

**EDUCATION**

**ED301**

EDUCATION ACT 1928

**SCHOOL PREMISES AMENDMENT REGULATIONS 1996**

Made by the Minister for Education under sections 28 and 28A.

**Citation**

1. These regulations may be cited as the *School Premises Amendment Regulations 1996*.

**Commencement**

2. These regulations come into operation on 1 January 1997.

**Principal regulations**

3. In these regulations the *School Premises Regulations 1981\** are referred to as the principal regulations.

[\* *Published in Gazette 28 August 1981, pp. 3592-7.*  
*For amendments to 25 November 1996 see 1995 Index to*  
*Legislation of Western Australia, Table 4, p. 65.]*

**Regulation 2 amended**

4. Regulation 2 of the principal regulations is amended —
- (a) by inserting before the definition of “park” the following definition —
- “
- “**licence**” means a licence granted under section 6B of the Act to a person for the use of real or personal property vested in the Minister;
- ”;
- and
- (b) by deleting the definitions of “regulation” and “subregulation”.

**Regulation 3 amended**

5. (1) After regulation 3 (2) (b) of the principal regulations the following paragraph is inserted —
- “
- (ba) any person who, under a licence, enters or remains on a part of the school premises;
- ”.
- (2) Regulation 3 (3) of the principal regulations is amended —
- (a) by deleting the full stop and substituting the following —
- “ ; and ”; and
- (b) by inserting after paragraph (c) the following paragraph —
- “
- (d) where paragraph (ba) thereof applies, to persons acting in accordance with the terms and conditions of the licence.
- ”.

**Regulation 4 amended**

6. Regulation 4 (7) of the principal regulations is amended by inserting after “(b),” the following —
- “ (ba), ”.

**Regulation 10 amended**

7. (1) Regulation 10 (2) of the principal regulations is amended by deleting “chief executive officer” and substituting the following —
- “ principal ”.
- (2) Regulation 10 (3) of the principal regulations is repealed.

**Regulation 18 amended**

8. Regulation 18 (2) of the principal regulations is amended by deleting "in accordance with subsection (6) of section 155 of the Justices Act 1902 as if the order were an order referred to in that subsection" and substituting the following —

" as a judgment debt in a court of competent jurisdiction ".

**Regulation 20 amended**

9. (1) Regulation 20 (1) of the principal regulations is amended —

- (a) by deleting "or the chief executive officer" in the 3 places where it occurs;
- (b) in paragraph (b) (ii) by deleting "gathering; or" and substituting the following —  
" gathering, ";
- (c) by deleting paragraph (b) (iii); and
- (d) by deleting "or chief executive officer".

(2) After regulation 20 (4) of the principal regulations the following subregulation is inserted —

"  
(5) Where in regulations 7, 8, 9, 10 (2), 11 and 13 (3) provision is made whereby any act may be done only with the permission of the principal, or whereby if any act is done without the permission of the principal an offence is committed, a reference in those provisions and in regulation 17 (1) to the permission of the principal includes a reference to being authorized under a licence to the extent that the terms and conditions of the licence allow the act to be done.  
".

**Regulation 21 amended**

10. Regulation 21 (1) (a) of the principal regulations is amended by inserting after "9," the following —

" 10 (2), ".

**Regulation 22 amended**

11. Regulation 22 (1) of the principal regulations is amended by deleting "local authority and a committee has been appointed under the Local Government Act 1960" and substituting the following —

"  
local government and a committee has been appointed under the *Local Government Act 1995*  
".

C. J. BARNETT, Minister for Education.

---