

**EDUCATION COMMISSION (AMENDMENT)
ACT, 1982, No. 118**

New South Wales



ANNO TRICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 118, 1982.

An Act to amend the Education Commission Act, 1980, with respect to the appointment of Aborigines as teachers in public schools, and for other purposes. [Assented to, 7th December, 1982.]

Education Commission (Amendment).

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 New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Education Commission (Amendment) Act, 1982".

Commencement.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 5, in its application to Schedule 2, and Schedule 2 shall be deemed to have commenced on 20th October, 1980.

Principal Act.

3. The Education Commission Act, 1980, is referred to in this Act as the Principal Act.

Schedules.

4. This Act contains the following Schedules:—

SCHEDULE 1.—AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE EMPLOYMENT OF ABORIGINES.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

Education Commission (Amendment).

Amendment of Act No. 23, 1980.

5. The Principal Act is amended in the manner set forth in Schedules 1 and 2.

SCHEDULE 1.

(Sec. 5.)

**AMENDMENTS TO THE PRINCIPAL ACT RELATING TO THE
EMPLOYMENT OF ABORIGINES.**

(1) Section 4 (1), definition of "Aboriginal"—

Before the definition of "appointed day", insert:—

"Aboriginal" has the same meaning as it has in the Aborigines Act, 1969;

(2) (a) Section 47 (1) (a)—

After "schools", insert "in those permanent positions".

(b) Section 47 (1A)—

After section 47 (1), insert:—

(1A) Where—

(a) under subsection (1), an appointment of a person referred to in subsection (1) (a) is to be made to a permanent position in the Education Teaching Service; and

(b) an Aboriginal and a person who is not an Aboriginal, each of whom is eligible to be appointed to the position, are offering themselves for appointment to the position,

the Director-General of Education shall give preference to the Aboriginal or, if there are 2 or more such Aborigines, give preference to any one of them by appointing him to that position.

Education Commission (Amendment).

SCHEDULE 2.

(Sec. 5.)

AMENDMENTS TO THE PRINCIPAL ACT BY WAY OF STATUTE LAW REVISION.

(1) Section 4 (1), definition of "temporary employee"—

From paragraph (b), omit "section 53 (3)", insert instead "section 53 (4)".

(2) Section 21—

Omit "function", insert instead "functions".

(3) Section 55 (2), (3), (5)—

Omit "section 59" wherever occurring, insert instead "section 64".

(4) Section 59 (2)—

Before "opinion", insert "the".

(5) Section 60 (3)—

Omit "shall" where secondly occurring.

(6) Section 63 (5)—

Omit "relevant", insert instead "relative".
