

CLAUSE NOTES

Education (Consequential Amendments) Bill 2016

PART 1 – PRELIMINARY

Clause 1. Short title

Provides that the short title of the Act is the *Education (Consequential Amendments) Act 2016*.

Clause 2. Commencement

Provides that this Act commences on 10 July 2017.

PART 2 – CHILD CARE ACT 2001 AMENDED

Clause 3. Principal Act

In this part, the *Child Care Act 2001* is referred to as the Principal Act.

Clause 4. Section 3 amended (Interpretation)

Amends section 3 to replace 'Education Act 1994' from the definition of 'school' with 'Education Act 2016.'

Clause 5. Section 4 amended (Child care defined)

Amends section 4(3) to replace 'Education Act 1994' with 'Education Act 2016.'

PART 3 – CHILDREN, YOUNG PERSONS AND THEIR FAMILIES ACT 1997 AMENDED

Clause 6. Principal Act

In this part, the *Children, Young Persons and their Families Act 1997* is identified as the Principal Act.

Clause 7. Section 32 amended (Convening family group conference)

Amends section 32 (10) to replace 'Education Act 1994' with 'Education Act 2016.'

PART 4 – CHRIST COLLEGE ACT 1926 AMENDED

Clause 8. Principal Act

In this part, the *Christ College Act 1926* is identified as the Principal Act.

Clause 9. Section 44 amended (Not to affect status as public schools)

Amends section 44 to replace 'Part 5 of the *Education Act 1994*' with 'Part 6 of the *Education Act 2016* as a registered school.'

PART 5 – FIRE SERVICE ACT 1979 AMENDED

Clause 10. Principal Act

In this part, the *Fire Service Act 1979* is identified as the Principal Act.

Clause 11. Section 50 amended (Protection of public premises)

Amends section 50(2)(a), subparagraph(v) to replace '*Education Act 1994*' with '*Education Act 2016*.'

Part 6 - LAND TAX ACT 2000 AMENDED

Clause 12. Principal Act

In this part, the *Land Tax Act 2000* is identified as the Principal Act.

Clause 13. Section 3 amended (Interpretation)

Amends section 3 to replace '*Education Act 1994*' from paragraph (d) of the definition of *educational institution* with '*Education Act 2016*.'

PART 7 – OFFICE OF TASMANIAN ASSESSMENT, STANDARDS AND CERTIFICATION ACT 2003 AMENDED

Clause 14. Principal Act

In this part, the *Office of Tasmanian Assessment, Standards And Certification Act 2003* is identified as the Principal Act.

Clause 15. Section 3 amended (Interpretation)

Amends section 3(1) to replace '*Education Act 1994*' of the definition of '*registered school*' with '*Education Act 2016*.'

Clause 16. Section 24B amended (Responsibilities of Secretary of Department for senior secondary curriculum)

Amends section 24B removes subsection (1) which defines Tasmanian Academy.

Amends subsection (2)(c)(ii) 'State schools, registered schools and the Tasmanian Academy.' with 'State schools and registered schools.'

PART 8 – POISONS ACT 1971 AMENDED

Clause 17. Principal Act

In this part, the *Poisons Act 1971* is identified as the Principal Act

Clause 18. Section 3 amended (Interpretation)

Amends section 3(1) removing paragraphs (d) and (e) from the definition of *public institution* and replacing with 'TasTAFE, within the meaning of the *Training and Workforce Development Act 2013*'.

PART 9 – REGISTRATION TO WORK WITH VULNERABLE PEOPLE ACT 2013 AMENDED

Clause 19. Principal Act

In this part, the *Registration to work with Vulnerable People Act 2013* is identified as the Principal Act

Clause 20. Section 15 amended (Person required to be registered to engage in regulated activity)

Amends the definition of *school* in section 15(1)(a) and (b) by replacing '*Education Act 1994*;' with '*Education Act 2016*'.

Amends section 15(1)(c) by removing current definition and replacing with 'a centre, unit or institute of the State which provides educational instruction at any level up to, and including, the final year of secondary education, including TasTAFE within the meaning of the *Training and Workforce Development Act 2013*.'

PART 10 – TEACHERS REGISTRATION ACT 2000 AMENDED

Clause 21. Principal Act

In this part, the *Teachers Registration Act 2000* is identified as the Principal Act.

Clause 22. Section 3 amended (Interpretation)

Amends section 3 by replacing 'school, the Tasmanian Academy' from the definition of *practising teacher* with 'school'.

Amends the definition of *registered school* in section 3 to 'registered school has the same meaning as in the *Education Act 2016*'

Amends section 3(c) by replacing '*Education Act 1994*;' from the definition of *school* with '*Education Act 2016*'.

Amends the definition of *State school* in section 3 to 'State school has the same meaning as in the *Education Act 2016*'.

Amends section 3(e) by replacing 'school, the Tasmanian Academy' from the definition of *student* with 'school'.

Amends section 3(f) by removing the definition of *Tasmanian Academy*.

Clause 23. Section 6 amended (Membership of Board)

Amends section 6(1)(b) by replacing 'schools and the Tasmanian Academy' with 'schools'.

Amends section 6(1)(f) and (j) by replacing 'school and the Tasmanian Academy' with 'school'.

- Clause 24. Section 11 amended (Offences relating to teaching)**
Amends section 11(1) and (5) by replacing 'school and the Tasmanian Academy' with 'school'.
- Clause 25. Section 17D amended (Determination of application)**
Amends section 17D(1)(a)(i) replacing 'school, or at any campus of the Tasmanian Academy' with 'school'.
- Clause 26. Section 25 amended (Registers)**
Amends section 25(5) by replacing 'a person or body referred to in section 51 of the Education Act 1994.' from the definition of *teacher employing authority* with 'the governing body, within the meaning of the *Education Act 2016*, of a school that is registered under that Act.'
- Clause 27. Section 31 amended (Employers to notify of disciplinary action taken and certain resignations and retirements)**
Amends the definition of *employer* in section 31(1) by removing 'the Tasmanian Academy,'.
Amends section 31(1) by replacing 'a person or body referred to in section 51 of the *Education Act 1994*' with 'the governing body, within the meaning of the *Education Act 2016*, of a school that is registered under that Act;.'
- Clause 28. Section 32 amended (Annual returns)**
Amends section 32 by replacing 'school, the Tasmanian Academy' with 'school'.
- PART 11 – MISCELLANEOUS**
- Clause 29. Repeal of Act**
Provides that this Act is repealed 365 days after the day on which all of the provisions of this Act commenced.