

EDUCATION.

11° Elizabeth II., No. XXXVII.

No. 37 of 1962.

AN ACT to amend the Education Act, 1928-1961.

[Assented to 29th October, 1962.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title
and citation.

1. (1) This Act may be cited as the *Education Act Amendment Act, 1962.*

Vol. 11 of The
Reprinted
Acts.
Approved
for reprint
14th June,
1957.
Amended by
Acts Nos.
72 of 1957,
57 of 1960
and 40 of
1961.

(2) In this Act the Education Act, 1928-1961, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Education Act, 1928-1962.

2. This Act shall come into operation on a day to be fixed by proclamation. Commence-
ment.

3. Section three of the principal Act is amended— S. 3
amended.

(a) by deleting the subsection designation, “(1)” in line one;

(b) by substituting for the interpretation, “leaving age” the following interpretation—

“leaving age” in relation to a child means the age of that child at the end of the school year in which he attains the age of fourteen years, or if and as often as a greater age is declared by proclamation made under section three A of this Act, means the age so declared;

(c) by adding after the interpretation, “Parent” the following interpretation—

“school year” in relation to a Government or efficient school means that part of a calendar year from and including the first day in that year on which that school opens for attendance of children to and including the last day in that year that such school is open for that purpose; ;

and

(d) by repealing subsection (2).

4. The principal Act is amended by adding immediately after section three the following section:— S. 3A
added.

3A. The Minister may recommend from time to time to the Governor that on and from a specified day the leaving age be increased to such age not exceeding fifteen years as the Minister specifies in his recommendation, and thereupon the Governor may by proclamation Leaving age
may be
increased.

declare that the leaving age shall be increased on and from that specified day to the age recommended by the Minister.

S. 13
amended.

5. Section thirteen of the principal Act is amended by adding after subsection (3) the following subsection:—

(4) Notwithstanding the provisions of subsection (1) of this section, where a child of the age of fourteen years satisfies the Minister that he is assured of employment and that it is necessary for him to leave school in order to engage in that employment, the Minister may, if in his opinion the employment is suitable for the child and the best interests of the child would be served by his leaving school to engage in that employment, exempt the child from further attendance at school.

S. 15
amended.

6. Section fifteen of the principal Act is amended by adding after the word, "child", being the last word in subsection (1), the passage, "at his home, but if no such parent is then at that home, to escort the child to the school at which he should be in attendance".

S. 17A
amended.

7. Section seventeen A of the principal Act is amended by substituting for the passage, "Child Welfare Department under that Act," in lines eleven and twelve of paragraph (a) of subsection (3), the words, "Education Department".

S. 17B
added.

8. The principal Act is amended by adding after section seventeen A the following section:—

When child
released on
probation
may be
committed
to care of
Child
Welfare
Department

17B. (1) If the conditions of probation upon which a child is released under section seventeen A of this Act are not observed by that child or the person or persons responsible for him, or if the Director-General is not satisfied

with the conduct of that child or those persons whilst the child is released on probation, the Director-General may, with the consent in writing of the Minister, cause the child to be summoned before a children's court under the Child Welfare Act, 1947.

(2) If the court is satisfied that the conditions of probation upon which the child was released have not been observed by the child or the person or persons responsible for him, or that the conduct of that child or those persons whilst he is released on probation has been such as not to warrant continuance of the release on probation, the court may order that the child be no longer released on probation and that he be committed to the care of the Child Welfare Department until he attains leaving age, or during such shorter period as the court may think sufficient.

9. Section eighteen of the principal Act is amended— S. 18
amended.

(a) by substituting for the words, "sent to an institution under the said Act" in the last line of subsection (1), the words, "committed to the care of the Child Welfare Department under that Act"; and

(b) by substituting for the words, "sent to an institution" where they occur in lines four and five of subsection (2), and again in line five of subsection (3), the words, "committed to the care of the Child Welfare Department" in each case.

10. Section thirty-seven AE of the principal Act is amended— S. 37AE
amended.

(a) by substituting for the passage commencing with the word, "with" in line one of paragraph (g) of subsection (3) down to

and including the word, "teacher" secondly occurring in line nine of that paragraph, the following passage—

with respect to the allowances payable under the regulations to teachers teaching in Government schools situated in prescribed districts and in remote areas of the State as graded in accordance with the regulations, to travelling and transfer allowances payable to teachers, and to allowances payable to teachers where a teacher is relieving another teacher ;

and

- (b) by inserting after the word, "misconduct" in line two of paragraph (h) of subsection (3), the passage, ", gross inefficiency".

S. 37AF
amended.

11. Section thirty-seven AF of the principal Act is amended by substituting for the passage commencing with the word, "or" in line two of subsection (1) down to and including the word, "teachers", being the last word in the subsection, the following passage—

or any student enrolled in a teachers' college, or the Union on behalf of any teacher or group of teachers, or on behalf of any such student or group of such students, may, in the prescribed manner and within the prescribed time, appeal or make application to the Tribunal in respect of any matter within the jurisdiction of the Tribunal that affects that teacher or that group of teachers, or that affects that student or that group of students.
