

**SECONDARY EDUCATION
AUTHORITY AMENDMENT
ACT 1994**

No. 21 of 1994

AN ACT to amend the *Secondary Education Authority Act 1984* in relation to the membership of the Authority and the Tertiary Entrance Subject Committee established under that Act.

[Assented to 22 June 1994.]

The Parliament of Western Australia enacts as follows:

Short title

1. This Act may be cited as the *Secondary Education Authority Amendment Act 1994*.

Commencement

2. This Act comes into operation on such day as is fixed by proclamation.

Principal Act

3. In this Act the *Secondary Education Authority Act 1984** is referred to as the principal Act.

[* *Act No. 118 of 1984.*

*For subsequent amendments see 1992 Index to
Legislation of Western Australia, Table 1, p. 190.]*

Section 3 amended

4. Section 3 of the principal Act is amended —

(a) in the definition of “appointed Authority member”, by deleting “section 6 (3)” and substituting the following —

“ section 6 (1) (a) ”;

(b) in the definition of “Authority chairman”, by deleting “section 6 (4)” and substituting the following —

“ section 6 (3) (a) ”;

(c) in the definition of “Committee”, by deleting “Education” and substituting the following —

“ Entrance ”;

(d) in the definition of “Committee chairman”, by deleting “section 25 (2) (a)” and substituting the following —

“ section 25 (4) ”;

- (e) by deleting the semicolon after the definition of “technical college or school” and substituting a fullstop; and
- (f) by deleting the definition of “Union”.

Section 6 amended

5. Section 6 of the principal Act is amended by repealing subsections (1), (2), (3) and (4) and substituting the following subsections —

“

(1) The Authority shall consist of 14 members of whom —

- (a) 13 are to be appointed by the Minister in accordance with this section; and
- (b) one is to be the Director.

(2) Of the appointed Authority members, 8 shall be nominated as follows —

- (a) 2 shall be persons nominated by the chief executive officer of the department;
- (b) one shall be a person nominated by the Catholic Education Commission;
- (c) one shall be a person nominated by the Association of Independent Schools of Western Australia;
- (d) 2 shall be persons nominated by the senior officer of the department having responsibility with respect to technical and further education under the *Education Act 1928*; and

No. 21] *Secondary Education Authority Amendment
Act 1994*

(e) 2 shall be persons each of whom is nominated by one of —

(i) the Council of Curtin University of Technology;

(ii) the Council of Edith Cowan University;

(iii) the Senate of Murdoch University; or

(iv) the Senate of The University of Western Australia,

but those persons shall not be nominated by the same university governing body.

(3) The other 5 appointed Authority members shall be appointed as follows —

(a) one shall be appointed to be the chairman of the Authority;

(b) one shall be appointed to represent the interests of teachers; and

(c) 3 shall be appointed to represent the interests of the community generally.

”

Section 7 repealed

6. Section 7 of the principal Act is repealed.

Section 8 amended

7. Section 8 of the principal Act is amended —

(a) in subsection (1), by deleting “section 6 or 7” and substituting the following —

“ section 6 ”; and

(b) in subsection (2), by deleting “section 6 (3) or 7 (2), as the case may be” and substituting the following —

“ section 6 (2) ”.

Section 15 amended

8. (1) Section 15 (1) of the principal Act is amended —

(a) in paragraph (a), by deleting “on the” and substituting the following —

“ on ”; and

(b) in paragraph (b), by deleting “and Committee”.

(2) Section 15 (2) of the principal Act is amended by deleting “or the Committee”.

Section 25 amended

9. Section 25 of the principal Act is amended by repealing subsections (2), (3), (4) and (5) and substituting the following subsections —

“ (2) The Committee shall consist of 11 members of whom —

(a) 10 are to be appointed by the Authority in accordance with this section; and

(b) one is to be the Authority chairman.

(3) Of the 10 members appointed by the Authority —

- (a) one shall be a person nominated by the Council of Curtin University of Technology;
- (b) one shall be a person nominated by the Council of Edith Cowan University;
- (c) one shall be a person nominated by the Senate of Murdoch University;
- (d) one shall be a person nominated by the Senate of The University of Western Australia;
- (e) 2 shall be persons nominated by the chief executive officer of the department;
- (f) one shall be a person nominated by the Catholic Education Commission;
- (g) one shall be a person nominated by the Association of Independent Schools of Western Australia; and
- (h) 2 shall be persons nominated by the senior officer of the department having responsibility with respect to technical and further education under the *Education Act 1928*.

(4) The chairman of the Committee shall be a person —

- (a) appointed as a Committee member under paragraph (a), (b), (c) or (d) of subsection (3); and

- (b) nominated to be the chairman by each of the university governing bodies referred to in those paragraphs, in succession.

”.

Section 26 repealed

10. Section 26 of the principal Act is repealed.

Section 27 amended

11. Section 27 of the principal Act is amended —

- (a) in subsection (1), by deleting “section 25 or 26” and substituting the following —

“ section 25 (3) or (4) (b) ”; and

- (b) in subsection (2), by deleting “section 25 (2) (a), (3) or (4) or section 26 (2)” and substituting the following —

“ section 25 (3) or (4) (b) ”.

Schedule 1 amended

12. Schedule 1 to the principal Act is amended —

- (a) in clause 1 (2), by deleting “section 6 (3)” and substituting the following —

“

section 6 (1) (a) after the commencement of the *Secondary Education Authority Amendment Act 1994*

”;

No. 21] *Secondary Education Authority Amendment
Act 1994*

- (b) in clause 3 (7), by deleting “18” and substituting the following —

“ 8 ”; and

- (c) in clause 3 (8) (a), by inserting after “present”, the following —

“ , other than the Director, ”.

Schedule 2 amended

13. Schedule 2 to the principal Act is amended in clause 1 (1) (b), by deleting “section 25 (2) (c)” and substituting the following —

“ section 25 (3), other than the Committee chairman, ”.

Cessation of membership of Authority or Committee on commencement of this Act

14. (1) In subsection (2), “**Authority**” and “**Committee**” have the same meanings they have in the principal Act.

(2) A person who —

- (a) was appointed under the principal Act to be a member of the Authority or the Committee; and
- (b) is a member of the Authority or the Committee immediately before the commencement of this Act,

ceases to be a member of the Authority or the Committee, as the case may be, on the day that this Act commences.

(3) Nothing in this section affects the eligibility of a person mentioned in subsection (2) to be appointed as a member of the Authority under section 6 as amended by this Act, or as a member of the Committee under section 25 as amended by this Act.