

Legislative Council—Bill No 249

Amendments to be moved by Minister for Sustainability, Environment and Conservation [1]
Draft 14.11.17

South Australia

Education and Children's Services Bill 2017

Amendment No 1 [SusEnvCons-1]—

Clause 10, page 16, line 13 [clause 10(2)]—

Delete "of schools" and substitute:

(other than a model constitution for affiliated committees)

Amendment No 2 [SusEnvCons-1]—

Clause 10, page 16, line 16 [clause 10(2)(a)]—

After "principal of the school" insert:

or the director of the preschool or children's services centre (as the case requires)

Amendment No 3 [SusEnvCons-1]—

Clause 15, page 19, after line 13 [clause 15(2)]—

Delete "include the information required by the regulations." and substitute:

include—

- (a) details of each direction given by the Minister under section 48 (including any action required under the direction); and
- (b) any other information required by the regulations.

Amendment No 4 [SusEnvCons-1]—

Clause 21, page 22, after line 11 [clause 21(3)]—

After paragraph (a) insert:

- (ab) a provision requiring the governing council to participate in a scheme for the resolution of disputes between the governing council and the director of the preschool or children's services centre; and
- (ac) a provision requiring the members of the governing council to comply with a code of practice approved by the Minister under section 10(2)(b); and

Amendment No 5 [SusEnvCons-1]—

Clause 27, page 25, line 17 [clause 27(a)]—

After "misconduct" insert:

(including any breach of a code of practice approved by the Minister under section 10(2)(b) and applying to the member)

Amendment No 6 [SusEnvCons-1]—

Clause 47, page 36, line 32 [clause 47(a)]—

After "misconduct" insert:

(including any breach of a code of practice approved by the Minister under section 10(2)(b) and applying to the member)

Amendment No 7 [SusEnvCons-1]—

Clause 50, page 38, after line 2—

Insert:

- (1a) However, the Minister must, at least 14 days before suspending the governing council of a school under subsection (1)—
 - (a) advise the governing council by notice in writing of the Minister's intention to suspend the governing council and the grounds for doing so; and
 - (b) have regard to any submissions relating to the proposed suspension made by the governing council within the period (being not less than 14 days) specified in the notice; and
 - (c) take such other action as may be required by the regulations.

Amendment No 8 [SusEnvCons-1]—

Clause 51, page 39, after line 16—

Insert:

- (1a) However, the Minister must, at least 14 days before dissolving the governing council of a school under subsection (1)—
 - (a) advise the governing council by notice in writing of the Minister's intention to dissolve the governing council and the grounds for doing so; and
 - (b) have regard to any submissions relating to the proposed dissolution made by the governing council within the period (being not less than 14 days) specified in the notice; and
 - (c) take such other action as may be required by the regulations.

Amendment No 9 [SusEnvCons-1]—

New clause, page 39, after line 28—

Insert:

51A—Minister to report to Parliament if governing council suspended or dissolved

- (1) If the Minister suspends the governing council of a school under section 50, or dissolves the governing council of a school under section 51, the Minister must prepare a report setting out—
 - (a) details of the suspension or dissolution (as the case requires); and

- (b) the grounds for suspending or dissolving the governing council (as the case requires); and
 - (c) the reasons why doing so was in the interests of the students of the school or persons who are responsible for such students; and
 - (d) any other information required by the regulations.
- (2) The Minister must, within 12 sitting days after preparing a report under this section, have copies of the report laid before both Houses of Parliament.

Amendment No 10 [SusEnvCons-1]—

New clause, page 49, after line 40—

After clause 70 insert:

70A—Expiation of offences against Subdivision

- (1) The regulations may not prescribe an expiation fee for an offence against this Subdivision that exceeds \$200.
- (2) If the regulations prescribe an expiation fee for an offence against this Subdivision relating to a child's attendance at school or participation in an approved learning program, a person may not be given an expiation notice in respect of the offence unless a family conference has been convened under Subdivision 2 in relation to the child (whether or not the family conference has actually been held).