

CLAUSE NOTES

Teachers Registration Amendment Bill 2016

- Clause 1:** **Short title**
This clause provides that the Bill will be cited as the *Teachers Registration Amendment Act 2016*.
- Clause 2:** **Commencement**
The Act will commence on the proclaimed date of 1 January 2017, with the exception of Parts 1 and 2 which will commence on the day on which they receive the Royal Assent.
- Clause 3:** **Repeal of Act**
This clause is a standard repeal provision to remove the empty shell of the Bill after all of its provisions have been transferred and have come into effect in the Principal Act.
- Clause 4:** **Principal Act**
This clause provides that the Principal Act to which the amendments apply is the *Teachers Registration Act 2000*.
- Clause 5:** **Section 17J amended (Determining whether person of good character)**
Section 17J prescribes the matters which the Teachers Registration Board must take into account when determining whether a person is of good character.
- Currently, the board is to take into account –
- any conviction of, or charge made against, the person;
 - any behaviour that does not satisfy a standard of behaviour generally accepted of a teacher, or otherwise disgraceful or improper; and
 - any other matter considered relevant.
- The amendment inserts an additional paragraph, whereby the Teachers Registration Board must take into account whether a person has been refused registration under the *Registration to Work with Vulnerable People Act 2013*, or had their registration suspended or cancelled.
- This will remove any potential risk of a person gaining teaching registration under the Principal Act, when they have been refused registration under the *Registration to Work with Vulnerable People Act 2013*, prior to the requirement to hold registration commencing on 1 January 2017.

Clause 6: **Principal Act**
This clause provides that the Principal Act to which the further amendments apply is the *Teachers Registration Act 2000*.

Clause 7: **Section 13 amended (Determination of application for registration)**

Section 13(2) prescribes the criteria that an applicant must satisfy in order to be granted full registration. The current criteria for full registration are that the applicant –

- has successfully completed an approved course and at least one full-time equivalent year of teaching;
- has contributed to educational practice and has sufficient education and experience to warrant registration;
- has complied with the applicable provisional registration requirements;
- is of good character;
- is fit to be a teacher; and
- is sufficiently proficient in the English language.

Section 13(3) prescribes the criteria that an applicant must satisfy in order to be granted provisional registration. The current criteria for provisional registration are that the applicant –

- has qualifications and experience as determined by the board, or is able to obtain said qualifications and experience;
- is of good character;
- is fit to be a teacher; and
- is sufficiently proficient in the English language.

Section 13(3A) prescribes the criteria that an applicant must satisfy in order to be granted specialist vocational education and training registration. The current criteria for specialist vocational education and training registration are that the applicant –

- has specialist vocational education and training related qualifications and experience as determined by the board;
- is of good character;
- is fit to be a teacher; and
- is sufficiently proficient in the English language.

The amendment inserts an additional criterion to each of the above categories of registration, whereby applicants must be registered under the *Registration to Work with Vulnerable People Act 2013* in respect to the regulated child related activity, in order to be granted registration under the Principal Act.

Clause 8: **Section 17A amended (Renewal of full registration and specialist vocational education and training registration)**

Section 17A(3) provides that in order to renew the full registration or specialist vocational education and training registration, the Teachers Registration Board must be satisfied

that they person continues to be of good character and fit to be a teacher.

The amendment inserts that in addition to these matters, the Teachers Registration Board must also be satisfied that the persons is registered under the *Registration to Work with Vulnerable People Act 2013*, in respect to the regulated child related activity.

Clause 9:

Section 17D amended (Determination of application)

Section 17D(2) prescribes the criteria that an applicant must satisfy in order to be granted a limited authority to teach by the Teachers Registration Board.

Currently, the criteria for a limited authority are that the applicant –

- does not meet the criteria for full registration but has the appropriate skills or experience that available registered teachers do not have;
- is of good character; and
- is fit to be a teacher.

The amendment inserts the additional criterion that an applicant seeking a limited authority to teach must be registered under the *Registration to Work with Vulnerable People Act 2013*, in respect to the regulated child related activity.