

SOUTH AUSTRALIA

**CHILDREN'S SERVICES ACT (MEMBERSHIP OF COMMITTEES)
REGULATIONS, 1986**

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REGULATIONS UNDER THE CHILDREN'S SERVICES ACT, 1985

*Children's Services Act
(Membership of Committees) Regulations, 1986*

being

No. 127 of 1986: *Gaz.* 10 July 1986, p. 225

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**PART I
INTRODUCTION**

Short title

1. These regulations may be cited as the *Children's Services Act (Membership of Committees) Regulations, 1986*.

Interpretation

2. In these regulations, unless the contrary intention appears—

"**the Act**" means the *Children's Services Act, 1985*.

The Returning Officer

3. (1) The Director shall be the Returning Officer for the purposes of any election held in pursuance of these regulations.

(2) Subject to the Act and these regulations, the Returning Officer may conduct an election held in pursuance of these regulations in such manner as he or she thinks fit.

3.

PART II
REGIONAL ADVISORY COMMITTEES

Membership of Regional Advisory Committees

4. (1) For the purposes of section 22 of the Act—

- (a) the Regional Advisory Committee for the area of the State designated by the Minister as the Northern Metropolitan Region shall have 34 members;
- (b) the Regional Advisory Committee for the area of the State designated by the Minister as the Eastern Metropolitan Region shall have 32 members;
- (c) the Regional Advisory Committee for the area of the State designated by the Minister as the Southern Metropolitan Region shall have 34 members;
- (d) the Regional Advisory Committee for the area of the State designated by the Minister as the Western Metropolitan Region shall have 32 members;
- (e) the Regional Advisory Committee for the area of the State designated by the Minister as the Northern Country Region shall have 32 members;
- (f) the Regional Advisory Committee for the area of the State designated by the Minister as the Southern Country Region shall have 32 members.

(2) Of the members of the Regional Advisory Committee for the Northern Metropolitan Region—

- (a) 7 members shall be appointed on the nomination of the director;
- (b) one member shall be appointed on the nomination of the Local Government Association;
- (c) 18 members shall be elected, in accordance with these regulations, by persons whose children are enrolled at, or attending, any establishment that provides children's services within the Northern Metropolitan Region;

and

- (d) 8 members shall be elected, in accordance with these regulations, by persons involved in the provision of children's services within the Northern Metropolitan Region.

(3) Of the members of the Regional Advisory Committee for the Eastern Metropolitan Region—

- (a) 7 members shall be appointed on the nomination of the director;
- (b) one member shall be appointed on the nomination of the Local Government Association;

4.

- (c) 16 members shall be elected, in accordance with these regulations, by persons whose children are enrolled at, or attending, any establishment that provides children's services within the Eastern Metropolitan Region;

and

- (d) 8 members shall be elected, in accordance with these regulations, by persons involved in the provision of children's services within the Eastern Metropolitan Region.

(4) Of the members of the Regional Advisory Committee for the Southern Metropolitan Region—

- (a) 7 members shall be appointed on the nomination of the director;
- (b) one member shall be appointed on the nomination of the Local Government Association;
- (c) 18 members shall be elected, in accordance with these regulations, by persons whose children are enrolled at, or attending, any establishment that provides children's services within the Southern Metropolitan Region;

and

- (d) 8 members shall be elected, in accordance with these regulations, by persons involved in the provision of children's services within the Southern Metropolitan Region.

(5) Of the members of the Regional Advisory Committee for the Western Metropolitan Region—

- (a) 7 members shall be appointed on the nomination of the director;
- (b) one member shall be appointed on the nomination of the Local Government Association;
- (c) 16 members shall be elected, in accordance with these regulations, by persons whose children are enrolled at, or attending, any establishment that provides children's services within the Western Metropolitan Region;

and

- (d) 8 members shall be elected, in accordance with these regulations, by persons involved in the provision of children's services within the Western Metropolitan Region.

(6) Of the members of the Regional Advisory Committee for the Northern Country Region—

- (a) 7 members shall be appointed on the nomination of the director;
- (b) one member shall be appointed on the nomination of the Local Government Association;

5.

- (c) 16 members shall be elected, in accordance with these regulations, by persons whose children are enrolled at, or attending, any establishment that provides children's services within the Northern Country Region;

and

- (d) 8 members shall be elected, in accordance with these regulations, by persons involved in the provision of children's services within the Northern Country Region.

(7) Of the members of the Regional Advisory Committee for the Southern Country Region—

- (a) 7 members shall be appointed on the nomination of the director;
- (b) one member shall be appointed on the nomination of the Local Government Association;
- (c) 16 members shall be elected, in accordance with these regulations, by persons whose children are enrolled at, or attending, any establishment that provides children's services within the Southern Country Region;

and

- (d) members shall be elected, in accordance with these regulations, by persons involved in the provision of children's services within the Southern Country Region.

Terms and conditions of membership of regional advisory committees

5. (1) Subject to subregulation (3), an elected member of a regional advisory committee shall be elected for a term of one year and, on the expiration of a term of office, shall be eligible for re-election.

(2) Subject to subregulation (3), an appointed member of a regional advisory committee shall be appointed for a term of one year and, on the expiration of that member's first term of office, shall be eligible for reappointment for not more than 2 further terms of office.

(3) Members elected or appointed to the first regional advisory committees established pursuant to the Act shall be elected or appointed for an initial term, not exceeding 2 years, determined by the Director.

(4) The Director may remove a member of a regional advisory committee from office on the ground of—

- (a) mental or physical incapacity to carry out satisfactorily the duties of his or her office;
 - (b) dishonourable conduct;
- or
- (c) neglect of duty.

6.

(5) The office of a member of a regional advisory committee becomes vacant if—

- (a) he or she dies;
- (b) his or her term of office expires;
- (c) he or she resigns by giving notice in writing to the Director;
- (d) he or she is absent from 3 successive meetings without proper excuse;

or

- (e) he or she is removed from office by the Director under subregulation (4).

(6) Upon the office of a member of a regional advisory committee becoming vacant, a person shall be appointed or elected in accordance with these regulations to the vacant office.

Procedure at meetings of regional advisory committees

6. (1) The Chairman shall preside at any meeting of a regional advisory committee at which he or she is present.

(2) In the absence of the Chairman from a meeting of the committee, the members present shall elect one of their number to preside at the meeting.

(3) Seven elected members, of whom at least 4 are parents of children enrolled at, or attending, any establishment that provides children's services, constitute a quorum of a regional advisory committee.

(4) A decision carried by a majority of the votes cast by the members present at a meeting of a regional advisory committee is a decision of the committee.

(5) Each member present at a meeting of a regional advisory committee is entitled to one vote on a question arising for decision at that meeting and, in the event of an equality of votes, the person presiding is entitled to a second, or casting, vote.

(6) Regional advisory committee meetings shall be open to observers who may, at the discretion of the members present, take part in the business of the meeting but who may not vote on any question arising for decision at the meeting.

(7) Subject to the Act and these regulations, the business of a regional advisory committee shall be conducted in such manner as it determines.

Observers to be invited to at least one meeting each year

7. A regional advisory committee must, at least once each year, invite each establishment that provides children's services within the region of that committee to send one or more observers to attend a meeting of the committee.

7.

Validity of acts

8. An act or proceeding of a regional advisory committee is not invalid by reason of a vacancy in the membership of the committee or a defect in an appointment to the committee.

Election of parents to membership of regional advisory committees

9. (1) For the purposes of an election of members of a regional advisory committee by persons whose children are enrolled at, or attending, any establishment that provides children's services, the Returning Officer shall divide the area of the State in relation to which the committee is established into a number of subregions determined in accordance with the following formula:

$$N = \frac{n}{2}$$

where—

N is the number of subregions

and

n is the number of members to be elected.

(2) The Returning Officer shall advise each establishment that provides children's services within a subregion of the time and place at which an election is to be held.

(3) Each such establishment may nominate a person who is a parent of a child enrolled at, or attending the establishment, to attend at the election.

(4) At an election, the persons nominated to attend shall elect two persons to be members of the regional advisory committee, being parents of children enrolled at, or attending establishments that provide different kinds of children's services.

Election of service providers to membership of regional advisory committees

10. (1) For the purposes of an election of members of a regional advisory committee by persons involved in the provision of children's services, the Returning Officer shall—

(a) divide the persons into 8 groups, of which—

- (i) one shall consist of persons involved in the provision of toy libraries;
- (ii) one shall consist of persons involved in the provision of playgroups;
- (iii) one shall consist of persons involved with kindergartens that are registered children's services centres or that were registered under the repealed Act as affiliated kindergartens;

8.

- (iv) one shall consist of persons involved with licensed child care centres that operate on a non-profit basis;
- (v) one shall consist of officers and employees of the Children's Services Office who are involved in the provision of family day care;
- (vi) one shall consist of persons involved in the provision of occasional care services;
- (vii) one shall consist of persons involved in the provision of Out of School Hours and Vacation care services;

and

- (viii) one shall consist of persons involved with child parent centres, pre-schools provided by non-government schools, and any other children's services not specified in the preceding paragraphs;

and

- (b) invite the persons in each group to participate in an election of a person from each group to the regional advisory committee.

(2) An election referred to in subregulation (1)(b) may be conducted—

- (a) by means of a postal ballot;

or

- (b) at a meeting of the persons in a group at a time and place determined by the Returning Officer.

PART III
CHILDREN'S SERVICES CONSULTATIVE COMMITTEE

Term of office of elected members of the Committee

11. An elected member of the Committee shall hold office for a term of one year, and on the expiration of a term of office, shall be eligible for re-election.

Election of members of the Committee

12. For the purposes of section 15(2)(a) of the Act, the Returning Officer shall invite each regional advisory committee to elect 2 of its members (being persons whose children are enrolled at, or attending establishments that provide different kinds of children's services) to be members of the Committee.

*Panel of persons for selection by Minister pursuant to
section 15(2)(b)*

13. For the purposes of section 15(2)(b) of the Act—

(a) each regional advisory committee may nominate 2 of its members, being persons involved in the provision of different types of children's services;

and

(b) each of the following organizations may nominate one person involved in the provision of children's services:

- (i) S.A. Association of Subsidised Child Care Centres;
- (ii) Toy Libraries Association;
- (iii) Playgroups Association;
- (iv) National Association of Community Based Children's Services;
- (v) Australian Early Childhood Association;
- (vi) Australian Association of Early Childhood Educators;
- (vii) Pre-School Education Association,

to form the panel of persons referred to in that section.