

# Education Standards Authority Regulation 2013

[2013-736]



New South Wales

## Status Information

### Currency of version

Historical version for 7 July 2017 to 28 June 2018 (accessed 23 November 2024 at 13:43)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Previously named**  
Board of Studies, Teaching and Educational Standards Regulation 2013
- **Does not include amendments by**  
[Statute Law \(Miscellaneous Provisions\) Act 2018 No 25](#) (not commenced — to commence on 29.6.2018)

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 15 June 2018

# Education Standards Authority Regulation 2013



New South Wales

## Contents

1 Name of Regulation .....	3
2 Commencement .....	3
3 Definitions .....	3
4 Delegation of Authority's functions .....	3
5 Exchange of information.....	4
6 (Repealed) .....	4
7 Transitional provisions .....	4
<b>Schedule 1 Penalty notice offences .....</b>	<b>4</b>

# Education Standards Authority Regulation 2013



New South Wales

## 1 Name of Regulation

This Regulation is the *Education Standards Authority Regulation 2013*.

## 2 Commencement

This Regulation commences on 1 January 2014 and is required to be published on the NSW legislation website.

## 3 Definitions

In this Regulation:

**the Act** means the *Education Standards Authority Act 2013*.

## 4 Delegation of Authority's functions

For the purposes of paragraph (f) of the definition of **authorised person or body** in section 12B (2) of the Act, the following are prescribed:

- (a) principals (however described) of schools in the State and schools outside the State that are recognised by the Authority,
- (b) directors (or equivalent) of TAFE establishments or NVR registered training organisations within the meaning of the *National Vocational Education and Training Regulator Act 2011* of the Commonwealth,
- (c) chief executive officers (or equivalent) of approved providers within the meaning of section 83A of the *Education Act 1990*,
- (d) persons employed in the Department of Education,
- (e) members of staff of a non-government schools authority within the meaning of section 26A of the *Education Act 1990*,
- (f) members of staff of a teacher accreditation authority approved by the Minister under section 4 (4) of the *Teacher Accreditation Act 2004*,
- (g) members of staff of a teacher accreditation authority approved by the Authority under

section 4 (5A) of the *Teacher Accreditation Act 2004*.

## 5 Exchange of information

For the purposes of paragraph (e) of the definition of **relevant agency** in section 16 (5) of the Act, the following are prescribed:

- (a) any person or body responsible for registering or accrediting teachers under the law of a jurisdiction outside Australia,
- (b) the Australasian Teacher Regulatory Authorities,
- (c) the Australian Institute for Teaching and School Leadership Limited,
- (d) the Office of the Children's Guardian,
- (e) the Catholic Education Commission NSW,
- (f) the Association of Independent Schools of NSW,
- (g) Education Services Australia Limited.

## 6 (Repealed)

## 7 Transitional provisions

- (1) **Existing delegations** Any delegation of a function by the Board of Studies under section 119 of the *Education Act 1990* or by the NSW Institute of Teachers under section 7 (4) of the *Institute of Teachers Act 2004* and in force immediately before 1 January 2014 is taken to be a delegation of a comparable function under the education and teaching legislation by the Board under section 12 of the Act.
- (2) **Existing rules** Any rules made by the Board of Studies under section 131 of the *Education Act 1990* and in force immediately before 1 January 2014 are taken to be rules made by the Board under section 25 of the Act.
- (3) **References to President in existing delegations by former Board** A reference to the President of the former Board in any instrument of delegation by the Minister or the former Board in force immediately before 1 January 2017 is taken to be a reference to the Chief Executive Officer of the Authority.
- (4) In subclause (3), **former Board** means the Board of Studies, Teaching and Educational Standards as constituted under the Act immediately before the substitution of Part 2 of the Act by the *Education and Teaching Legislation Amendment Act 2016*.

## Schedule 1 Penalty notice offences

For the purposes of section 23 of the Act:

- (a) each offence specified in this Schedule is an offence for which a penalty notice may be issued, and
- (b) the amount payable under any such penalty notice is the amount specified in this Schedule for the offence.

<b>Column 1</b>	<b>Column 2</b>
<b>Provision</b>	<b>Penalty</b>
<b>Offences under the Act</b>	
Section 14 (3)	\$100
<b>Offences under the <i>Education Act 1990</i></b>	
Section 57A (4)	\$200
Section 65	\$200
Section 83R	\$2,000
Section 87A (5)	\$200
<b>Offences under the <i>Teacher Accreditation Act 2004</i></b>	
Section 26 (2)	\$500
Section 28	\$1,000
Section 42B	\$500