

South Australia

Teachers Registration and Standards Variation Regulations 2019

under the *Teachers Registration and Standards Act 2004*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Teachers Registration and Standards Variation Regulations 2019*.

2—Commencement

These regulations come into operation on the day on which they are made.

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 *Teachers Registration and Standards Regulations 2016*

4—Substitution of regulation 5

Regulation 5—delete the regulation and substitute:

5—Exemption from requirement to be registered

- (1) For the purposes of section 20(4)(b) of the Act, the following persons and classes of persons are prescribed:

- (a) a person employed as a director at a prescribed education and care service (not being a person who personally provides preschool education or early childhood teaching services at the prescribed education and care service);
- (b) a person who employs a person as a director at a prescribed education and care service.

- (2) In this regulation—

approved education and care service has the same meaning as in the *Education and Care Services National Law (South Australia)*;

out of school hours care means the provision of recreational and leisure programs to children before or after school hours, or during school vacation time;

prescribed education and care service means an approved education and care service comprising—

- (a) out of school hours care that consists of, or includes, pre-school education; or
- (b) the provision of centre-based long day care services that consist of, or include, pre-school education to children who have not yet commenced school.

5—Insertion of regulation 10A

After regulation 10 insert:

10A—Exemptions from working with children check requirements

- (1) Pursuant to section 61(2)(a) of the Act, a special authority granted under Part 6 of the Act to a person who is the subject of an exemption under section 14 of the *Child Safety (Prohibited Persons) Act 2016* that is in force is exempt from the requirement under section 30(1a) of the Act—
- (a) for the period that the exemption under section 14 of the *Child Safety (Prohibited Persons) Act 2016* remains in force; or
 - (b) for a period of 90 days,

whichever is shorter.

- (2) Pursuant to section 61(2)(a) of the Act, the following provisions do not apply in relation to an application for a special authority under Part 6 of the Act relating to a person who is the subject of an exemption under section 14 of the *Child Safety (Prohibited Persons) Act 2016* that is in force:
- (a) section 30(2)(b) of the Act;
 - (b) section 30(3)(ab) of the Act.

6—Variation of regulation 11—Mandatory notification course to be completed before special authority to teach granted

Regulation 11—delete "section 30(2)(b)" and substitute:

section 30(2)(d)

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 18 July 2019

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