

South Australia

Regulation (Education and Early Childhood Services) Variation and Revocation Regulations 2011

under the *Education and Early Childhood Services (Registration and Standards) Act 2011*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Regulation (Education and Early Childhood Services) Variation and Revocation Regulations 2011*.

2—Commencement

These regulations will come into operation on 1 January 2012.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Children's Protection Regulations 2010*

4—Variation of regulation 14—Exemptions

Regulation 14(2)(a)(i)—delete "that are licensed or approved under the *Children's Services Act 1985*" and substitute:

for which an approval (however described) is required under the *Children's Services Act 1985* or the *Education and Early Childhood Services (Registrations and Standards) Act 2011*

Part 3—Variation of *Children's Services (Appeals) Regulations 2008*

5—Variation of regulation 4—Lodgement of appeals

- (1) Regulation 4(b)(ii)—delete subparagraph (ii)
- (2) Regulation 4(b)(iii)—delete "licence, registration or proposed licence or"

Part 4—Revocation of *Children's Services (Baby Sitting Agencies) Regulations 2001*

6—Revocation of regulations

The *Children's Services (Baby Sitting Agencies) Regulations 2001* are revoked.

Part 5—Revocation of *Children's Services (Child Care Centre) Regulations 1998*

7—Revocation of regulations

The *Children's Services (Child Care Centre) Regulations 1998* are revoked.

Part 6—Revocation of *Children's Services (Membership of Committees) Regulations 2001*

8—Revocation of regulations

The *Children's Services (Membership of Committees) Regulations 2001* are revoked.

Part 7—Variation of *Children's Services (Registered Children's Services Centres) Regulations 2003*

9—Revocation of regulation 5

Regulation 5—delete the regulation

10—Revocation of Schedule 1

Schedule 1—delete Schedule 1

Part 8—Revocation of *Education (Councils—Transitional) Regulations 2001*

11—Revocation of regulations

The *Education (Councils—Transitional) Regulations 2001* are revoked.

Part 9—Revocation of *Education (Registration of Non-Government Schools) Regulations 1998*

12—Revocation of regulations

The *Education (Registration of Non-Government Schools) Regulations 1998* are revoked.

Part 10—Variation of *Freedom of Information (Exempt Agency) Regulations 2008*

13—Variation of regulation 5—Exempt agencies in respect of certain information—education agencies

Regulation 5(1)—after paragraph (b) insert:

- (ba) the Minister responsible for the administration of the *Education and Early Childhood Services (Registration and Standards) Act 2011*;

Part 11—Variation of *Passenger Transport Regulations 2009*

14—Variation of regulation 7—Sections 27, 28 and 29 of Act not to apply in certain cases

Regulation 7(1)(a)(i), (ii) and (iii)—delete subparagraphs (i), (ii) and (iii) and substitute:

- (i) an administrative unit that is, under a Minister, responsible for the administration of the *Education and Early Childhood Services (Registration and Standards) Act 2011*, the *Education Act 1972* or the *Children's Services Act 1985*; or
- (ii) a registered school within the meaning of the *Education and Early Childhood Services (Registration and Standards) Act 2011* (including, in the case of a Government school, a school council constituted with respect to the school); or
- (iii) an approved provider under the *Education and Care Services National Law (South Australia)*; or

Part 12—Variation of *Public Corporations (Australian Children's Performing Arts Company) Regulations 2001*

15—Variation of regulation 7—Composition of Board

Regulation 7(3)—delete "Minister for Education and Children's Services" and substitute:

Minister to whom the administration of the *Education and Early Childhood Services (Registration and Standards) Act 2011* is committed

Part 13—Variation of *Waterworks Regulations 2011*

16—Variation of regulation 27—Exclusion of purposes from definition of commercial purpose

Regulation 27(2)(e)—delete "within the meaning of the *Children's Services Act 1985*" and substitute:

operating pursuant to an approval (however described) under the *Education and Early Childhood Services (Registration and Standards) Act 2011* or the *Children's Services Act 1985*;

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 15 December 2011

No 280 of 2011

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