

NORTHERN TERRITORY OF AUSTRALIA

EDUCATION AMENDMENT ACT 1988

No. 61 of 1988

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NORTHERN TERRITORY OF AUSTRALIA

No. 61 of 1988

AN ACT

to amend the Education Act

[Assented to 15 December 1988]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the Education Amendment Act 1988.

2. COMMENCEMENT

This Act shall come into operation on 1 January 1989.

3. PRINCIPAL ACT

The Education Act is in this Act referred to as the Principal Act.

4. INTERPRETATION

Section 4 of the Principal Act is amended -

- (a) by omitting the definition of "Institute" and substituting the following:

"'Institute' means the Institute of Technical and Further Education established pursuant to section 20 of the Northern Territory University Act"; and

- (b) by adding at the end the following:

"'University' means the Northern Territory University established by section 4 of the Northern Territory University Act."

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5. DEFINITIONS

Section 10A of the Principal Act is amended by omitting from the definition of "relevant organization" the words "section 10C(2)(b) or (c)" and substituting "section 10C(2)(c)".

6. COMPOSITION OF BOARD AND APPOINTMENT OF MEMBERS

Section 10C(2) of the Principal Act is amended -

- (a) by omitting paragraph (b);
- (b) by omitting paragraph (c)(i) and substituting the following:

"(i) the Council of the Alice Springs College of Technical and Further Education;"

- (c) by omitting "and" at the end of paragraph (c)(v); and

- (d) by omitting paragraph (c)(vi) and substituting the following:

"(vi) the Council of the University;

(vii) the Board of the Institute; and

(viii) the Council of the Northern Territory Open College of Technical and Further Education,".

7. DISMISSAL OF MEMBERS

Section 10G(3) of the Principal Act is amended by omitting paragraph (b).

8. ESTABLISHMENT AND COMPOSITION

Section 16 of the Principal Act is amended -

- (a) by omitting subsection (2)(d) and substituting the following:

"(d) one shall be the Chairman of the Board of the Institute; and";

- (b) by omitting subsection (3)(a);

- (c) by omitting subsection (3)(b)(i) and substituting the following:

"(i) the Council of the Alice Springs College of Technical and Further Education;

"(ia) the Council of the Northern Territory Open College of Technical and Further Education;"
and

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- (d) by omitting subsection (4) and substituting the following:

"(4) A person nominated by a body referred to in subsection (3)(b) is not required to be a member of that body.".

9. DISMISSAL OF MEMBERS

Section 18B of the Principal Act is amended by omitting subsection (3) and substituting the following:

"(3) Where the Minister receives a request from a body specified in section 16(3)(b) to terminate the appointment of a member appointed under section 16(2)(e) on the nomination of that body, the Minister shall terminate the appointment of that member.".

10. GENERAL POWER TO ESTABLISH ADVISORY COUNCILS

Section 19 of the Principal Act is amended by omitting subsection (4) and substituting the following:

"(4) A school council established under section 71(1) is not an advisory council within the meaning of this Part.".

11. TRUANCY

Section 31 of the Principal Act is amended -

- (a) by omitting from subsection (1) "means a person authorized in writing by the Secretary for the purposes of this Part" and substituting "means -
- (a) any member of the Police Force when in uniform; and
- (b) any other person authorized in writing by the Secretary for the purposes of this Part.";
- (b) by inserting in subsection (2) after "authorized person" the words "other than a member of the Police Force";
- (c) by omitting from subsection (3) all words after "attend a school," and substituting "the authorized person may -
- (a) after producing, in the case of a person authorized under subsection (1)(b), the identity card issued to him under subsection (2), ask the child for his name and address, his age, the name of the school at which he is enrolled, and an explanation of his absence from school; and
- (b) if he remains of the opinion that the child is of compulsory school age and is not satisfied with the explanation offered by the child, escort the child to the school and into the custody of the head teacher."; and

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- (d) by inserting in subsection (4) after "after producing" the words "in the case of a person authorized under subsection (1)(b)".

12. GENERAL POWERS OF SECRETARY

Section 69(4) of the Principal Act is amended by omitting all words after "in relation to the" and substituting "University".

13. INTERPRETATION

Section 70(1) of the Principal Act is amended by omitting from the definition of "post-school institution" paragraph (c) and substituting the following:

"(c) the Alice Springs College of Technical and Further Education;

(ca) the Northern Territory Open College of Technical and Further Education;".
