



New South Wales

# Education Amendment (Educational Support for Children with Significant Learning Difficulties) Bill 2008

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Education Act 1990* to ensure that the Minister may provide or arrange special or additional assistance for an additional category of government school children with special needs, namely, children with significant learning difficulties in basic educational areas (whatever the cause).

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** is a formal provision that gives effect to the amendments to the *Education Act 1990* set out in Schedule 1.

**Clause 4** provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

Education Amendment (Educational Support for Children with Significant Learning Difficulties)  
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**Schedule 1** amends the *Education Act 1990* for the purposes described in the above Overview.



New South Wales

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New South Wales

# **Education Amendment (Educational Support for Children with Significant Learning Difficulties) Bill 2008**

No. , 2008

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## **A Bill for**

An Act to ensure that children with significant learning difficulties are included in the NSW Government's Special Education Initiative for students with special needs.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Education Amendment (Educational Support for Children with Significant Learning Difficulties) Act 2008</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6
<b>3 Amendment of Education Act 1990 No 8</b>	7
The <i>Education Act 1990</i> is amended as set out in Schedule 1.	8
<b>4 Repeal of Act</b>	9
(1) This Act is repealed on the day following the day on which this Act commences.	10 11
(2) The repeal of this Act does not, because of the operation of section 30 of the <i>Interpretation Act 1987</i> , affect any amendment made by this Act.	12 13

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<b>Schedule 1</b>	<b>Amendment of Education Act 1990</b>	1
	(Section 3)	2
<b>[1]</b>	<b>Section 20 Assistance to government school children with special needs</b>	3
	Insert after section 20 (1) (a):	4
	(a1) children with significant learning difficulties, or	5
<b>[2]</b>	<b>Section 20 (4)</b>	6
	Insert after section 20 (3):	7
	(4) For the purposes of subsection (1) (a1), a child has a significant learning difficulty if a qualified teacher or other qualified education professional is of the opinion that the child is not, regardless of the cause, performing in the basic educational areas of reading, writing, spelling and mathematics in accordance with the child's peer age group and stage of learning.	8 9 10 11 12 13