

Queensland



Education (General Provisions) Act 1989

EDUCATION (GENERAL PROVISIONS) REGULATION 1989

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(includes amendments up to SL No. 318 of 1999)**

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This regulation is reprinted as at 13 December 1999. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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EDUCATION (GENERAL PROVISIONS) REGULATION 1989

[as amended by all amendments that commenced on or before 13 December 1999]

PART 1—PRELIMINARY

Short title

1. This regulation may be cited as the *Education (General Provisions) Regulation 1989*.

Definitions

2. In this regulation—

“**accredited representative**” means a representative of a religious denomination which representative has been approved by the Minister pursuant to section 26(1) of the Act, for the purpose of giving religious instruction.

“**agricultural college**” means an agricultural college under the *Agricultural Colleges Act 1994*.

“**auditor**” for a parents and citizens association, means a person appointed under the *Financial Administration and Audit Regulation 1995*, section 3.¹

“**authorised officer**” means an officer or an officer of the class of officers authorised by the Minister pursuant to section 20 of the Act to give permission for the use of a State educational institution.

“**chief executive (transport)**” means the chief executive of the department in which the *Transport Operations (Passenger Transport) Act 1994* is administered.

¹ Section 3 (Exemption of parents and citizens associations from audit by Auditor-General—Act, s 74)

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“permitted user” means the person to whom a permission to use a State educational institution has been given pursuant to section 20 of the Act.

“school council”, for a State school, means the school council established under section 50² of the Act for the school.

“school in receipt of subsidy” see the Act, section 141.³

“social function” means an event or occasion—

- (a) to which persons are invited by or on behalf of the proposed permitted user; and
- (b) that happens on the premises of a State educational institution hired for the purpose by the proposed permitted user.

“special education unit” means that part of a State school or State preschool centre at which special education is provided by the State.

Chief executive may issue directions and guidelines

3. Where in this regulation any function, responsibility, power, authority or duty is conferred or imposed upon the principal of a State school, a teacher in a State school or other person whomsoever—

- (a) the chief executive may issue directions and guidelines in respect thereof; and
- (b) every principal, teacher and other person, in the exercise or performance thereof, shall observe and comply with the relevant direction or guidelines in every respect.

² Section 50 (Establishment)

³ Section 141 (Provision of scholarships and allowances)

PART 2—SCHOOL MANAGEMENT

Management of school

4.(1) The principal of a State school shall be the person in charge of that State school and shall be responsible for the general management of the school.

(2) Without limiting subsection (1), the principal has the following responsibilities—

- (a) promoting educational practices at the school that lead to the improvement of student learning outcomes;
- (b) managing the school in a way that promotes—
 - (i) effective, efficient and appropriate management of public resources; and
 - (ii) a safe, supportive and productive learning environment;
- (c) providing for the effective administration of matters about the students at the school;
- (d) promoting organisational and staffing structures at the school that encourage skilled, confident and responsible members of staff;
- (e) promoting continuous evaluation and improvement of the school's operations and delivery of services.

Management of staff

5. The principal of a State school shall—

- (a) regulate, apportion and supervise the work of each member of the staff of the school;
- (b) forthwith report to the chief executive any misconduct, incompetence or insubordination on the part of a member of the staff of the school.

Work of teaching staff outside period allocated for instruction

6. The principal of a State school may require a member of the teaching staff of the school to perform school work or to supervise the activities of students outside the period allocated for instruction on a school day as the principal deems necessary in the circumstances.

Teaching in schools

7.(1) The principal of a State school shall encourage the use of appropriate teaching techniques and ensure that relevant information is disseminated to each member of the teaching staff of the school.

(2) A teacher of a State school shall perform such duties as may be allotted to the teacher by the principal.

(3) A teacher of a State school shall take an active interest in extracurricular activities.

(4) A teacher of a State school shall engage in a range of professional development activities.

Charge of school in temporary absence of principal

8. In the absence of the principal of a State school, the senior teacher on duty or such other member of staff who is nominated by the principal's supervisor must assume the duties and responsibilities of the principal during such absence until otherwise directed by the chief executive.

Attendance at staff meetings

9. The principal of a State school may from time to time require members of the staff of the school to attend a staff meeting outside the period allocated for instruction of students on a school day.

Reports on students in State schools

10.(1) The chief executive shall prepare or cause to be prepared and issued to eligible applicants reports in respect of students in State schools—

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- (a) for the purposes of litigation; or
- (b) for the purpose of supporting students who are candidates in competitions; or
- (c) for the purpose of providing background on students for media purposes; or
- (d) for any other purpose, but not being reports made periodically and in the normal course of school administration made to parents relating to results and progress of students.

(2) For the purposes of this section—

“eligible applicant” is a person who satisfies the chief executive that—

- (a) the person has or, where the applicant is a professional person making application for a fee-paying client, that the client has, a sufficient interest in the subject matter of the proposed report;
- (b) it is appropriate in all the circumstances that the proposed report should be prepared and issued to the person.

(3) The fees payable in respect of reports prepared pursuant to subsection (1) are—

- (a) for a report of 1 000 words or less—\$75;
- (b) for a report of more than 1 000 words but less than 2 000 words—\$100;
- (c) for a report of 2 000 words or more—\$150.

Courses for overseas students

11.(1) An overseas student or intending overseas student may apply to the chief executive to enrol in an approved course in a State school.

(2) A person who does not live in Australia may apply to the chief executive to enrol in an approved course in a State educational institution offering distance education.

(3) An application under subsection (1) or (2) must be—

- (a) made in the approved form; and

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- (b) accompanied by the fee for the course fixed by the chief executive under the *Financial Administration and Audit Act 1977*, section 36(2).

(4) The chief executive may grant the application if the chief executive is satisfied the person—

- (a) is fully financially supported; and
- (b) is academically qualified to be enrolled; and
- (c) has an adequate standard of English; and
- (d) is of good health; and
- (e) has adequate arrangements for accommodation, welfare and supervision.

(5) In this section—

“approved course” means—

- (a) a registered course within the meaning of the *Education (Overseas Students) Act 1996*; or
- (b) a course of primary or secondary education approved by the Minister for this section.

“intending overseas student” means a person who intends to become an overseas student.

“overseas student” means a person who holds a student visa issued under the *Migration Act 1958* (Cwlth).

Student vacations

12. Student vacations to be observed in a State school shall be those days as approved from time to time by the Minister and published on calendars in the Education Office Gazette.

Additional holidays

13. Additional holidays which shall be observed in a State school include—

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- (a) the holiday appointed annually for 1 local show or carnival; and
- (b) holidays granted by the Governor-General, the Governor, the Premier, the Minister for Education, and other Ministers—however, a holiday granted to a State school in accordance with the provisions of this paragraph shall be observed only by the students of such school; and
- (c) public holidays notified pursuant to the *Holidays Act 1983*.

Tuckshops—prohibited items

14.(1) The chief executive may, by notice in the Education Office Gazette, prohibit an item, or class of item, from being sold in a tuckshop.

(2) In deciding whether to prohibit an item or class of item, the chief executive must have regard to the safety and wellbeing of students.

(3) A school’s principal or association must not sell a prohibited item, or an item of a prohibited class, in the school’s tuckshop.

(4) In this section—

“**prohibit**” means prohibit under subsection (1).

“**sell**” includes offer for sale.

“**tuckshop**” means a tuckshop in a school operated by the school’s principal or association.

Circumstances in which school councils to be dissolved—Act, s 75

15. Sections 15A to 15D prescribe circumstances in which a school council is dissolved under section 75(1)(b)⁴ of the Act.

Non-compliance with direction

15A. A school council is dissolved if the school council does not comply with a direction given to it under section 79⁵ of the Act.

⁴ Section 75 (Dissolution of school council)

⁵ Section 79 (Minister’s power to give directions in the public interest)

Dissolution by chief executive

15B. By notice in the Education Office gazette, the chief executive may dissolve a school council if the chief executive reasonably considers—

- (a) the school council is not satisfactorily fulfilling its functions;⁶ or
- (b) the school community generally supports the dissolution of the school council.

Chief executive to consult

15C.(1) Before the chief executive may dissolve a school council under section 15B, the chief executive must comply with this section.

(2) The chief executive must consult with the following about the proposed dissolution—

- (a) the school council;
- (b) the school's principal;
- (c) the school's staff;
- (d) if there is a parents and citizens association for the school—the association;
- (e) if the school has secondary education students—the secondary education students;
- (f) any other entities the chief executive considers have an interest in the school council or its dissolution.

(3) The chief executive must publish, in a newsletter given to the school community, a notice stating—

- (a) the chief executive is considering dissolving the school council; and
- (b) the reasons for the proposed dissolution; and
- (c) how submissions about the proposed dissolution may be made to the chief executive, including joint submissions; and

⁶ Section 52 sets out the functions of a school council.

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- (d) the date, at least 28 days after the notice is published, by which submissions about the proposal may be given to the chief executive.

(4) Before making a decision about dissolving a school council, the chief executive must have regard to the consultations and the submissions the chief executive receives.

(5) For subsection (2), the chief executive may consult in any way that the chief executive considers appropriate, including, for example, by holding a formal meeting.

Minister to review decision to dissolve school council

15D.(1) This section applies to a person (an “**aggrieved person**”) who made a submission about a proposal to dissolve a school council in accordance with a notice under section 15C(3).

(2) If the chief executive decides to dissolve the council, the aggrieved person may ask the Minister to review the chief executive’s decision.

(3) The aggrieved person must give the Minister a written notice stating the grounds for the review within 28 days after notice of the school council’s dissolution is published in the Education Office gazette.

(4) The Minister must, as soon as practicable—

- (a) review the chief executive’s decision and consider the grounds for the review; and
- (b) decide to affirm or set aside the chief executive’s decision; and
- (c) give written notice to the aggrieved person about the Minister’s decision and the reasons for it.

(5) If the Minister sets aside the chief executive’s decision—

- (a) the Minister must, as soon as practicable, publish a notice in the Education Office gazette stating that the decision to dissolve the council has been set aside; and
- (b) the council is taken not to have been dissolved.

PART 3—PROPERTY MANAGEMENT

Permission to use State educational institutions

16.(1) A person may apply for permission to use a State educational institution to either of the following—

- (a) the Minister;
- (b) an authorised officer.

(2) If the applicant wants to use the State educational institution for a social function during which liquor is to be consumed, the applicant must also obtain the written approval of the Minister or the authorised officer, under section 17, to take liquor onto the premises.

Approval for liquor to be taken onto premises of a State educational institution

17.(1) A proposed permitted user may apply to the Minister or an authorised officer for approval for liquor to be taken onto the premises of a State educational institution.

(2) The application must be in writing.

(3) If the Minister or authorised officer decides to approve the application, the Minister or authorised officer must promptly give the applicant written notice of the approval.

Agreement of parents and citizens association

18.(1) This section applies if—

- (a) an application to take liquor onto premises relates to premises that are a State school; and
- (b) the school has a parents and citizens association.

(2) The Minister or authorised officer may approve the application only if the parents and citizens association has agreed to—

- (a) the social function being held on the premises; and

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- (b) liquor being taken onto the premises; and
- (c) any proposed conditions of approval.

Dry area under local community law

19.(1) In this section—

“community area” has the meaning given by the *Liquor Act 1992*.

“council” has the meaning given by the *Liquor Act 1992*.

(2) The Minister or authorised officer must not approve an application to take liquor onto premises if—

- (a) under the *Liquor Act 1992*, section 191(2), a council has declared its community area or a part of its community area as a dry area; and
- (b) the premises are in the area or part declared as a dry area.

Controlled place or dry place under law council declaration

20.(1) In this section—

“controlled place” see *Local Government (Aboriginal Lands) Act 1978*, section 42.

“dry place” see *Local Government (Aboriginal Lands) Act 1978*, section 42.

“law council” see *Local Government (Aboriginal Lands) Act 1978*, section 42.

“public place” see *Local Government (Aboriginal Lands) Act 1978*, section 42.

(2) The Minister or authorised officer must not approve an application to take liquor onto premises if—

- (a) under the *Local Government (Aboriginal Lands) Act 1978*, section 58, the law council has declared a public place to be a dry place; and
- (b) the premises are part of the public place.

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(3) If the law council has declared a public place to be a controlled place, the Minister or authorised officer may only approve an application to take liquor onto premises that are part of the public place if the approval (including the conditions of the approval) is consistent with—

- (a) the directions about the possession or consumption of alcohol included in the declaration of the public place as a controlled place; and
- (b) any permit under which the possession or consumption of alcohol on the controlled place is authorised.

Distribution of written material in State educational institutions

21. A person shall not distribute any form of written material in a State educational institution unless the person has been given permission to do so by the principal or other person in charge or an authorised officer.

Maximum penalty—10 penalty units.

Care of property

22. The principal or other person in charge of a State educational institution or any teacher shall exercise due supervision over the care and conditions of the premises and equipment of such State educational institution, and shall make arrangements for the care of such premises and equipment by another teacher or officer during his or her absence.

PART 4—RELIGIOUS INSTRUCTION

Application for approval of representative

23.(1) An application for an accredited representative of a religious denomination to be approved pursuant to section 26(1) of the Act shall be made in writing.

(2) An accredited representative, when requested by the principal of a

State school, shall produce to the principal the approval given under section 26(1) of the Act.

Authorised religious instruction

24. A minister of religion or an accredited representative shall give only such religious instruction as is authorised by the religious society or denomination the minister or accredited representative represents.

Appointment of day of religious instruction

25.(1) The principal of a State school shall appoint a day on which in each week religious instruction shall be given.

(2) The principal must provide for a period of not less than 30 minutes and not more than 45 minutes, between 8.00 a.m. and 4.00 p.m. on the day appointed under subsection (1), for a minister of religion or an accredited representative to give religious instruction.

Students to attend religious instruction

26.(1) The principal of a State school shall not permit a student to attend religious instruction given by a minister of religion or an accredited representative who represents a religious society or denomination different from that of which the student is a member, unless the parent has given written consent.

(2) However, students may attend classes arranged for students of more than 1 denomination by agreement of the ministers of the religious denominations concerned.

Bringing and leaving sectarian publications on State school premises

27.(1) A person other than a minister of religion or an accredited representative shall not bring or use upon State school premises any sectarian or denominational publications.

(2) A minister of religion or an accredited representative shall not leave upon State school premises any sectarian or denominational publication

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used by the minister or accredited representative for the purpose of giving religious instruction.

Students withdrawn from religious instruction

28. The principal of a State school shall arrange for a student who has been withdrawn from all religious instruction by the student's parent to receive other instruction in a separate location during the period provided for religious instruction.

Register of ministers and accredited representatives

29. The principal of a State school shall keep a register of the ministers of religion or accredited representatives who attend the school and the dates and time of attendance.

Selected Bible lessons

30. The principal of a State primary or State special school may provide a period of one half hour per week for religious instruction in selected Bible lessons from a separate reading book provided by the department for such purpose.

PART 5—STUDENT ADMINISTRATION

Leave of absence

31.(1) The principal of a State school must—

- (a) bring to the attention of a parent of a student the continued absence from school of the student; and
- (b) ask the parent to explain the reason for the continued absence.

(2) If a parent desires that his or her child should receive medical or dental treatment during a school day, the principal shall grant such student leave of absence for that purpose.

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(3) The principal of a State school may grant a student leave of absence during a school day for such student to receive specialised instruction.

Compulsory attendance

32.(1) At the end of each month, the principal of a State school or a non-State school shall compile, in duplicate, in the approved form, a list of the names of all children of the age of compulsory attendance—

- (a) who live less than 16 km from, and less than 4.5 km from a school transport service to, the school; and
- (b) who are enrolled at that school; and
- (c) who have not attended the school for all the school days in the month, for the program of instruction for which they are each enrolled; and
- (d) for whom there is no dispensation or provisional dispensation granted under section 115⁷ of the Act for the days of non-attendance.

(2) The principal must—

- (a) promptly forward a copy of the list to the police officer in charge of the local police station; and
- (b) keep a record of the information stated in the list.

(3) The principal of a State school or non-State school shall cooperate with those to whom is entrusted the enforcement of the compulsory attendance provisions of the Act and shall make available any information so required.

(4) In this section—

⁷ Section 115 (Dispensation from compliance with compulsory enrolment and attendance provisions)

“**school transport service**” has the meaning given in section 115(6) of the Act.⁸

Enrolment requirements

33.(1) The principal of a State primary school may enrol a child who is under 6 years of age at that school at the beginning of a school year where such child attains the age of 5 years on or before 31 December in the year prior to enrolment.

(2) The principal of a State primary school may enrol a child who is of an age less than that prescribed in subsection (1) in circumstances where the principal’s supervisor is satisfied that the child would be disadvantaged educationally by not being enrolled in a State primary school.

(3) The principal of a State preschool centre may enrol a child at that centre where such child attains the age of 4 years on or before 31 December in the year prior to enrolment.

(4) The principal of a State preschool centre may enrol a child who is of an age less than that prescribed in subsection (3) in circumstances where it is demonstrated that the child has been enrolled in a formal education program in another State or country and the principal’s supervisor is satisfied that the child would be disadvantaged educationally by not being enrolled in a State preschool centre.

(5) A parent of a child, upon request by the principal of a State school, shall produce to the principal documentary evidence of the date of birth of his or her child.

Transfer of student

34.(1) If a parent desires to transfer his or her child’s enrolment from one State school to another, the parent shall make application in writing to the principal of the school in which the child is enrolled stating the name of

⁸ Section 115(6) of the Act provides that “**school transport service**” means—

- (a) a school transport service approved by the chief executive of the department that deals with matters arising under the *Transport Operations (Passenger Transport) Act 1994*; or
- (b) a public transport service.

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the State school to which the transfer of enrolment is sought.

(2) A principal, upon the receipt of an application pursuant to subsection (1), shall—

- (a) issue a transfer in duplicate in the approved form; and
- (b) deliver the original thereof to the student which original shall be retained by the student and presented to the principal of the State school to which the student is transferred; and
- (c) forward the duplicate copy thereof to the principal of the State school to which the student is transferred; and
- (d) keep a record of the information stated in the transfer.

(3) This section shall not apply to a student transferring from a State preschool centre to another State preschool centre, from a State preschool centre to a State primary school and from a State primary school to a State secondary school.

Transfer of student records

35.(1) Before the close of a school year, the principal of a primary school shall forward to the receiving State secondary school all records relating to students of that school who will transfer to such State secondary school in the ensuing school year.

(2) The principal of a State primary school shall retain the records relating to students of that school transferring to a non-State secondary school.

(3) The principal of a State primary school, upon request from the principal of a non-State secondary school, shall forward a copy of the records of students transferring to that non-State secondary school.

(4) If the principal of a State secondary school receives records relating to a student who has not been enrolled thereat the principal shall return such records without delay to the principal of the primary school concerned.

(5) The principal of a State primary school shall keep records pertaining to past students which are retained by the school for a period of not less than 10 years after which time such records may be destroyed.

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(6) The principal of a State secondary school shall retain and keep safe those records pertaining to past students of the school for a period of not less than 5 years after which time such records may be destroyed.

(7) The principal of a State special school shall retain and keep safe those records pertaining to past students of the school for such period as the chief executive shall determine after which time such records may be destroyed.

(8) A principal of a State primary or secondary school, upon request from the principal of a non-State primary or secondary school, shall forward to that principal a copy of the records of a student enrolled or previously enrolled in that State primary or secondary school and enrolled or intending to enrol in the non-State primary or secondary school as the case may be.

(9) If the principal of a non-State primary or secondary school receives records relating to a student who is not, or is not likely to be, enrolled thereat, the principal shall return such records without delay to the principal of the State primary or secondary school concerned.

Progress and good behaviour of students

36. The principal of a State school shall be responsible for the progress and good behaviour of a student whilst such student is under the principal's care and control and the principal shall make arrangements for the effective supervision of the students during such times and for staff teachers to assume duty as required for this purpose.

Home study

37. A teacher of a State school may require a student to undertake home study which may occupy such amount of time as the principal of the school may decide is reasonable in the circumstances.

Detention of students

38. A student at a State school may be detained for a period of not more than—

- (a) 20 minutes during the midday recess; or

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(b) one half hour after the period allocated for school day routine; as punishment for disobedience, misconduct, wilful neglect to prepare home tasks or for other breaches of school discipline.

Hours during which child of age of compulsory attendance not to be employed—Act, s 119

39. For section 119(1)⁹ of the Act, the hours prescribed for attendance at school of a child of the age of compulsory attendance are from 8.00 a.m. to 4.00 p.m. on a school day for the school at which the child is enrolled.

PART 6—PARENTS AND CITIZENS ASSOCIATIONS

Formation of an association

40.(1) The principal of a State school shall call a meeting of parents and citizens to consider the formation of a parents and citizens association for such State school and if the persons present at such meeting decide that an association should be formed it shall be formed accordingly by the election, from among such persons, of the officers specified in section 87 of the Act.

(2) The procedure for the formation of an association as prescribed by subsection (1) applies only when an interim association has not been formed.

(3) An interim association shall be formed in the same manner as prescribed in subsection (1), except that the meeting for that purpose shall be called by the principal's supervisor.

⁹ Section 119(1) states—

‘A parent shall not employ or cause or permit to be employed during the hours prescribed under a regulation for attendance at school the parent's child who is of the age of compulsory attendance unless there is in existence at the material time, in respect of that child, a dispensation granted in accordance with section 115(1).

Maximum penalty—5 penalty units.’

(4) An interim association shall be subject to all provisions of this part except or as otherwise prescribed.

Name of an association

41. An association formed pursuant to section 81 or 82 of the Act shall be known by the name the (name of school) Parents and Citizens Association or the (name of proposed school) Interim Parents and Citizens Association as the case may be.

Activities of an association

42.(1) An association may organise and conduct such activities as are approved by the chief executive and may seek voluntary contributions from parents and citizens, such contributions together with money raised by approved activities to be paid into the association's general account or accounts or such special accounts as may be appropriate.

(2) However, where the object or objects of any such activities is or are or include 1 or more of the following—

- (a) the construction of any improvements to premises of a State school;
- (b) the addition of any fixtures thereto;
- (c) the purchase of any furniture therefor;

the consent of the chief executive of the department that deals with the matters mentioned in paragraphs (a) to (c) shall be first had and obtained.

Register of members

43.(1) The register of members of an association must contain, in respect of each member—

- (a) the member's name and address; and
- (b) the date on which the person became a member; and
- (c) the date on which the person ceases to be a member; and
- (d) if the member is not a parent of a student attending the school for

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which the association is formed, either—

- (i) the member's date of birth; or
 - (ii) a record that the member has stated that the member is of or above the age of 18 years; or
 - (iii) a record by the secretary or other person charged with the responsibility of making entries in the register of members that the member appears to be of or above the age of 18 years; and
- (e) such other particulars (if any) as may be prescribed in the constitution.

(2) Also, the register of members of an association, other than an interim parents and citizens association, must contain the following information about an honorary life member of the association—

- (a) the date the person was awarded honorary life membership;
- (b) the basis for the award.

Membership of association

44.(1) A person is refused membership of an association if, within 2 months after the person applies for membership, the association gives the person written notice of the refusal and the reasons for the refusal.

(2) A person who applies for membership of an association is taken to be a member of the association if—

- (a) the person does not receive written notice of the association's decision on the application within 2 months after the application is made; or
- (b) the person receives notice of the association's refusal of the application, but does not receive written notice of the reasons for the refusal, within 2 months after the application is made.

Officers of an association

45.(1) Members of an association shall at each annual general meeting

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elect officers pursuant to section 87 of the Act.

(2) Retiring officers shall be eligible for reappointment.

Advice on office bearers

46. The secretary of an association shall after each annual general meeting notify the chief executive of the names, addresses and offices of the office bearers elected at such meeting.

Meetings of an association

47.(1) The annual general meeting of an association shall be held no later than 3 months following the end of the financial year as determined by an association pursuant to section 94 of the Act.

(2) The secretary of an association shall give at least 14 days notice of intention to convene an annual general meeting.

(3) The number of members of an association required to constitute a quorum at an annual general meeting shall be 10 or a number less than 10 as may be prescribed in the constitution.

(4) An association shall follow the order of business prescribed in the constitution for the conduct of the proceeding of the annual general meeting.

(5) General meetings of an association shall be held usually once each month at such times as an association may resolve in that behalf.

(6) The secretary of an association shall give at least 7 days notice of intention to convene a special meeting.

(7) The number of members of an association required to constitute a quorum at a general or special meeting shall be 7 or a number less than 7 as may be prescribed in the constitution.

Establishment of subcommittees

48.(1) An association may establish—

- (a) such subcommittees as (name of school) State School Swimming Club Subcommittee, (name of school) State School

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Ladies Auxiliary Subcommittee, (name of school) State School Tuckshop Subcommittee for special purposes;

- (b) such subcommittees as (name of State preschool centre associated with the school) State Preschool Centre Subcommittee for promoting the interests of and benefiting generally the State Preschool Centre for which such subcommittee is formed;
- (c) such subcommittees as it considers necessary for special purposes, consistent with the objectives and functions of an association pursuant to sections 83 and 84 of the Act.

(2) In establishing a subcommittee an association shall appoint particular members to hold the offices of chairperson, secretary and if funds are to be raised or expended, treasurer and subject to the provisions of this subsection shall impose such conditions on the operation of such subcommittee as it deems fit.

(3) The office of treasurer of a subcommittee may not be held by either the chairperson or secretary of that subcommittee.

(4) If a subcommittee has been authorised by the association to raise and expend money—

- (a) the treasurer of that subcommittee shall take charge of all money collected in any way and shall keep a proper record of receipts and expenditure; and
- (b) money received by subcommittees must be deposited promptly in an account with a financial institution in the name of the subcommittee, or such other account or accounts as the association may direct, which account or accounts shall be operated by any 2 of the chairperson, secretary, and treasurer of the subcommittee; and
- (c) the treasurer of a subcommittee shall hand to the treasurer's successor in office all money and books of accounts belonging to such subcommittee as soon as such successor has been appointed; and
- (d) after defraying all expenditure lawfully incurred by it, a subcommittee shall pay into the association's general account surplus monies held by it over and above its operational

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requirements, which shall be as determined by the association—however, funds raised by a subcommittee for a particular purpose authorised by the association shall be used for that purpose.

Procedures relating to accounts etc. of an association

49.(1) An association shall form a fund to be known as the (name of school) Parents and Citizens Association Fund, in 1 or more accounts for the State school for which it is formed.

(2) Subject to the provisions of section 48, money raised by an association must be deposited promptly in an account with a financial institution in the name of the association and the account may be operated by any 2 of the president, a vice-president, the secretary and the treasurer.

(3) Subject to the provisions of section 48, responsibility for the collection and disbursement of money shall rest with the president, secretary and treasurer, and the treasurer shall take charge of all money collected in any way and for any purpose connected with an association and shall keep a proper account of receipts and expenditure.

(4) Subject to the provisions of section 48, the treasurer shall hand to the treasurer's successor in office all accounts and money belonging to the association as soon as the treasurer's successor has been appointed.

(5) Money raised for a particular purpose of an association shall be used for that purpose.

(6) The annual financial statements, submitted to the auditor of an association shall be prepared and certified in the approved form after having regard to applicable prescribed requirements including any Minister's directions issued under the *Financial Administration and Audit Act 1977*.

(7) Following audit, the certified annual financial statements shall be presented for adoption to the annual general meeting of the association, with all certificates appended.

(8) Following presentation and adoption of the annual financial statements by the association at the annual general meeting, the secretary of the association shall forward promptly a copy of the audited financial statements to the chief executive.

Chief executive to be notified of appointment of auditor

50. The secretary of a parents and citizens association must, within 28 days of the meeting at which a person is appointed as an auditor for the association, notify the chief executive of the name, address and qualifications of the person.

Duties of an auditor

51. An auditor shall examine the collections, payments, cash books, minutes of meetings and such other records of the association as the auditor considers necessary and shall verify with the financial institutions the financial balances held or, as the case requires, owing, so as to be able to certify whether or not in the auditor's opinion—

- (a) the financial statements of the association are in agreement with the accounts and are in the required form; and
- (b) the requirements in respect of the keeping of accounts by the association have been complied with in all material respects; and
- (c) the statements have been drawn up so as to present a true and fair view, on a basis consistent with that applied in the preceding year, of the transactions for the financial year and the financial position at the close of the year.

Constitution to be framed

52.(1) The members of an association, as soon as may be practicable after its formation, shall frame a constitution which shall be forwarded to the chief executive for the chief executive's approval.

(2) In framing a constitution, an association shall be guided by the model constitution approved from time to time by the chief executive.

(3) The constitution of an association shall provide for and with respect to the following—

- (a) the way in which a person becomes a member of the association and maintains membership;
- (b) the register of members and additional particulars (if any) to be

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- maintained in the register;
- (c) the conduct of annual general, general and special meetings;
 - (d) establishment of, and other matters in connection with, subcommittees;
 - (e) election at each annual general meeting of officers provided for pursuant to section 87 of the Act;
 - (f) reappointment of officers;
 - (g) voting entitlements of officers and members;
 - (h) all requirements and impositions on officers of the association;
 - (i) procedures relating to accounts etc. pursuant to section 49;
 - (j) the method of amending, altering or modifying the constitution.

Dissolution of an association

53.(1) For the purposes of section 86(c) of the Act, an association shall be dissolved if the question of dissolution is put and resolved in the affirmative upon the vote of three-fourths majority of the members present and entitled to vote at a special meeting convened to consider the question.

(2) Upon dissolution, all funds of an association and any other property whatsoever acquired by an association for the use of a State school remaining in the name of an association after defraying all expenditure lawfully incurred by such association shall be handed to the principal's supervisor to be dealt with as directed by the corporation.

Conduct of school tuckshops and other amenities by an association

54.(1) An association may conduct within the premises of a State school a tuckshop or other amenity not being conducted by the principal of the State school where such an amenity is likely to facilitate, assist or be of advantage to members of the staff in their professional duties or to students of the State school in the course of their studies as the case may be.

(2) The chief executive may at any time order the closure of any amenity conducted under subsection (1) and the association shall forthwith comply

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with such order within the time specified by the chief executive.

(3) This section is subject to section 14.¹⁰

PART 7—ALLOWANCES

Textbook and resource allowance

55.(1) The Minister, on application by the principal of the school at which an approved student is enrolled, must pay to the school a textbook and resource allowance at the prescribed rate—

- (a) for sending to a parent of the student; or
- (b) for the benefit of the student, as directed by a parent of the student.

(2) For the purposes of this section—

“approved student” means a person—

- (a) who, in the opinion of the Minister, is a student in respect of whom an allowance should be paid; and
- (b) who is enrolled full-time and regularly attends in or, in the case of a person enrolled in a course at the School of Distance Education or any other State educational institution offering distance education, regularly participates in—
 - (i) the course for year 8, 9, 10, 11 or 12 (whether the person is repeating that year or not) in—
 - (A) a State secondary school other than a centre for continuing secondary education; or
 - (B) a non-State secondary school that is a school in receipt of subsidy; or
 - (ii) 1 of the following office education courses—

¹⁰ Section 14 (Tuckshops—prohibited items)

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- (A) CN068;
- (B) CN069;
- at a college of technical and further education; or
- (iii) a course at an agricultural college that takes 2 years to complete full-time; and
- (c) who—
 - (i) has not attained the age of 19 years; or
 - (ii) is progressing directly from full-time study in year 10; and
- (d) who is not in receipt of assistance from the Commonwealth Government which the Minister considers designed to provide assistance of a similar nature so as to make payment of the textbook and resource allowance in respect of that person inappropriate.

(3) In this section—

“prescribed rate” means, in respect of an approved student who is—

- (a) enrolled in year 8, 9 or 10—\$73 per year; or
- (b) enrolled in year 11 or 12—\$167 per year; or
- (c) enrolled in a 2 year training course at an agricultural college—\$162 per year; or
- (d) enrolled in the office education course CN068 or CN069 at a college of technical and further education—\$83 per year.

(4) For the purposes of this section, application shall be made in the form approved by the Minister.

School uniform allowance

56. A parent of a student who attends a school in receipt of subsidy, other than a student for whom only preschool education is being provided, may be paid a school uniform allowance of \$50 each year for the student.

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Per capita allowances to certain non-State schools

57. For each school in receipt of subsidy, the Minister is to pay a per capita allowance of—

- (a) \$351 per annum for each student of or above the age of 4 years who is enrolled in preschool; and
- (b) \$702 per annum for each student who is enrolled in years 1, 2, 3, 4, 5, 6 or 7; and
- (c) \$1 074 per annum for each student who is enrolled in year 8, 9, 10, 11 or 12;

at that school.

Per capita allowances to certain student hostels

58.(1) This section sets out allowances provided under policies approved by the Minister for section 142 of the Act.

(2) A person, who is in charge of a student hostel for the accommodation of students attending a school in receipt of subsidy, may apply to the Minister to be paid an allowance in respect of each student boarding at the hostel.

(3) The application must be made in the approved form.

(4) After considering the application, the Minister may pay either or both of the following allowances—

- (a) a student hostel general purpose grant of \$620 a year for each student;
- (b) a student hostel pastoral care grant of \$376 a year for each student, to a maximum grant of \$7 520 a year for each hostel.

Living away from home allowances

59.(1) For the purposes of this section, the distance from a student's home to the nearest State school with the required year level for the student shall be measured—

- (a) where there is no school transport service approved by the chief

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executive (transport) or public transport service to that school—by the shortest trafficable route; or

- (b) where there is a school transport service approved by the chief executive (transport) or public transport service to that school—by the total of the distance from the student’s home to the school transport access point and the distance travelled by the transport service from that point to the school.

(2) In subsection (3)—

“remote area” means—

- (a) where the student’s home—
- (i) is not less than 16 km from the nearest State school with the required year level for the student; and
 - (ii) is not less than 4.5 km from a school transport service approved by chief executive (transport) or a public transport service to any State school with the required year level for the student; or
- (b) where the student’s home—
- (i) is not less than 16 km from the nearest State school with the required year level for the student; and
 - (ii) is less than 4.5 km from a school transport service approved by the chief executive (transport) or a public transport service to any State school with the required year level for the student; and
 - (iii) is—
 - (A) not less than 56 km from that State school using the route travelled by that transport service; or
 - (B) not less than 3 hours travelling time per day from that State school using that transport service.

(3) The allowances stated in subsections (4) and (5) may be paid for each year on application to the Minister by a parent of a student who lives in a remote area and boards away from home to attend, other than for only preschool education, a school in receipt of subsidy.

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(4) If the student boards at the residential facility of a school other than a State school and the school charges for tuition, the following remote area tuition allowance may be paid to the school—

- (a) for a primary school—
 - (i) if the charge is not more than \$1 022—the amount of the charge; or
 - (ii) if the charge is more than \$1 022—\$1 022 plus 50c for each dollar charged that is more than \$1 022, to a maximum of \$2 044;
- (b) for a secondary school—
 - (i) if the charge is not more than \$1 472—the amount of the charge; or
 - (ii) if the charge is more than \$1 472—\$1 472 plus 50c for each dollar charged that is more than \$1 472, to a maximum of \$2 944;
- (c) for a school that does not distinguish between primary and secondary education for certain students with disabilities and provides only special education for those students—
 - (i) for a student who is less than 13 years at the end of the year for which the allowance is paid—
 - (A) if the charge is not more than \$990—the amount of the charge; or
 - (B) if the charge is more than \$990—\$990 plus 50c for each dollar charged that is more than \$990, to a maximum of \$1 980; and
 - (ii) for a student who is 13 years or more at the end of the year for which the allowance is paid—
 - (A) if the charge is not more than \$1 425—the amount of the charge; or
 - (B) if the charge is more than \$1 425—\$1 425 plus 50c for each dollar charged that is more than \$1 425, to a maximum of \$2 850.

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(5) If the student has to travel 50 km or more from the student's home to the place where the student boards, the following remote area travel allowance may be paid to the parent—

- (a) if the student travels—
 - (i) from a home in area 1 to a place in area 3—\$810; or
 - (ii) from a home in area 2 to a place in area 3—
 - (A) if the shortest trafficable route by road is via area 1—\$810; or
 - (B) otherwise—\$270; or
 - (iii) from a home in area 3 to a place in area 3—
 - (A) if the shortest trafficable route by road is via area 2—\$270; or
 - (B) otherwise—\$90;
- (b) if the student travels to a place in area 1 or area 2 and the most convenient direct route by road is—
 - (i) not more than 150 km and takes—
 - (A) not more than 3 h—\$90;
 - (B) more than 3 h but not more than 4 h—\$180;
 - (C) more than 4 h—\$270;
 - (ii) more than 150 km but not more than 300 km and takes—
 - (A) not more than 4 h—\$180;
 - (B) more than 4 h—\$270;
 - (iii) more than 300 km—\$270.

(6) In subsection (5)—

“**area 1**” see schedule, part 1, division 1.

“**area 2**” see schedule, part 1, division 2.

“**area 3**” see schedule, part 1, division 3.

(7) In subsection (8)—

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“remote area” means—

- (a) where the student’s home—
 - (i) is not less than 16 km from the nearest State school with year 11 or 12 level of schooling as required by the student; and
 - (ii) is not less than 4.5 km from a school transport service approved by the chief executive (transport) or a public transport service to any State school with year 11 or 12 level of schooling as required by the student; or
- (b) where the student’s home—
 - (i) is not less than 16 km from the nearest State school with year 11 or 12 level of schooling as required by the student;
 - (ii) is less than 4.5 km from a school transport service approved by the chief executive (transport) or a public transport service to that State school with year 11 or 12 level of schooling as required by the student;
 - (iii) is—
 - (A) not less than 56 kilometres from that State school using the route travelled by that transport service; or
 - (B) not less than 3 hours travelling time per day from that State school using that transport service.

(8) On application by a parent of a student who lives in a remote area and who boards away from home in order to attend an agricultural college to undertake studies in agriculture at a level equivalent to year 11 or 12 (as the case may be), the Minister shall pay to the parent a remote area allowance of \$1 292 per annum.

(9) In subsection (10)—

“remote area” means—

- (a) where the student’s home—
 - (i) is not less than 16 km from the nearest school in receipt of subsidy with the appropriate special education as required by the student; and

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- (ii) is not less than 4.5 km from a school transport service approved by the chief executive (transport) or a public transport service to any school in receipt of subsidy with the appropriate special education as required by the student; or
- (b) where the student's home—
 - (i) is not less than 16 km from the nearest school in receipt of subsidy with the appropriate special education as required by the student; and
 - (ii) is less than 4.5 km from a school transport service approved by the chief executive (transport) or a public transport service to that school in receipt of subsidy with the appropriate special education as required by the student; and
 - (iii) is—
 - (A) not less than 56 km from that school using the route travelled by that transport service; or
 - (B) not less than 3 hours travelling time per day from that school using that transport service.

(10) A parent of a student who lives in a remote area and boards away from home to attend the nearest school in receipt of subsidy with special education appropriate to the student may, on application to the Minister, be paid, for each year, a remote area disability supplement to a maximum of \$5 000.

(11) To be eligible to receive a remote area disability supplement, a parent must give the Minister written evidence that—

- (a) travel and accommodation costs of educating the student are significantly higher than they would be if the student did not require special education; and
- (b) the extra costs incurred are not being met by the total assistance otherwise available from both the State and the Commonwealth because of the student's disability.

(12) Allowances prescribed by subsections (2) to (11) shall not be paid in respect of a student who is in receipt of a grant provided by the Commonwealth Government under the ABSTUDY Scheme.

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(13) An application shall be made in the approved form.

(14) The Minister, having regard to—

- (a) the locality of residence of a student or class of students; or
- (b) the accessibility of the student or class of students to schools or transport services; or
- (c) the health of a student or class of students; or
- (d) such other special circumstances as may apply;

either generally or in a particular case, may pay in respect of that student or class of students any allowance prescribed by this section, notwithstanding that the student or class of students does not meet all the requirements prescribed for that allowance.

False or misleading statements an offence

60. A person who, in an application for an allowance or scholarship under the Act—

- (a) makes a statement that to the person's knowledge is false or misleading in a material particular; or
- (b) omits any matter or thing without which the application is to the person's knowledge misleading in a material respect;

commits an offence against this section.

Maximum penalty—5 penalty units.

SCHEDULE

AREAS FOR SECTION 59(5)

section 59

PART 1—AREAS

Division 1—area 1

1. Southern area—the area within a line commencing on the western boundary of the State at its intersection with latitude 22° south and bounded thence by that parallel easterly to the boundary of the Shire of Cloncurry, by that boundary and the boundaries of the Shires of Winton and Barcoo generally easterly, southerly, easterly, south easterly and south westerly to longitude 144° east, by that meridian southerly to the boundary of the Shire of Bulloo, by that boundary generally south easterly and southerly to the State boundary and by that boundary westerly, northerly, westerly and northerly to the point of commencement.
2. Northern area—the area that comprises the mainland and all islands above their respective sea shores within the encompassing line described in part 2 and referenced to the Australian Geodetic Datum, and all Australian Islands above their respective sea shores north of the Seabed Jurisdiction Line as described in the Treaty between Australia and the Independent State of Papua New Guinea dated 18 December 1978, including the islands of Anchor Cay, Aubusi Island, Black Rocks, Boigu Island, Bramble Cay, Dauan Island, Deliverance Island, East Cay, Kaumag Island, Kerr Islet, Moimi Island, Pearce Cay, Saibai Island, Turnagain Island and Turu Cay.

SCHEDULE (continued)

Division 2—area 2

3. Southern area—the area within a line commencing on the western boundary of the State at its intersection with latitude 22° south and bounded by the State boundary northerly to the boundary of the Shire of Burke, by that boundary and the boundaries of the shires of Cloncurry, McKinlay, Richmond, Winton, Aramac, Jericho, Tambo, Murweh and Booringa generally easterly, southerly, easterly, southerly, easterly, south-easterly, southerly, easterly and southerly to the northern boundary of Balonne Shire at longitude 148° east, by that meridian southerly to the State boundary, by that boundary westerly to the boundary of the Shire of Bulloo, by that boundary generally northerly and north-westerly to longitude 144° east, by that meridian northerly to the boundary of the Shire of Barcoo, by that boundary and the boundaries of the Shires of Winton and Cloncurry generally north-easterly, north-westerly, westerly, northerly and westerly to latitude 22° south and by that parallel westerly to the point of commencement.
4. Northern area—the area within a line commencing at the intersection of latitude 17° south and longitude 145° east and bounded thence by that meridian southerly to the boundary of the Shire of Herberton, by that boundary and the boundaries of the Shires of Dalrymple and Flinders generally southerly, south-westerly and westerly to longitude 144° east, by that meridian northerly to latitude 17° south and by that parallel easterly to the point of commencement.

Division 3—area 3

5. The area within a line commencing on the southern boundary of the State at its intersection with longitude 148° east and bounded by that meridian northerly to the northern boundary of the Shire of Balonne, by that boundary and the boundaries of the Shires of Booringa, Murweh, Tambo, Jericho, Aramac, Winton, Richmond, Etheridge and Herberton generally northerly, westerly, northerly, north-westerly,

SCHEDULE (continued)

westerly, northerly, easterly, north-easterly and northerly to longitude 145° east, by that meridian northerly to the boundary of the Shire of Cook, by that boundary north-easterly to latitude 16° south, by that parallel easterly to the eastern extremity of the Great Barrier Reef, by the eastern most reefs south-easterly to the southern limit of the outer reef, by a line southerly to Sandy Cape on Fraser Island, by the eastern boundaries of the local government areas of Hervey Bay (City), Maryborough (City), Widgee, Noosa, Maroochy, Landsborough, Caboolture, Redcliffe (City), Brisbane (City), Redland, Albert and Gold Coast (City) generally southerly to the State boundary and by that boundary generally westerly to the point of commencement.

PART 2—ENCOMPASSING LINE

6. Commencing on the Seabed Jurisdiction Line as described in the aforesaid Treaty at latitude 9° 30 minutes south, longitude 144° 15 minutes east and bounded thence by a line southerly to the north-eastern extremity of the Great Barrier Reef, by the eastern most reefs southerly to latitude 16° south, by that parallel westerly to the boundary of the Shire of Cook, by that boundary generally south-westerly to longitude 145° east, by that meridian southerly to latitude 17° south, by that parallel westerly to longitude 144° east, by that meridian southerly to the boundary of the Shire of Flinders, by that boundary and the boundaries of the Shires of Richmond, McKinlay and Cloncurry and the City of Mount Isa generally westerly, northerly and westerly to the State boundary, by that boundary and longitude 138° east, northerly to latitude 14° south, by that parallel easterly to longitude to longitude 141° east, by that meridian northerly to the Seabed Jurisdiction Line, and by that Seabed Jurisdiction Line generally north-easterly and easterly to the point of commencement.

ENDNOTES**1 Index to endnotes**

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 13 December 1999. Future amendments of the Education (General Provisions) Regulation 1989 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

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3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
orig	=	original	SIA	=	Statutory Instruments Act 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only]

Reprint No.	Amendments included	Reprint date
1	to SL No. 125 of 1994	27 July 1994
2	to SL No. 459 of 1994	25 January 1995
3	to SL No. 199 of 1995	5 July 1995
3A	to SL No. 201 of 1996	23 September 1996
3B	to SL No. 298 of 1996	3 December 1996
4	to SL No. 416 of 1996	7 February 1997
4A	to SL No. 59 of 1997	3 April 1997
4B	to SL No. 467 of 1997	16 June 1998
5	to SL No. 273 of 1998	29 October 1998
5A	to SL No. 355 of 1998	4 January 1999
5B	to SL No. 270 of 1999	15 November 1999

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Changed citations and remade laws	3
Changed names and titles	1
Corrected minor errors	1, 3
Obsolete and redundant provisions	1, 3
Renumbered provisions	1, 5

6 List of legislation

Education (General Provisions) Regulation 1989

made by the Governor in Council on 3 August 1989

pubd gaz 5 August 1989 pp 2935–64

commenced 5 August 1989 (see s 1(2))

exp 31 August 2000 (see SIA s 56A(1)(a) and SIR s 7 sch 7)

as amended by—

regulations published gazette (pre SL series)—

4 November 1989 pp 1728–30

commenced 1 January 1990 (see s 2)

11 November 1989 p 1983

commenced on date of publication

22 December 1990 pp 2305–10

ss 4, 7, 9, 10 and 11 commenced 1 January 1991 (see s 3(2))

remaining provisions commenced on date of publication (see s 3(1))

Education (General Provisions) (Amendment) Regulation 1991

pubd gaz 23 March 1991 p 1777

commenced on date of publication

Education (General Provisions) Amendment Regulation (No. 2) 1991 SL No. 28

pubd gaz 20 July 1991 pp 1686–7

commenced on date of publication

Education (General Provisions) Amendment Regulation (No. 3) 1991 SL No. 98

pubd gaz 12 October 1991 pp 571–3

commenced on date of publication

Education (General Provisions) Amendment Regulation (No. 4) 1991 SL No. 210

pubd gaz 21 December 1991 pp 2499–503

commenced 1 January 1992 (see s 2)

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- Education (General Provisions) Amendment Regulation (No. 1) 1992 SL No. 437**
notfd gaz 18 December 1992 pp 1988–96
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1993 (see s 2)
- Education (General Provisions) Amendment Regulation (No. 1) 1993 SL No. 411**
notfd gaz 19 November 1993 pp 1402–3
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1994 (see s 2)
- Education (General Provisions) Amendment Regulation (No. 2) 1993 SL No. 483**
notfd gaz 17 December 1993 pp 1812–21
ss 1–2 commenced on date of notification
s 6(2) commenced 1 July 1994 (see s 2(2))
remaining provisions commenced 1 January 1994 (see s 2(1))
- Education (General Provisions) Amendment Regulation (No. 1) 1994 SL No. 125**
notfd gaz 8 April 1994 pp 1392–3
commenced on date of notification
- Education (General Provisions) Amendment Regulation (No. 2) 1994 SL No. 458**
notfd gaz 16 December 1994 pp 1792–7
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1995 (see s 2)
- Education (General Provisions) Amendment Regulation (No. 3) 1994 SL No. 459**
notfd gaz 16 December 1994 pp 1792–7
commenced on date of notification
- Education (General Provisions) Amendment Regulation (No. 1) 1995 SL No. 114**
notfd gaz 28 April 1995 pp 1800–1
ss 1–2 commenced on date of notification
remaining provisions commenced 1 May 1993 (see s 2)
- Education (General Provisions) Amendment Regulation (No. 2) 1995 SL No. 199**
notfd gaz 20 June 1995 pp 1273–6
commenced on date of notification
- Education (General Provisions) Amendment Regulation (No. 3) 1995 SL No. 399**
notfd gaz 22 December 1995 pp 1672–6
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1996 (see s 2)
- Education (General Provisions) Amendment Regulation (No. 1) 1996 SL No. 201**
notfd gaz 2 August 1996 pp 1642–3
commenced on date of notification
- Education (General Provisions) Amendment Regulation (No. 2) 1996 SL No. 298**
notfd gaz 25 October 1996 pp 764–7
commenced on date of notification

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- Education (General Provisions) Amendment Regulation (No. 3) 1996 SL No. 416**
notfd gaz 20 December 1996 pp 1588–98
commenced on date of notification
- Education (General Provisions) Amendment Regulation (No. 1) 1997 SL No. 59**
notfd gaz 21 March 1997 pp 1234–5
commenced on date of notification
- Education (General Provisions) Amendment Regulation (No. 2) 1997 SL No. 467**
notfd gaz 19 December 1997 pp 1770–7
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1998 (see s 2)
- Education (General Provisions) Amendment Regulation (No. 1) 1998 SL No. 273**
notfd gaz 9 October 1998 pp 489–91
commenced on date of notification
- Education (General Provisions) Amendment Regulation (No. 2) 1998 SL No. 355**
notfd gaz 18 December 1998 pp 1551–7
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 1999 (see s 2)
- Education (General Provisions) Amendment Regulation (No. 1) 1999 SL No. 270**
notfd gaz 5 November 1999 pp 918–21
commenced on date of notification
- Education (General Provisions) Amendment Regulation (No. 2) 1999 SL No. 318**
notfd gaz 10 December 1999 pp 1448–50
commenced on date of notification

7 List of annotations

This reprint has been renumbered—see table of renumbered provisions in endnote 8.

Short title

s 1 sub 1991 SL No. 98 s 4

Definitions

prov hdg sub 1995 SL No. 399 s 4(1)

s 2 prev s 2 om R1 (see RA s 36)

pres s 2

def “**accredited representative**” amd 1998 SL No. 273 s 3(1)

def “**agricultural college**” ins 1998 SL No. 355 s 4

def “**auditor**” ins 1995 SL No. 114 s 4

def “**authorised officer**” amd 1998 SL No. 273 s 3(2)

def “**chief executive (transport)**” ins 1995 SL No. 399 s 4(2)

def “**Commissioner for Transport**” ins reg pubd gaz 22 December 1990
pp 2305–10

om 1993 SL No. 483 s 4

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- def **“Director-General”** ins 1993 SL No. 411 s 4(2)
om R1 (see RA s 39)
- def **“permitted user”** amd 1998 SL No. 273 s 3(2)
- def **“school council”** ins 1997 SL No. 467 s 4
amd 1998 SL No. 273 s 3(3)
- def **“school in receipt of subsidy”** ins 1995 SL No. 399 s 4(2)
amd 1998 SL No. 273 s 3(4)
- def **“social function”** ins 1993 SL No. 411 s 4(2)
- def **“the Act”** om 1993 SL No. 411 s 4(1)

Chief executive may issue directions and guidelines

- prov hdg** ins 1995 SL No. 399 s 4(3)
- s 3** (prev s 2(2)) renum 1995 SL No. 399 s 4(4)

Management of school

- s 4** amd 1997 SL No. 467 s 5

Teaching in schools

- s 7** amd 1997 SL No. 467 s 6

Charge of school in temporary absence of principal

- s 8** amd 1991 SL No. 28 s 3; 1997 SL No. 467 s 7

Reports on students in State schools

- s 10** prev s 10 om 1997 SL No. 467 s 8

Courses for overseas students

- s 11** prev s 11 amd 1991 SL No. 98 s 5
om 1997 SL No. 467 s 8
pres s 11 amd reg pubd gaz 23 March 1991 p 1777; 1994 SL No. 125 s 3;
1995 SL No. 399 s 6
sub 1997 SL No. 59 s 3

Student vacations

- s 12** prev s 12 amd 1991 SL No. 98 s 6
om 1997 SL No. 467 s 8

Additional holidays

- s 13** prev s 13 amd 1995 SL No. 399 s 5; 1996 SL No. 201 s 3
om 1997 SL No. 467 s 8

Tuckshops—prohibited items

- s 14** ins 1996 SL No. 201 s 4

Circumstances in which school council to be dissolved—Act, s 75

- prov hdg** amd 1998 SL No. 273 s 4(1)
- s 15** ins 1997 SL No. 467 s 10
amd 1998 SL No. 273 s 4(2)–(3)
sub 1999 SL No. 270 s 3

Non-compliance with direction

- s 15A** ins 1999 SL No. 270 s 3

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Dissolution by chief executive

s 15B ins 1999 SL No. 270 s 3

Chief executive to consult

s 15C ins 1999 SL No. 270 s 3

Minister to review decision to dissolve school council

s 15D ins 1999 SL No. 270 s 3

Permission to use State educational institutions

s 16 prev s 16 om 1997 SL No. 467 s 9
pres s 16 amd 1993 SL No. 411 s 5; 1996 SL No. 416 s 3
sub 1997 SL No. 467 s 11

Approval for liquor to be taken onto premises of a State educational institution

s 17 ins 1993 SL No. 411 s 6
amd 1997 SL No. 467 s 12

Agreement of parents and citizens association

s 18 ins 1993 SL No. 411 s 6
amd 1997 SL No. 467 s 13

Dry area under local community law

s 19 ins 1993 SL No. 411 s 6
amd 1997 SL No. 467 s 14

Controlled place or dry place under law council declaration

s 20 ins 1995 SL No. 399 s 7
amd 1997 SL No. 467 s 15

Distribution of written material in State educational institutions

prov hdg sub 1997 SL No. 467 s 16(1)
s 21 amd 1995 SL No. 399 s 8; 1996 SL No. 298 s 3; 1997 SL No. 467 s 16(2)

Care of property

s 22 prev s 22 om 1997 SL No. 467 s 17

Application for approval of representative

s 23 amd reg pubd gaz 22 December 1990 pp 2305–10; 1998 SL No. 273 s 5

Appointment of day of religious instruction

s 25 amd 1997 SL No. 467 s 18

Selected Bible lessons

s 30 amd 1995 SL No. 199 s 3

Leave of absence

prov hdg sub 1997 SL No. 467 s 19(1)
s 31 amd 1997 SL No. 467 s 19(2)–(4)

Compulsory attendance

s 32 amd 1995 SL No. 399 s 9; 1997 SL No. 467 s 20; 1998 SL No. 273 s 6

Enrolment requirements

s 33 amd 1991 SL No. 28 s 4; 1994 SL No. 459 s 3; 1997 SL No. 467 s 21

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Transfer of student

s 34 amd 1995 SL No. 399 s 10; 1997 SL No. 467 s 22

Transfer of student records

s 35 amd 1997 SL No. 467 s 23

Detention of students

s 38 prev s 38 om 1994 SL No. 458 s 4

Hours during which child of age of compulsory attendance not to be employed—Act, s 119

prov hdg amd 1998 SL No. 273 s 7(1)

s 39 ins 1997 SL No. 467 s 24
amd 1998 SL No. 273 s 7(2)

Formation of an association

s 40 amd 1991 SL No. 28 s 5; 1997 SL No. 467 s 25; 1998 SL No. 273 s 8

Name of an association

s 41 amd 1998 SL No. 273 s 9

Activities of an association

s 42 amd 1993 SL No. 483 s 5

Register of members

s 43 prev s 43 om 1997 SL No. 467 s 26
pres s 43 sub reg pubd gaz 22 December 1990 pp 2305–10
amd 1997 SL No. 467 s 27

Membership of association

s 44 ins 1997 SL No. 467 s 28

Officers of an association

s 45 amd 1998 SL No. 273 s 10

Meetings of an association

s 47 amd 1998 SL No. 273 s 11

Establishment of subcommittees

s 48 amd 1995 SL No. 114 s 5; 1998 SL No. 273 s 12

Procedures relating to accounts etc. of an association

s 49 amd 1995 SL No. 114 s 6; 1995 SL No. 399 s 11

Chief executive to be notified of appointment of auditor

s 50 sub 1995 SL No. 114 s 7

Duties of an auditor

s 51 amd 1995 SL No. 114 s 8

Constitution to be framed

s 52 amd 1997 SL No. 467 s 29; 1998 SL No. 273 s 13

Dissolution of an association

s 53 amd 1991 SL No. 28 s 6; 1997 SL No. 467 s 30; 1998 SL No. 273 s 14

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Conduct of school tuckshops and other amenities by an association

prov hdg amd 1996 SL No. 201 s 5(1)

s 54 amd 1995 SL No. 399 s 12; 1996 SL No. 201 s 5(2)–(3)

Textbook and resource allowance

prov hdg amd reg pubd gaz 22 December 1990 pp 2305–10

s 55 amd reg pubd gaz 4 November 1989 pp 1728–30; 22 December 1990 pp 2305–10; 1991 SL No. 210 s 4; 1992 SL No. 437 s 4; 1994 SL No. 458 s 5; 1995 SL No. 399 s 13

sub 1997 SL No. 467 s 31

amd 1998 SL No. 355 s 5

School uniform allowance

s 56 ins 1995 SL No. 399 s 14

Per capita allowances to certain non-State schools

s 57 amd reg pubd gaz 11 November 1989 p 1983

sub reg pubd gaz 22 December 1990 pp 2305–10

amd 1995 SL No. 399 s 15; 1996 SL No. 416 s 4; 1997 SL No. 467 s 32; 1998 SL No. 355 s 6; 1999 SL No. 318 s 3

Per capita allowances to certain student hostels

s 58 amd reg pubd gaz 4 November 1989 pp 1728–30; 22 December 1990 pp 2305–10; 1991 SL No. 210 s 5

sub 1992 SL No. 437 s 5

amd 1993 SL No. 483 s 6; 1994 SL No. 458 s 6; 1995 SL No. 399 s 16; 1996 SL No. 416 s 5; 1997 SL No. 467 s 33; 1998 SL No. 273 s 15; 1998 SL No. 355 s 7

Boarding allowance in certain circumstances

s 58A ins reg pubd gaz 22 December 1990 pp 2305–10

om 1995 SL No. 399 s 18

Living away from home allowances

s 59 amd reg pubd gaz 4 November 1989 pp 1728–30; 22 December 1990 pp 2305–10; 1991 SL No. 210 s 6; 1992 SL No. 437 s 6; 1993 SL No. 483 s 7; 1994 SL No. 458 s 7; 1995 SL No. 399 s 17; 1996 SL No. 416 s 6; 1997 SL No. 467 s 34; 1998 SL No. 355 s 8

False or misleading statements an offence

s 60 orig s 60 sub 1995 SL No. 399 s 20

exp 31 December 1996 (see s 62)

prev s 60 ins 1997 SL No. 467 s 35

om R5 (see RA s 37)

pres s 60 amd 1995 SL No. 399 s 19

PART 8—MISCELLANEOUS

pt hdg prev pt hdg sub 1995 SL No. 399 s 20

exp 31 December 1996 (see s 62)

pres pt hdg ins 1997 SL No. 467 s 35

om 1998 SL No. 273 s 16

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Transitional boarding allowance

s 61 ins 1995 SL No. 399 s 20
 exp 31 December 1996 (see s 62)

Expiry of part

s 62 ins 1995 SL No. 399 s 20
 exp 31 December 1996 (see s 62)

SCHEDULE—AREAS FOR SECTION 59(5)

ins 1995 SL No. 399 s 20

8 **Table of renumbered provisions**

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