

ED301*

School Education Act 1999

School Education Amendment Regulations 2007

Made by the Governor in Executive Council.

1. Citation

These regulations are the *School Education Amendment Regulations 2007*.

2. Commencement

These regulations come into operation as follows:

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. The regulations amended

The amendments in these regulations are to the *School Education Regulations 2000**.

[* *Reprint 1 as at 3 March 2006.*

For amendments to 19 June 2007 see Western Australian Legislation Information Tables for 2006, Table 4.]

4. Regulation 3 amended

Regulation 3(1) is amended by inserting in the appropriate alphabetical position —

“

“**member of staff**”, in relation to a government school, means a person —

- (a) employed in the department and referred to in section 235(1)(a), (b), (c) or (d); and
- (b) whose functions relate to the school;

”.

5. Part 3 Division 4 replaced

Part 3 Division 4 is repealed and the following Division is inserted instead —

“

Division 4 — Supervision of students, protection of persons and property

**38. Supervision of students, restraint of persons:
s. 119(2)(f), 123(1) and 244(1)**

A member of staff of a government school may, in the performance of the person’s functions, take such action, including physical contact with a student or a student’s property, as is reasonable —

- (a) to manage or care for a student; or
- (b) to maintain or re-establish order; or
- (c) to prevent or restrain a person from —
 - (i) placing at risk the safety of any person; or
 - (ii) damaging any property.

”.

6. Regulation 147 amended

Regulation 147(4) is amended by deleting “who is a ward for the purposes of the *Child Welfare Act 1947*, whether or not the child is under the guardianship of the Director-General as defined in that Act.” and inserting instead —

“

in respect of whom a protection order (time-limited) or a protection order (until 18), as those terms are defined in the *Children and Community Services Act 2004* section 3, is made.

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.