

SOUTH AUSTRALIA

**TEACHERS REGISTRATION REGULATIONS 1975**

# REGULATIONS UNDER THE EDUCATION ACT, 1972

## *Teachers Registration Regulations 1975*

being

*Gaz.* 26 June 1975, p. 2469<sup>1</sup>

as varied by

*Gaz.* 22 June 1978, p. 2183<sup>2</sup>

*Gaz.* 13 July 1978, p. 133

No. 134 of 1981: *Gaz.* 13 August 1981, p. 456

No. 180 of 1984: *Gaz.* 20 September 1984, p. 908

No. 78 of 1985: *Gaz.* 16 May 1985, p. 1546

No. 260 of 1987: *Gaz.* 29 October 1987, p. 1457<sup>3</sup>

No. 254 of 1993: *Gaz.* 4 November 1993, p. 2197<sup>4</sup>

No. 172 of 1994: *Gaz.* 20 October 1994, p. 1244<sup>5</sup>

No. 195 of 1995: *Gaz.* 19 October 1995, p. 1143<sup>6</sup>

<sup>1</sup> Came into operation 26 June 1975: reg. 1.

<sup>2</sup> Came into operation (except reg. 2) 22 June 1978; reg. 2 came into operation 1 July 1978: reg. 3.

<sup>3</sup> Came into operation 1 January 1988: reg. 2.

<sup>4</sup> Came into operation 1 January 1994: reg. 2.

<sup>5</sup> Came into operation 20 October 1994: reg. 2.

<sup>6</sup> Came into operation 1 January 1996: reg. 2.

2.

1. These regulations may be cited as *Teachers Registration Regulations 1975* and shall come into force on the 26th day of June, 1975.

2. In these regulations unless the context otherwise requires—

"the Act" means the *Education Act, 1972-1974*.

"the Board" means the Teachers Registration Board.

"prescribed kindergarten" means:—

- (i) any institution administered by the Minister of Education pursuant to the Act which provides any course of instruction in pre-school education for children aged from 3 to 5 years; and
- (ii) any kindergarten administered by any person or body corporate which is not administered by the Minister of Education and which provides any course of instruction in pre-school education for children aged from 3 to 5 years; and
- (iii) any other institution administered by any person or body corporate which provides any course of instruction in pre-school education for children aged from 3 to 5 years not being a child care centre conducted or controlled by a person who is the holder of a valid licence granted pursuant to the *Community Welfare Act, 1972-1976*.

#### *Common Seal*

3. The Board shall have a common seal which shall be kept in such custody as the Board directs and which shall not be used except by a resolution of the Board.

#### *Application for Registration*

4. An application to the Board for registration as a teacher shall be in such form as the Board determines and—

- (1) shall contain the information indicated therein; and
- (2) shall be accompanied by any documents referred to in that form; and
- (3) shall be accompanied by the registration fee and (where applicable) the assessment fee prescribed in regulation 11.

#### *Registration*

5. (1) Pursuant to section 61 of the Act:

- (a) the prescribed qualifications for the purposes of subparagraph (ii) of paragraph (b) of subsection (1) are specified in subregulations (2), (3) and (4) of this regulation; and

3.

- (b) the prescribed experience as a teacher for the purposes of subparagraph (ii) of paragraph (b) of subsection (1) is specified in subregulation (5) of this regulation.

(2) For qualifications obtained in the State of South Australia:

- (a) a Diploma of Teaching in pre-primary, primary or secondary education that is nationally registered by the Australian Council on Awards in Advanced Education and is awarded on completion of a course of tertiary study such course being of three years duration;
- (b) a Bachelor of Education in pre-primary, primary or secondary education that is awarded on completion of a pre-service course of professional teacher training such course being of four years duration; or
- (c) the award of an approved non-teacher training Diploma or Degree and an award of a post graduate Diploma of Education in pre-primary, primary or secondary education on completion of a pre-service course of professional teacher training such course being of one years duration.

(3) For qualifications obtained in a State or Territory of the Commonwealth of Australia other than the State of South Australia:

- (a) a Diploma of Teaching in pre-primary, primary or secondary education that is nationally registered by the Australian Council on Awards in Advanced Education and is awarded on completion of a course of tertiary study such course being of three years duration;
- (b) a Bachelor of Education in pre-primary, primary or secondary education that is awarded on completion of a pre-service course of professional teacher training such course being of four years duration; or
- (c) a non-teacher training Diploma or Degree obtained on completion of a course of tertiary study such course to be of at least three years duration and to have the same academic standing of an approved non-teacher training Diploma or Degree and an award of a post graduate qualification on completion of a pre-service course of professional teacher training in pre-primary, primary or secondary education such course to be of one years duration.

(4) For qualifications obtained outside of the Commonwealth of Australia:

- (a) an award on completion of a course of teacher training applicable to pre-primary, primary or secondary education at a tertiary institution such course being at least of three years duration the institution and the award being approved by the Board in accordance with the guidelines established by the Council on Overseas Professional Qualifications as being comparable to an award of the kind referred to in subregulation (2) of this regulation; or

- (b) the award of a non-teacher training Diploma or Degree applicable to pre-primary, primary or secondary education on completion of a course of tertiary study such course to be of at least three years duration and an award of a post graduate qualification on completion of a pre-service course of professional teacher training in pre-primary, primary or secondary education such course to be of one years duration where both award and institution are approved by the Board in accordance with the guidelines established by the Council on Overseas Professional Qualifications as being comparable to an award of a kind referred to in subregulation (2) of this regulation.

(5) Satisfactory completion of one school years teaching service or its equivalent of two hundred days that must consist of a minimum of one term or its equivalent as a provisionally registered teacher in a pre-primary, primary or secondary school that is a Government school or a registered non-Government school.

(6) In this regulation an "approved non-teacher training Diploma or Degree" means a diploma or degree that is applicable to pre-primary, primary or secondary education that is awarded on completion of a course of higher or tertiary study in the State such course being of at least three years duration and being one of the following Degrees or Diplomas:

- Bachelor of Arts (B.A.)
  - Bachelor of Economics (B.Ec.)
  - Bachelor of Science (B.Sc.)
  - Bachelor of Engineering (B.E.)
  - Bachelor of Architecture (B.Arch.)
  - Bachelor of Laws (LL.B.)
  - Bachelor of Agricultural Science (B.Ag.Sc.)
  - Bachelor of Medicine and Bachelor of Surgery (M.B., B.S.)
  - Bachelor of Medical Science (B.Med.Sc.)
  - Bachelor of Music (B.Mus.)
  - Bachelor of Arts in Fine Art (B.A.F.A.)
  - Bachelor of Arts in Performing Arts (B.A.P.A.)
  - Bachelor of Arts in Communication Studies (B.A.C.S.)
  - Bachelor of Design (B.D.)
  - Bachelor of Arts in Accounting (B.A. in Acc.)
  - Bachelor of Applied Science in Applied Geology (B.App.Sc. in App. Geol.)
  - Bachelor of Applied Science in Applied Physics (B.App.Sc. in App. Phy.)
  - Bachelor of Applied Science in Chemistry (B.App.Sc. in Chem.)
  - Bachelor of Applied Science in Chemistry and Microbiology (B.App.Sc. in Chem. & Microbiol.)
  - Bachelor of Applied Science in Chemical Technology (B.App.Sc. in Chem.Tech.)
  - Bachelor of Applied Science in Computer Studies (B.App.Sc. in Comp.Stud.)
  - Bachelor of Applied Science in Medical Technology (B.Ap.Sc. in Med.Tech.)
  - Bachelor of Applied Science in Metallurgy (B.App.Sc. in Met.)
  - Bachelor of Applied Science in Surveying (B.App.Sc. in Survey.)
- Master of Education (M.Ed.)
  - Master of Arts (M.A.)
  - Master of Agriculture (M.Ag.)
  - Master of Agricultural Science (M.Ag.Sc.)
  - Master of Architecture (M.Arch)
  - Master of Economics (M.Ec.)

5.

Master of Engineering (M.E.)  
Master of Science (M.Sc.)  
Master of Music (M.Mus.)

Diploma of Applied Science in Agriculture (Dip.App.Sc. in Ag.)  
Diploma of Applied Science in Natural Resources (Dip.App.Sc. in Nat.Res.)  
Diploma in Fine Art (Painting) (Dip.F.A. [Ptg.])  
Diploma in Fine Art (Printmaking) (Dip.F.A. [Print.])  
Diploma in Fine Art (Sculpture) (Dip.F.A. [Sculp.])  
Diploma in Design (Graphics) (Dip.Des. [Gr.])  
Diploma in Design (Ceramics) (Dip.Des. [Cer.]).

*Authority for an Unregistered Person*

6. (1) An application to the Board for a written authority from the Board pursuant to section 63 of the Act shall be made in such form as the Board determines and—

- (a) shall contain the information indicated therein; and
- (b) shall be accompanied by any documents referred to in that form.

(2) An authority granted to an applicant shall be subject to such conditions as the Board determines and as are stated on that authority.

(3) An authority granted by the Board shall be for such period as is fixed by the Board and upon the expiration of such period such authority may be extended for a further period fixed by the Board.

(4) An authority granted by the Board may be determined by the Board for any breach of any condition of such authority or where the Board is satisfied that the person to whom the authority has been granted—

- (i) is no longer competent to teach pursuant to that authority; or
- (ii) is guilty of improper conduct.

(5) A person holding an authority from the Board who seeks appointment to any office or position in which he is required to administer or teach any course of instruction in primary or secondary education shall present his authority to the employing organisation or person for sighting at the time he applies for that appointment.

*Renewal of Registration After an Absence*

7. Where a teacher has been registered under section 61 of the Act and his registration has lapsed due to non-payment of renewal fees, but not where his registration has been cancelled under section 65 of the Act or under these regulations, and that teacher forwards to the Board an application in writing accompanied by the fee prescribed in regulation 11 for the restoration of his name to the register, his name shall be so restored by order of the Board, provided that he satisfies the requirements of subsection (1) of section 61 of the Act.

*Certificate of Registration*

8. (1) Where a person has been granted registration by the Board and has paid the registration fee and (where applicable) the assessment fee prescribed in regulation 11, the Registrar shall issue to such person, in a form determined by the Board, a certificate of registration as a registered teacher.

(2) The certificate of registration shall be stamped with the common seal of the Board.

(3) A registered teacher who seeks appointment to any office or position in which he is required to administer or teach any course of instruction in primary or secondary education shall present his certificate of registration as a teacher to the employing organisation or person for sighting at the time he applies for that appointment.

(4) A registered teacher who satisfies the Board by statutory declaration that his certificate of registration has been lost or accidentally destroyed shall on payment to the Board of the fee prescribed in regulation 11 be issued with a duplicate of his certificate of registration.

*Obligation of Principal or Person in Charge of a School*

9. (1) Where it appears to the Board that an unregistered teacher or person failing to hold an authority in writing of the Board may be employed in contravention of section 63 of the Act, the Board may request the principal or person in charge of a school by notice in writing to furnish in writing the names of all teachers or persons engaged in teaching in that school on a date specified in the notice.

(2) Within 14 days of receipt of a notice referred to in subregulation (1) of this regulation and pursuant to such notice the principal or person in charge of a school shall furnish the Board with a record of the names of all teachers or persons engaged in teaching at that school.

(3) Any person who pursuant to this regulation wilfully causes, suffers or permits the Board to be furnished with a record of names which is false or misleading in any material particular shall be guilty of an offence.

*Obligation of Director-General*

9A. The Director-General, upon the request of the Board by notice in writing, shall furnish to the Board within a reasonable time of the receipt of such notice the surname, given names, date of birth and place of employment of all teachers, whose names are contained in the departmental records of teachers employed under the Act in Government Schools as at a future date specified in the notice.

*Renewal of Registration*

10. A registered teacher shall apply by notice in writing to the Board for an extension or further extension of the period of registration, enclosing the fee prescribed in regulation 11, prior to the expiration of his period of registration.

7.

*Fees*

11. (1) The fees payable to the Board under the Act and these regulations shall be those specified in the following table:

	\$
For each application for registration or provisional registration as a teacher pursuant to section 61 of the Act ("the registration fee") . . . . .	36.00
For assessment of an application for registration or provisional registration as a teacher pursuant to section 61 of the Act where the qualifications of the applicant for the purposes of that section include a qualification—	
(a) not obtained in South Australia; or	
(b) obtained in South Australia but not previously considered by the Board for the purposes of registration,	
payable in addition to the registration fee ("the assessment fee") . . . . .	50.00
For the extension of a period of registration pursuant to section 62 of the Act . . . . .	36.00
For the restoration of the name of a previously registered teacher to the register, pursuant to regulation 7 of this Part and in addition to the normal registration fee . . . . .	one third of the registration fee
For the issue of a duplicate certificate of registration, pursuant to regulation 8 of this Part . . . . .	one third of the registration fee.

(2) The Board may, where it considers reasonable cause exists for it so doing, remit any fees imposed under this regulation in whole or in part.

*The Register*

12. (1) Where a person has been granted registration pursuant to section 61 of the Act and these regulation, the Registrar shall enter in the register the name of that person, his date of birth, the qualifications in respect of which he is registered, if applicable, and such other details concerning the qualifications for registration of that person as the Board may direct.

(2) A registered teacher shall notify the Board within 28 days of any change of which he is aware in the details recorded in the register in respect of that teacher.

(3) The Registrar shall make such alterations and amendments to the register as the Board directs from time to time.



8.

*Accounts and Audit*

**13.** (1) The Registrar shall each year prepared a financial statement showing the receipts and payments of the Board for the period of 12 months ended on the 30th day of the preceding month of June, together with a statement of funds held at that date, and shall submit the same to the Minister.

(2) The Board shall cause the said financial statement to be published for the information of registered teachers.

(3) The Auditor-General may at any time, and shall at least once in each calendar year, audit the Accounts of the Board.

*Annual Report*

**14.** The Board shall, as soon as practicable but not more than three months after the 31st day of December in each year, cause a report of the work and activities of the Board during the year ending on that day to be forwarded to the Minister of Education for presentation to Parliament.

*Breach of Regulations*

**15.** Any person who by act or omission commits a breach of these regulations shall be guilty of an offence and shall be liable to a penalty not exceeding \$100.

## APPENDIX

### LEGISLATIVE HISTORY

Regulation 2:	definition of "prescribed kindergarten" inserted by <i>Gaz.</i> 13.7.78, p. 133, reg. 2
Regulation 4(3):	varied by 172, 1994, reg. 3
Regulation 5:	substituted by 78, 1985, reg. 2
Regulation 8(1):	varied by 172, 1994, reg. 4
Regulation 9A:	inserted by <i>Gaz.</i> 22.6.78, p. 2183, reg. 1
Regulation 11(1):	substituted by <i>Gaz.</i> 22.6.78, p. 2183, reg. 2; varied by 134, 1981, reg. 2; substituted by 180, 1984, reg. 2; varied by 260, 1987, reg. 3; 254, 1993, reg. 3; 172, 1994, reg. 5; 195, 1995, reg. 3