

**House of Assembly—No 52**

As laid on the table and read a first time, 30 November 2022

South Australia

**Statutes Amendment (Education, Training and Skills Portfolio) Bill 2022**

A BILL FOR

An Act to amend the *Education and Children's Services Act 2019*, the *Education and Early Childhood Services (Registration and Standards) Act 2011* and the *History Trust of South Australia Act 1981*.

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

- 5 This Act may be cited as the *Statutes Amendment (Education, Training and Skills Portfolio) Act 2022*.

#### 2—Commencement

This Act comes into operation on a day to be fixed by proclamation.

### Part 2—Amendment of *Education and Children's Services Act 2019*

#### 10 3—Amendment of section 75—Principal etc to report persistent non-attendance or non-participation

Section 75(2a)—delete subsection (2a) and substitute:

- 15 (2a) However, a principal of a school or head of an approved learning program (as the case requires) will be taken to have notified the Chief Executive under subsection (1) if—
  - (a) the school or approved learning program records information relating to the persistent non-attendance or non-participation of students on a record management system (however described); and

- (b) a report relating to persistent non-attendance or non-participation of students at the school or approved learning program containing any information required by the regulations is provided to the Chief Executive at least once in each school term.

#### 4—Amendment of section 130—Charges for certain overseas and non-resident students etc

Section 130(4)—delete "Subject to any directions of the Chief Executive, the principal of a school" and substitute:

The Chief Executive

### Part 3—Amendment of *Education and Early Childhood Services (Registration and Standards) Act 2011*

#### 5—Amendment of section 22—Composition of Board

Section 22—after subsection (9) insert:

(10) If—

- (a) the office of a member of the Board becomes vacant before the expiry of the term of appointment specified in the member's instrument of appointment; and
- (b) a person has been appointed to be the deputy of that member,

the person appointed to be the deputy of the member may act as a member of the Board in respect of the vacant office—

- (c) for the balance of the term of appointment referred to in paragraph (a); or
- (d) until a person is appointed to the vacant office under this Act,

whichever first occurs (and a reference in this Act to a member of the Board will be taken to include, unless the contrary intention appears, a reference to a person acting as a member under this subsection).

### Part 4—Amendment of *History Trust of South Australia Act 1981*

#### 6—Amendment of section 2—Interpretation

Section 2(1), definition of *premises of the Trust*—after "by the Trust" insert:

and includes premises being temporarily used by the Trust to conduct activities and events related to its functions under this Act during the course of such activities or events