

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO OCTAVO

VICTORIÆ REGINÆ

No. 30

An Act to further amend the Law relating to Public
Elementary Education.

[Assented to 28th November, 1894.]

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

1. This Act may be cited as 'The Elementary Education Act, 1871, Amendment Act, 1894,' and shall be incorporated and read with 'The Elementary Education Act, 1871,' and the amendments thereof. Short title

2. Section three of 'The Elementary Education Act, 1871, Amendment Act, 1877,' is hereby amended by striking out the word 'three' in the fifth line, and inserting the word 'four' in lieu thereof. Increase of vote for Government Schools

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- Repeal 3. Sections twenty-eight, twenty-nine, and thirty of 'The Elementary Education Act, 1871,' are hereby repealed.
- Compulsory attendance 4. Unless some reasonable excuse for non-attendance is shown,—
- (1) The parent of every child of not less than six nor more than nine years of age shall, if there is a public, half-time, or provisional school within one and a-half miles of such child's residence measured by the nearest road, cause such child to attend such school for a period of not less than thirty-five school days or seventy half-school days in each school quarter of the year.
- (2) The parent of every child of not less than nine nor more than fourteen years of age shall, if there is a public, half-time, or provisional school within three miles of such child's residence measured by the nearest road, cause such child to attend such school for a like period in each such quarter.
- Reasonable excuse 5. Any of the following reasons shall be deemed a reasonable excuse :
- I. That the child is under efficient instruction at home or elsewhere.
- II. That the child has been prevented from attending school by sickness, danger of infection, temporary or permanent infirmity, or any unavoidable causes : but such excuse shall not be entertained unless the parent has given the teacher notice thereof within a reasonable time after the occurrence of such prevention.
- III. That the child has been educated up to the compulsory standard.
- Penalties for neglect 6. The parent of any child of not less than six nor more than fourteen years of age, who without reasonable excuse neglects to send such child to a public, half-time, or provisional school, may be summoned, in the name of the Minister or of any person authorised by the Minister, before a Justice of the Peace, and shall be guilty of an offence against this Act, summarily punishable upon conviction before such Justice of the Peace, and shall be liable to pay a penalty of any sum not exceeding Five shillings for the first offence and not exceeding Twenty shillings for every subsequent offence.
- Onus of proof And the allegations that the proceedings are authorised by the Minister, and that a child is not less than six nor more than fourteen years, and that the parent thereof neglects to send such child to such school without reasonable excuse as aforesaid, shall be deemed *prima facie* evidence of the fact until the contrary is proved, and in every case the parents of a child may be witnesses : Provided always, that this section shall not come into operation within any school board district, except as hereinafter mentioned.
- Proviso
- Compulsory attendance to be enforced in school board districts on order of Governor 7. The Governor may at any time make or annul an order directing that the provisions of the last preceding section shall extend and apply to any school board district or districts specified in such order, and such order shall be published in the 'Government Gazette,' and

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a copy of such 'Gazette' containing such order shall be sufficient evidence of the due making and publication thereof.

8. The Minister may, from time to time, appoint an officer or officers for the purpose of carrying into effect and enforcing the provisions contained in the four last preceding sections. Minister may appoint compulsory officers

W. C. F. ROBINSON,
GOVERNOR.
