omit, insert—

‘74(1)(c)’.

34 Schedule 2 (Amendments commencing on 1 January 2007)—

At page 320, line 20, ‘74(b)’—

omit, insert—

‘74(1)(b)’.

35 Schedule 3 (Amendments commencing on 1 January 2008)—

At page 324, after line 16—

insert—

‘5 Section 180(1)(a), ‘in a year of schooling, other than the preparatory year,’—

omit.

6 Section 182(1)(a)(i), ‘in a year of schooling, other than the preparatory year,’—

omit.’.

36 Schedule 4 (Dictionary)—

At page 326, lines 1 to 3—

omit, insert—

‘approved entity, for chapter 18, see section 418.’.

37 Schedule 4 (Dictionary)—

At page 326, line 24—

omit.

38 Schedule 4 (Dictionary)—

At page 330, line 18, ‘28 days’—

omit, insert—

‘30 school days’.

39 Schedule 4 (Dictionary)—

At page 330, after line 27—

insert—

‘misconduct, of a student of a State school, includes misconduct happening while the student is—

- (a) attending or representing the school; or*
- (b) travelling to or from the school.’.*

40 Schedule 4 (Dictionary)—

At page 335, lines 24 to 27—

omit, insert—

‘State school means an educational institution established under section 13.’.