

# Education (School Administrative and Support Staff) Regulation 2003

[2003-624]



New South Wales

## Status Information

### Currency of version

Repealed version for 4 August 2006 to 31 August 2008 (accessed 27 December 2024 at 20:56)

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—

- **Repeal**

The Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2008.

### 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 1 September 2008

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# Education (School Administrative and Support Staff) Regulation 2003



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Education (School Administrative and Support Staff) Regulation 2003*.

### 2 Commencement

This Regulation commences on 1 September 2003.

#### Note—

This Regulation replaces the *Education (School Administrative and Support Staff) Regulation 1998* which is repealed on 1 September 2003 by section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Definition

In this Regulation:

**the Act** means the *Education (School Administrative and Support Staff) Act 1987*.

### 4 Notes

Notes in the text of this Regulation do not form part of this Regulation.

## Part 2

### 5-7 (Repealed)

## Part 3 Miscellaneous

### 8 Health assessments

(1) For the purposes of section 10 of the Act, a person satisfies a medical assessment of the person's health if the person is found to be fit to carry out the duties of the position after a health assessment under this clause.

(2) Fitness to carry out duties includes the ability to carry out those duties without

endangering the health and safety of the public, of other persons employed within the Department and of the person concerned.

- (3) The health assessment is to be in the form considered necessary by the Director-General.
- (4) That form may include (but is not limited to) any one or more of the following:
  - (a) a declaration (which may be a statutory declaration if required) provided by the person concerning any illness, disability or condition of which the person is aware that might make the person unfit to carry out the duties of the position,
  - (b) a medical examination by a medical practitioner approved by the Director-General,
  - (c) an examination by a medical practitioner, an optometrist or other appropriately qualified health care professional, approved by the Director-General, of a particular aspect of the person's health likely to detrimentally affect the person's capacity to carry out the duties of the position.
- (5) The Director-General is to give the health care professional providing an assessment referred to in subclause (4) (c) any requested information about the duties of the position concerned that is reasonably required for the purpose of providing the assessment.

## **9 (Repealed)**

### **9A Transitional provisions—existing disciplinary charges and monitoring procedures**

- (1) The purpose of this clause is to make further provision consequent on the enactment of the *Education Legislation Amendment (Staff) Act 2006 (the amending Act)*.
- (2) **Existing disciplinary charges** For the avoidance of doubt, any regulation made for the purposes of Part 6 of the Act (as in force immediately before the substitution of that Part by the amending Act) continues to apply to a breach of discipline to which clause 4 of Schedule 1 to the Act applies.
- (3) **Existing monitoring procedures** Anything done (or in the process of being done) for the purposes of dealing with a breach of discipline to which clause 5 of Schedule 1 to the Act applies is taken to have been done (or in the process of being done) for the purposes of dealing with the breach of discipline as if it were an allegation of misconduct made under Part 6 of the Act (as substituted by the amending Act) in respect of which the Director-General decides to take remedial action.

## **10 Savings**

Any act, matter or thing that, immediately before the repeal of the *Education (School Administrative and Support Staff) Regulation 1998*, had effect under that Regulation

continues to have effect under this Regulation.