



New South Wales

Education Amendment (Special Courses of Study) Act 1999 No 75

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Education Amendment (Special Courses of Study) Act 1999 No 75

Act No 75, 1999

An Act to amend the *Education Act 1990* in relation to the requirements for the School Certificate and Higher School Certificate for candidates with special educational needs, and to validate certain matters. [Assented to 3 December 1999]

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Education Amendment (Special Courses of Study) Act 1999*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Education Act 1990 No 8

The *Education Act 1990* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Section 3)

[1] Section 95A

Insert after section 95:

95A Award of School Certificate or Higher School Certificate to students following special course of study

- (1) The Board may dispense with the requirement in section 94 that a candidate for the School Certificate undertake a test referred to in section 94 (2) if the Board is satisfied that:
 - (a) the candidate has special educational needs, and
 - (b) the candidate has completed a course of study:
 - (i) developed by the Board and approved by the Minister for candidates with special educational needs, and
 - (ii) adapted by the school that the candidate attends to cater for the special educational needs of the candidate, and
 - (c) the principal of the school has submitted a written report to the Board that the candidate has achieved the outcomes required by the Board of candidates undertaking the course of study.
- (2) The Board may dispense with the requirement in section 95 that a candidate for the Higher School Certificate undertake a public examination referred to in section 95 (2) if the Board is satisfied that:
 - (a) the candidate has special educational needs, and
 - (b) the candidate has completed a course of study:
 - (i) developed by the Board and approved by the Minister for candidates with special educational needs, and
 - (ii) adapted by the school that the candidate attends to cater for the special educational needs of the candidate, and

- (c) the principal of the school has submitted a written report to the Board that the candidate has achieved the outcomes required by the Board of candidates undertaking the course of study.

[2] Section 102 Functions of the Board

Omit “disabilities” from section 102 (2) (r) (v).
Insert instead “special educational needs”.

[3] Schedule 3 Savings, transitional and other provisions

Insert at the end of clause 2 (1):

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[4] Schedule 3, Part 5

Insert after Part 4:

**Part 5 Provisions consequent on enactment of
Education Amendment (Special Courses of
Study) Act 1999**

11 School Certificates

- (1) A document issued by the Board as a School Certificate before the commencement of this clause is taken to be a School Certificate validly granted at the time of issue and to be valid on and from the time of issue if the Board was satisfied at the time of issue as to the matters referred to in section 95A (1) (a), (b) and (c).
- (2) Subclause (1) does not affect any School Certificate validly granted by the Board before the commencement of this clause.

[Minister's second reading speech made in—
Legislative Assembly on 10 November 1999
Legislative Council on 25 November 1999]

BY AUTHORITY