

Act No. 63

MISCELLANEOUS ACTS (EDUCATION AND PUBLIC INSTRUCTION) REPEAL AND AMENDMENT BILL 1987

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Education and Public Instruction Bill 1987.

The object of this Bill is to repeal certain Acts in whole or in part and to amend certain other Acts, consequent on the enactment of the proposed Education and Public Instruction Act 1987 (the "Principal Act"), and to enact savings and transitional provisions consequent on and in connection with the enactment of that Act.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with minor exceptions, commence on the commencement of the Principal Act.

Clause 3 is a formal provision which gives effect to the Schedule of repeals.

Clause 4 is a formal provision which gives effect to the Schedule of amendments.

Clause 5 is a formal provision which gives effect to the Schedule of savings and transitional provisions.

Schedule 1 repeals certain enactments consequent on the enactment of the Principal Act.

Schedule 2 amends certain Acts consequent on the enactment of the Principal Act and amends the Inclosed Lands Protection Act 1901 to make it abundantly clear that "inclosed lands" includes a school.

Miscellaneous Acts (Education and Public Instruction) Repeal and Amendment 1987

Schedule 3 contains savings and transitional provisions made necessary by the enactment of the Principal Act. Of importance are the provisions relating to existing "public schools" and "certified schools". A "public school" established under the Public Instruction Act 1880 and in existence immediately before the commencement of the Principal Act is deemed to be a "State school" established under the Principal Act. Generally, a school certified under Part III of the Public Instruction (Amendment) Act 1916 immediately before the commencement of the Principal Act is deemed to be registered under and subject to the Principal Act. An exception is made in the case of a secondary school which was certified under Part III of the Public Instruction (Amendment) Act 1916 but not registered under Part III of the Education Act 1961 immediately before the commencement of the Principal Act. Such a school may continue to be conducted for the balance of the period of its certification or for 18 months after the commencement of the Principal Act, whichever is the longer.
