



New South Wales

# Teaching Services (Education Teaching Service) Amendment (Disciplinary Authorities) Regulation 1998

under the

Teaching Services Act 1980

His Excellency the Governor, with the advice of the Executive Council, has approved the following Regulation made by the Director-General of the Department of Education and Training under the *Teaching Services Act 1980*.

JOHN AQUILINA. M.P.,

Minister for Education and Training.

## Explanatory note

The object of this Regulation is to amend clause 13 of the *Teaching Services (Education Teaching Service) Regulation 1994* to prescribe additional officers of the Department of Education and Training who may deal with breaches of discipline in accordance with Division 6 of Part 4 of that Act.

This Regulation also makes associated amendments to the definition of ***disciplinary authority*** in clause 3 and to clause 15 of that Regulation to clarify the operation of those provisions.

This Regulation is made under the *Teaching Services Act 1980*, including sections 82 and 100 (the general-regulation making power) and, in particular, section 100 (1) (h) and (j).

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## **Teaching Services (Education Teaching Service) Amendment (Disciplinary Authorities) Regulation 1998**

I, Dr Ken Boston, the Director-General of the Department of Education and Training, in pursuance of section 100 of the *Teaching Services Act 1980*, make the following Regulation.

DR KEN BOSTON,  
Director-General,  
Department of Education and Training.

### **1 Name of Regulation**

This Regulation is the *Teaching Services (Education Teaching Service) Amendment (Disciplinary Authorities) Regulation 1998*.

### **2 Amendment of Teaching Services (Education Teaching Service) Regulation 1994**

The *Teaching Services (Education Teaching Service) Regulation 1994* is amended as set out in Schedule 1.

### **3 Notes**

The explanatory note does not form part of this Regulation.

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## Schedule 1 Amendments

(Clause 2)

**[1] Clause 3 Definitions**

Omit “the holder of a” from the definition of *disciplinary authority*.  
Insert instead “a person who is the holder of, or is acting in, any”.

**[2] Clause 13**

Omit the clause. Insert instead:

**13 Officers who may deal with breaches of discipline: sec 82**

In accordance with paragraph (a) of the definition of *prescribed officer* in section 82 of the Act, the senior executive positions (being positions within the Department) that contain the following titles are prescribed as positions for the purposes of Division 6 of Part 4 of the Act in its application to the Education Teaching Service:

Deputy Director-General  
Assistant Director-General  
Director  
General Manager  
Executive Director  
District Superintendent

**[3] Clause 15 Dealing with charges**

Omit clause 15 (1). Insert instead:

- (1) If a member of staff denies the truth of charge, it is to be dealt with in accordance with this clause.

**[4] Clause 15 (2)**

Omit “may”. Insert instead “(other than the disciplinary authority that laid the charge) is to”.