

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

[1999-75]



New South Wales

Status Information

Currency of version

Repealed version for 3 December 1999 to 16 July 2001 (accessed 7 December 2025 at 11:25)

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The Act was repealed by the [Statute Law \(Miscellaneous Provisions\) Act 2001 No 56](#), Sch 4 with effect from 17.7.2001.

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](#).

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



New South Wales

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.

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.