EDUCATION AND TRAINING (CONSEQUENTIAL AMENDMENTS AND RESCISSIONS) BILL 2010

CONTENTS

1. Short title
2. Commencement
3. Consequential amendments
4. Legislation rescinded
5. Repeal of Act

Schedule 1 – Consequential Amendments
Schedule 2 – Legislation rescinded
EDUCATION AND TRAINING (CONSEQUENTIAL AMENDMENTS AND RESCISSIONS) BILL 2010

(Brought in by the Minister for Health, the Honourable Michelle Anne O'Byrne)

A BILL FOR

An Act to amend the Education Act 1994, the Education and Training (Tasmanian Skills Institute) Act 2008, the Teachers Registration Act 2000 and the State Service Act 2000 and to rescind the Education and Training (Tasmanian Academy) By-laws 2010 and the Education and Training (Tasmanian Polytechnic) By-laws 2010

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the Education and Training (Consequential Amendments and Rescissions) Act 2010.

2. Commencement

This Act commences on 1 January 2011.
3. **Consequential amendments**

   The legislation specified in Schedule 1 is amended as specified in that Schedule.

4. **Legislation rescinded**

   The legislation specified in Schedule 2 is rescinded.

5. **Repeal of Act**

   This Act is repealed on the ninetieth day from the day on which it commences.
SCHEDULE 1 – CONSEQUENTIAL AMENDMENTS

Section 3

Education Act 1994

1. Section 3 is amended as follows:

   (a) by omitting “established” from the definition of “Academy” and substituting “continued”;

   (b) by inserting the following definition after the definition of “Academy”:

   “Academy executive officer” means the executive officer for the Academy appointed under section 7 of the Education and Training (Tasmanian Academy) Act 2008;

   (c) by inserting the following definition after the definition of “child”:

   “College principal” means a principal within the meaning of the Education and Training (Tasmanian Academy) Act 2008;

   (d) by omitting “established” from the definition of “Polytechnic” and substituting “continued”;

   (e) by inserting the following definition after the definition of “Polytechnic”: 
“Polytechnic executive officer” means the executive officer for the Polytechnic appointed under section 7 of the Education and Training (Tasmanian Polytechnic) Act 2008;

(f) by omitting “Academy” from paragraph (b) of the definition of “school” and substituting “Academy, a college within the meaning of the Education and Training (Tasmanian Academy) Act 2008”.

2. Section 6(3) is amended by omitting “the Academy or the Polytechnic” and substituting “a College principal and the Polytechnic executive officer”.

3. Section 10 is amended as follows:

(a) by omitting from subsection (1)(a)(iii) “the Academy or the Polytechnic,” and substituting “a College principal or the Polytechnic executive officer,”;

(b) by omitting from subsection (1)(b) “Academy or the Polytechnic” first occurring and substituting “relevant College principal or the Polytechnic executive officer”;

6
(c) by omitting from subsection (1)(b) “Secretary, the Academy or the Polytechnic,” and substituting “Secretary.”;

(d) by omitting subsection (2) and substituting the following subsection:

(2) If a school-aged child’s non-attendance at a school, the Academy or the Polytechnic because of sickness or incapacity extends beyond the period specified by the Secretary, the parent of the child is to provide a certificate from a medical practitioner if requested to do so by the school’s principal, the relevant College principal or the Polytechnic executive officer.

(e) by omitting from subsection (3) “Academy or the Polytechnic” first occurring and substituting “relevant College principal or the Polytechnic executive officer”;

(f) by omitting from subsection (3) “Academy or Polytechnic” first occurring.

4. Section 14(3)(c) is amended by omitting “school,” and substituting “school or to the relevant campus of”.
5. Section 16(1) is amended as follows:

(a) by omitting from paragraph (b) “or the chief executive officer of the Academy” and substituting “executive officer or a College principal”;

(b) by omitting from paragraph (c) “Polytechnic or the chief executive officer of the Polytechnic” and substituting “Polytechnic executive officer”.

6. Section 47B(3)(b) is amended by omitting “Academy and the Polytechnic, jointly,” and substituting “Secretary”.

7. Section 47C is amended as follows:

(a) by omitting from subsection (1) “Academy or the Polytechnic” third occurring and substituting “Academy executive officer or the Polytechnic executive officer”;

(b) by omitting from subsection (2) “Academy or the Polytechnic.” and substituting “Academy executive officer or the Polytechnic executive officer.”;

(c) by omitting from subsection (3) “Academy or the Polytechnic” and
substituting “Academy executive officer or the Polytechnic executive officer”.

8. Section 47D is amended as follows:

(a) by omitting from subsection (1) “Academy or Polytechnic” and substituting “Academy executive officer or Polytechnic executive officer”;

(b) by omitting from subsection (2) “Academy or Polytechnic” and substituting “Academy executive officer or Polytechnic executive officer”.

Education and Training (Tasmanian Skills Institute) Act 2008

1. The long title is amended by omitting “provide” and substituting “provide, for employers,”.

2. Section 3 is amended by omitting “established” twice occurring and substituting “continued”.

3. Section 6 is amended as follows:

(a) by omitting from paragraph (a) “promote” and substituting “promote, for employers,”;
(b) by omitting from paragraph (d) “provision” and substituting “provision, for employers,”.

4. Section 7(1)(b) is amended by omitting “provision” and substituting “provision, for employers,”.

State Service Act 2000

1. Part 2 of Schedule 1 is amended as follows:

(a) by omitting the following item

<table>
<thead>
<tr>
<th>Tasmanian Academy</th>
<th>Chief executive officer</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) by omitting the following item

<table>
<thead>
<tr>
<th>Tasmanian Polytechnic</th>
<th>Chief executive officer</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Teachers Registration Act 2000

1. Section 3 is amended as follows:

(a) by omitting “established” from the definition of “Tasmanian Academy” and substituting “continued”;

10
(b) by omitting “established” from the definition of “Tasmanian Polytechnic” and substituting “continued”.

2. Section 25(5) is amended by omitting “the Tasmanian Academy, the Tasmanian Polytechnic,” from the definition of “teacher employing authority”.
Education and Training (Consequential Amendments and Rescissions) Act 2010
Act No. of

sch. 2

SCHEDULE 2 – LEGISLATION RESCINDED
Section 4

Education and Training (Tasmanian Academy) By-laws 2010
(No. 24 of 2010)

Education and Training (Tasmanian Polytechnic) By-laws 2010
(No. 36 of 2010)