

Legislative Council—No 87

As received from the House of Assembly and read a first time, 23 March 2023

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