



Queensland

# Education Legislation Amendment Regulation (No. 1) 2014

## Subordinate Legislation 2014 No. 276

made under the

*Education (Accreditation of Non-State Schools) Act 2001*  
*Education (General Provisions) Act 2006*

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Education Legislation Amendment Regulation (No. 1) 2014*.

### **2 Commencement**

Part 2 commences immediately after the commencement of the *Child Protection Reform Amendment Act 2014*, section 6.

## **Part 2 Amendment of Education (Accreditation of Non-State Schools) Regulation 2001**

### **3 Regulation amended**

This part amends the *Education (Accreditation of Non-State Schools) Regulation 2001*.

### **4 Omission of s 3 (What is *harm* caused to a student under 18)**

Section 3—  
*omit.*

### **5 Amendment of s 10 (Health, safety and conduct of staff and students)**

(1) Section 10(2)—

*omit, insert—*

(2) Also, the school must have written processes about—

- 
- (a) how the school will respond to harm, or allegations of harm, to students under 18 years old; and
- (b) the appropriate conduct of the school's staff and students.
- (2) Section 10(5)(b)—  
*omit, insert—*
- (b) a process for reporting a reportable suspicion under the *Child Protection Act 1999*, section 13E.
- (3) Section 10(6) and (7)—  
*omit, insert—*
- (6) The school's governing body must ensure that—
- (a) staff, students and parents are made aware of the processes; and
- (b) staff are trained in implementing the processes; and
- (c) the school is implementing the processes; and
- (d) the processes are readily accessible by staff, students and parents.
- (7) The school must have a written complaints procedure to address allegations of non-compliance with the processes.
- (7A) The complaints procedure may form part of any other written procedure of the school for dealing with complaints.
- (4) Section 10(8), definition *relevant State authority—*  
*omit.*
- (5) Section 10(8)—  
*insert—*

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*harm* see the *Child Protection Act 1999*, section 9.

## **Part 3                      Amendment of Education (General Provisions) Regulation 2006**

### **6            Regulation amended**

This part amends the *Education (General Provisions) Regulation 2006*.

### **7            Replacement of s 15 (Age for enrolment in the preparatory year)**

Section 15—

*omit, insert—*

#### **15    Age for enrolment in preparatory year**

- (1) The principal of a State school, or non-State school, may enrol a child in the preparatory year at the school only if the child will be at least 5 years and 6 months on 31 December in the proposed year of attendance at the school.

*Example—*

A child who turns 5 on or before 30 June in a year will be at least 5 years and 6 months on 31 December in that year.

- (2) However, the principal may enrol a child in the preparatory year at the school if—
  - (a) the child will be at least 5 years and 5 months on 31 December in the proposed year of attendance at the school; and

*Example—*

A child who turns 5 on or before 31 July in a year will be at least 5 years and 5 months on 31 December in that year.

- (b) the principal is satisfied the child is ready for education in the year of schooling, considering the child's attributes.
- (3) Also, the principal may enrol a child in the preparatory year at the school, regardless of the child's age, if the principal is satisfied the child—
  - (a) had started education in another State or country that is equivalent to the preparatory year; and
  - (b) is ready for education in the preparatory year, considering the child's attributes.
- (4) This section applies subject to chapter 8 of the Act.

**8 Amendment of s 16 (Age for enrolment in years 1 to 7)**

- (1) Section 16(2), 'principal's supervisor'—

*omit, insert—*

principal

- (2) Section 16(5)—

*omit.*

**9 Amendment of sch 7 (Dictionary)**

Schedule 7—

*insert—*

***attributes***, of a child, means the child's—

- (a) aptitude and ability; and
- (b) social and emotional competence; and

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- (c) physical development; and
  - (d) level of knowledge and understanding.
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#### ENDNOTES

- 1 Made by the Governor in Council on 27 November 2014.
- 2 Notified on the Queensland legislation website on 28 November 2014.
- 3 The administering agency is the Department of Education, Training and Employment.

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