

EDUCATION.

No. 26 of 1983.

AN ACT to amend the Education Act 1928-1981.

[Assented to 1 December 1983.]

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:—

1. (1) This Act may be cited as the *Education Amendment Act 1983*. Short title and citation.

(2) In this Act the Education Act 1928-1981 is referred to as the principal Act. Reprinted as approved 22 June 1976, and amended by Acts Nos. 95 of 1976, 27 of 1977, 48 of 1979 and 100 of 1981.

(3) The principal Act as amended by this Act may be cited as the Education Act 1928-1983.

Section 7C
amended.

2. Section 7C of the principal Act is amended in subsection (2) by deleting paragraph (e) and substituting the following paragraph—

“ (e) he engages in disgraceful or improper conduct in his official capacity or otherwise by reason of which he ceases to be a fit and proper person to hold office as a teacher. ”.

Transitional.

3. Without limiting the operation of the Interpretation Act 1918—

(a) where an inquiry is being held in relation to a teacher under subsection (3) of section 7C of the principal Act, based on alleged misconduct described in paragraph (e) of subsection (2) of that section as in force immediately before the coming into operation of this Act, but that inquiry has not been finally determined when this Act comes into operation, the inquiry shall continue to be dealt with and determined in all respects as if this Act had not been enacted; and

(b) where it is alleged that prior to the coming into operation of this Act a teacher has been guilty of the kind of misconduct described in paragraph (e) of subsection (2) of section 7C of the principal Act as in force immediately before the coming into operation of this Act, an inquiry may be held and dealt with in all respects under that section after the coming into operation of this Act.