

EDUCATION (No. 4).

No. 59 of 1973.

AN ACT to amend the Education Act, 1928-1973.

[Assented to 19th November, 1973.]

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 Act Amendment Act (No. 4), 1973.* Short title and citation.

(2) In this Act the Education Act, 1928-1973 is referred to as the principal Act. Reprinted as approved for reprint, 22nd January, 1970 and amended by Acts Nos. 4 and 77 of 1970, Acts Nos. 3, 89 and 94 of 1972, and Acts Nos. 14 and 15 of 1973.

(3) The principal Act as amended by this Act may be cited as the Education Act, 1928-1973.

Amendment
to section 9A.
(Limited
subsidising
of schools.)

2. Section 9A of the principal Act is amended—

- (a) by adding the word “and” immediately following paragraph (c);
- (b) by deleting paragraph (d); and
- (c) by substituting for the passage beginning with the word “price”, in the last line of paragraph (e) and continuing to the end of the section, the passage “price.”.

Amendment
to section 9D.
(Subsidisa-
tion of cost
of textbooks
at efficient
schools.)

3. Subsection (2) of section 9D of the principal Act is amended by substituting for the passage “education, ten”, in line three of paragraph (b), the passage “education in any year commencing on or after the first day of January, nineteen hundred and seventy-three, fifteen”.

Addition of
section 21BA.

4. Part V of the principal Act is amended by adding at the end thereof a section as follows—

Onus of
proof.

21BA. (1) On any hearing in any court in respect of a complaint of an offence alleged against any of the provisions of this Part, any allegation in the complaint that—

- (a) the complainant has an office, status, title, or authority specified in the complaint;
- (b) a child is not less than six years of age nor more than leaving age;
- (c) a child is of any other age, is not less than any other age, or is not more than any other age, specified in the complaint; or
- (d) a child attained an age specified in the complaint on a date specified in the complaint,

shall be deemed *prima facie* evidence to that effect until the contrary is proved.

(2) The provisions of subsection (1) of this section are in addition to, and not in derogation of, any other provision of this Part. .

5. Section 21H of the principal Act is amended by adding after the word "students", in line six of paragraph (c) the passage "and, on payment to the Board by a student of such fee as the Board determines, issue to the student a duplicate of any such certificate previously issued to him".

Amendment
to section
21H.
(Functions
of the
Board.)

6. Section 21I of the principal Act is amended by adding after the word "purpose", in line four, the words "and out of the moneys that may from time to time be received by the Board as fees for the issue of duplicate certificates of achievement".

Amendment
to section
21I.
(Funds for
administra-
tion of this
Part.)

7. Subsection (2) of section 22 of the principal Act is amended by substituting for the passage "Federation of Parents and Citizens' Associations", in lines three and four, the words "Council of State School Organisations".

Amendment
to section
22.
(Parents and
Citizens'
Associa-
tions.)
