



# **Education (General Provisions) Amendment Bill 2025**





## Queensland

# Education (General Provisions) Amendment Bill 2025

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**2025**

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**A Bill**

for

**An Act to amend the *Education (General Provisions) Act 2006* and the legislation mentioned in schedule 1 for particular purposes**

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[s 1]

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**The Parliament of Queensland enacts—** 1

**Part 1 Preliminary** 2

**Clause 1 Short title** 3

This Act may be cited as the *Education (General Provisions) Amendment Act 2025*. 4  
5

**Clause 2 Commencement** 6

The following provisions commence on a day to be fixed by proclamation— 7  
8

(a) part 2, division 3; 9

(b) schedule 1, part 2. 10

**Part 2 Amendment of Education (General Provisions) Act 2006** 11  
12

**Division 1 Preliminary** 13

**Clause 3 Act amended** 14

This part amends the *Education (General Provisions) Act 2006*. 15  
16

*Note—* 17

See also the amendments in schedule 1, parts 1 and 2. 18



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<b>Division 2</b>	<b>Amendments commencing on assent</b>	1 2
<b>Clause 4</b>	<b>Amendment of s 53 (When fee for distance education is not payable)</b>	3 4
	(1) Section 53(1)(f), after ‘section 298’—	5
	<i>insert—</i>	6
	or 309	7
	(2) Section 53(1)(h)(i), ‘paragraph (f)’—	8
	<i>omit, insert—</i>	9
	paragraph (g)	10
<b>Clause 5</b>	<b>Amendment of s 127 (Urgent matters)</b>	11
	Section 127—	12
	<i>insert—</i>	13
	(6) To remove any doubt, it is declared that giving assistance to a State instructional institution or another association under section 142A is not an urgent matter.	14 15 16 17
<b>Clause 6</b>	<b>Amendment of s 132 (Use of money received by association)</b>	18 19
	Section 132—	20
	<i>insert—</i>	21
	(c) thirdly, in giving assistance under section 142A.	22 23
<b>Clause 7</b>	<b>Insertion of new s 142A</b>	24
	After section 142—	25
	<i>insert—</i>	26

[s 8]

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<b>142A Giving assistance to other State instructional institutions or associations</b>	1
	2
(1) Nothing in this Act prevents an association formed for a State instructional institution from giving assistance to—	3
	4
	5
(a) another State instructional institution, if the institution’s ability to provide primary, secondary or special education or other educational instruction has been adversely affected by an event; or	6
	7
	8
	9
	10
<i>Examples of an event—</i>	11
an accident, a deliberate act, a natural disaster	12
(b) an association formed for a State instructional institution mentioned in paragraph (a).	13
	14
	15
(2) In this section—	16
<i>assistance</i> includes financial assistance, other resources and services.	17
	18

<b>Clause 8</b>	<b>Amendment of s 180 (Notice to principal of non-State school)</b>	19
		20
(1)	Section 180, heading, after ‘principal’—	21
	<i>insert—</i>	22
	<b>or governing body</b>	23
(2)	Section 180(1), from ‘by notice’ to ‘ask the principal’—	24
	<i>omit, insert—</i>	25
	by notice given to the principal or governing body of a non-State school, ask the principal or governing body	26
		27
		28
(3)	Section 180(1)(b), from ‘, including’ to ‘section 197A’—	29
	<i>omit.</i>	30
(4)	Section 180—	31

---

*insert—*

- (3) Also, the chief executive must give the principal of a non-State school a copy of any notice given under subsection (1) to the governing body of the school.
- (4) The principal or governing body of a non-State school must, if given notice under subsection (1), give the chief executive the requested information in the way stated in the notice.

**Clause 9 Replacement of s 206 (Who is eligible for provisional registration or registration)**

Section 206—

*omit, insert—*

**206 Who is eligible for provisional registration or registration for home education**

A child is eligible for provisional registration or registration for home education—

- (a) if the child will be at least 5 years and 6 months on 31 December in the year the application for the child’s provisional registration or registration is made; and
- (b) until 31 December in the year the child turns 18.

**Clause 10 Amendment of s 229A (Provisional registration or registration ends on 31 December in year child turns 17 years)**

- (1) Section 229A, heading—

*omit, insert—*

**229A When provisional registration or registration ends in relation to child’s age**

- (2) Section 229A(1), ‘17 years’—

[s 11]

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*omit, insert—* 1  
18 years 2

<b>Clause 11</b>	<b>Replacement of s 251AB (Notice to non-State school's principal)</b>	3
		4
	Section 251AB—	5
	<i>omit, insert—</i>	6
	<b>251AB Notice to principal or governing body of non-State school</b>	7
		8
	(1) The chief executive may, by notice given to the principal or governing body of a non-State school, ask the principal or governing body for information about decisions made under section 248.	9 10 11 12 13
	(2) Also, the chief executive must give the principal of a non-State school a copy of any notice given under subsection (1) to the governing body of the school.	14 15 16 17
	(3) The principal or governing body of a non-State school must, if given notice under subsection (1), give the chief executive the requested information in the way stated in the notice.	18 19 20 21

<b>Clause 12</b>	<b>Amendment of s 283 (Duration and notice of suspension)</b>	22
		23
	(1) Section 283—	23
	<i>insert—</i>	24
	(1A) The principal must tell the student about the suspension.	25 26
	(2) Section 283(1A) to (4)—	27
	<i>renumber</i> as section 283(2) to (5).	28

---

<b>Clause 13</b>	<b>Replacement of ch 12, pt 3, div 2, sdiv 3, hdg (Chief executive's powers)</b>	1 2
	Chapter 12, part 3, division 2, subdivision 3, heading—	3
	<i>omit, insert—</i>	4
	<b>Subdivision 3 Other provisions for suspension</b>	5 6
<b>Clause 14</b>	<b>Insertion of new s 289A</b>	7
	Before section 290—	8
	<i>insert—</i>	9
	<b>289A Principal may delegate function of telling students about suspension decision</b>	10 11
	(1) This section applies in relation to a function imposed on the principal of a State school under section 283(2), 288(2) or 289(3).	12 13 14
	(2) The principal may delegate the function to an appropriately qualified teacher at the school who assists the principal with the management of the school.	15 16 17 18
	<i>Examples of a teacher who assists the principal with the management of the school—</i>	19 20
	the head of a primary or secondary school, a deputy principal	21 22
<b>Clause 15</b>	<b>Insertion of new ch 20, pt 11</b>	23
	Chapter 20—	24
	<i>insert—</i>	25

[s 15]

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<b>Part 11</b>	<b>Transitional and validation provisions for Education (General Provisions) Amendment Act 2025</b>	1 2 3 4 5
<b>Division 1</b>	<b>Preliminary</b>	6
<b>544 Definitions for part</b>		7
	In this part—	8
	<i>amendment Act</i> means the <i>Education (General Provisions) Amendment Act 2025</i> .	9 10
	<i>former</i> , in relation to a provision of this Act, means the provision as in force from time to time before the commencement of the provision in which the term is used.	11 12 13 14
	<i>new</i> , in relation to a provision of this Act, means the provision as in force from the commencement of the provision in which the term is used.	15 16 17
<b>Division 2</b>	<b>Provisions commencing on assent</b>	18 19
<b>545 Application of new s 180 to pre-commencement information and decisions—compulsory schooling</b>		20 21 22
	New section 180 applies in relation to information whether the information came into existence, or relates to a decision made under section 189, before or after the commencement.	23 24 25 26

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<b>546 Child’s eligibility to be provisionally registered or registered for home education</b>	1
	2
From the commencement—	3
(a) new section 206 applies in relation to a child’s eligibility to be provisionally registered or registered for home education, whether the registration takes effect before or after the commencement; and	4
	5
	6
	7
	8
(b) new section 229A applies in relation to the ending of the child’s registration.	9
	10

<b>547 Application of new s 251AB to pre-commencement information and decisions—compulsory participation in education or training</b>	11
	12
	13
	14
New section 251AB applies in relation to information whether the information came into existence, or relates to a decision made under section 248, before or after the commencement.	15
	16
	17
	18

<b>Division 3</b>	<b>Amendments commencing by proclamation</b>	19
		20

<b>Clause 16</b>	<b>Amendment of s 19 (Consultation)</b>	21
	(1) Section 19(1)—	22
	<i>insert—</i>	23
	(d) if the school is a regional State school and there is a campus association formed for a campus of the school—the campus association.	24
		25
		26
		27
	(2) Section 19(2)—	28
	<i>insert—</i>	29

[s 17]

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	(d) if any of the schools is a regional State school and there is a campus association formed for a campus of the school—the campus association.	1 2 3 4
<b>Clause 17</b>	<b>Amendment of s 77 (Definitions for ch 6)</b>	5
	(1) Section 77, definition <i>alternative association member</i> , ‘section 88(1)’—	6 7
	<i>omit, insert—</i>	8
	section 88(2)	9
	(2) Section 77, definition <i>elected parent member</i> , paragraph (a)—	10
	<i>omit, insert—</i>	11
	(a) under the constitution of—	12
	(i) an association formed for the school; or	13
	(ii) if the school is a regional State school—a campus association formed for a campus of the school; or	14 15 16
<b>Clause 18</b>	<b>Amendment of s 85 (Official members)</b>	17
	Section 85(1)(b), from ‘the school’ to ‘president’—	18
	<i>omit, insert—</i>	19
	the school or, for a regional State school, there is a campus association formed for a campus of the school—the president of the association or campus association	20 21 22 23
<b>Clause 19</b>	<b>Amendment of s 88 (Alternative association member)</b>	24
	(1) Section 88, before subsection (1)—	25
	<i>insert—</i>	26
	(1AA) This section applies in relation to the president of—	27 28



- 
- (a) an association formed for a State school; or 1  
(b) a campus association formed for a campus 2  
of a regional State school. 3
- (2) Section 88(1), ‘of an association formed for a State school’— 4  
*omit, insert*— 5  
of the association or campus association 6
- (3) Section 88(2), ‘subsection (1)’— 7  
*omit, insert*— 8  
subsection (2) 9
- (4) Section 88(1AA) to (3)— 10  
*renumber* as section 88(1) to (4). 11

**Clause 20 Amendment of s 89 (Chairperson) 12**

- (1) Section 89(4)(a), after ‘established’— 13  
*insert*— 14  
or, for a regional State school, a campus 15  
association has been formed for a campus of the 16  
school 17
- (2) Section 89(4)(b), after ‘association’— 18  
*insert*— 19  
or campus association 20
- (3) Section 89(5), ‘section 88(2)’— 21  
*omit, insert*— 22  
section 88(3) 23

**Clause 21 Amendment of s 94 (Constitution for school council) 24**

- (1) Section 94(2)(a)(v), from ‘an association’ to ‘president’— 25  
*omit, insert*— 26  
an association formed for the school for which the 27

[s 22]

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	council is established or, for a regional State school, there is a campus association formed for a campus of the school—the way in which the president of the association or campus association	1 2 3 4
(2)	Section 94(4)(b), from ‘an association’ to ‘constitution’— <i>omit, insert—</i> an association formed for the school for which the council is established or, for a regional State school, there is a campus association formed for a campus of the school—are subject to the provisions of the constitution of the association or campus association	5 6 7 8 9 10 11 12
<b>Clause 22</b>	<b>Amendment of s 95 (Amendment of school council’s constitution)</b> Section 95(4)(a)(ii), from ‘school’ to ‘the association’— <i>omit, insert—</i> school or, for a regional State school, there is a campus association formed for a campus of the school—the association or campus association	13 14 15 16 17 18 19
<b>Clause 23</b>	<b>Amendment of s 102 (Attendance by proxy)</b> Section 102(3), definition <i>proxy</i> , after ‘school’— <i>insert—</i> or, for a regional State school, the president of a campus association formed for a campus of the school	20 21 22 23 24 25
<b>Clause 24</b>	<b>Amendment of s 109 (Initial constitution)</b> (1) Section 109(4)— <i>omit, insert—</i> (4) Subsection (4A) applies if—	26 27 28 29

- 
- (a) there is an association formed for the school; or
- (b) for a regional State school—there is a campus association formed for a campus of the school.
- (4A) The president of the association or campus association must, under its constitution, call a special meeting of the association or campus association (the *association meeting*) for approving the draft constitution.
- (2) Section 109(5)(a), after ‘for the school’—  
*insert—*  
or, for a regional State school, there is no campus association formed for a campus of the school
- (3) Section 109(6)(a)—  
*omit, insert—*  
(a) if there is an association formed for the school or, for a regional State school, there is a campus association formed for a campus of the school—by secret ballot by a majority of the members of the association or campus association attending the association meeting;
- (4) Section 109(6)(b), after ‘school’—  
*insert—*  
or, for a regional State school, there is no campus association formed for a campus of the school
- (5) Section 109(7), ‘subsection (6)’—  
*omit, insert—*  
subsection (7)
- (6) Section 109(7)(a)(i), ‘and the association’—  
*omit, insert—*
-

[s 25]

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	or, for a regional State school, there is a campus association formed for a campus of the school, and the association or campus association	1 2 3
(7)	Section 109(7)(a)(ii), from ‘and the parents’ to ‘the school’— <i>omit, insert—</i>	4 5
	or, for a regional State school, there is no campus association formed for a campus of the school, and the parents of children attending the school, or campus,	6 7 8 9
(8)	Section 109(4A) to (8)— <i>renumber</i> as section 109(5) to (9).	10 11
<b>Clause 25</b>	<b>Amendment of s 118 (Formation of parents and citizens association)</b>	12 13
	Section 118— <i>insert—</i>	14 15
(5)	This section does not apply in relation to a State instructional institution that is a regional State school.	16 17 18
	<i>Note—</i> For a regional State school, see part 11.	19 20
<b>Clause 26</b>	<b>Amendment of s 119 (Formation of interim parents and citizens association)</b>	21 22
	Section 119— <i>insert—</i>	23 24
(4)	This section does not apply in relation to a State instructional institution that is a regional State school.	25 26 27
	<i>Note—</i> For a regional State school, see part 11.	28 29

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<b>Clause 27</b>	<b>Amendment of s 122 (Dissolution of an association)</b>	1
	Section 122(a), from ‘formed’—	2
	<i>omit, insert—</i>	3
	formed—	4
	(i) is closed; or	5
	(ii) becomes a regional State school; or	6
<b>Clause 28</b>	<b>Amendment of s 126 (Restriction on who may be a member of executive committee)</b>	7
	(1) Section 126—	8
	<i>insert—</i>	9
	(3A) A person is disqualified from becoming or continuing as a member of the executive committee of an association if the person has a conviction, other than a spent conviction, for an indictable offence.	10
	(2) Section 126(3A) and (4)—	11
	<i>renumber</i> as section 126(4) and (5).	12
		13
		14
		15
		16
		17
<b>Clause 29</b>	<b>Amendment of s 130 (Subcommittees)</b>	18
	Section 130—	19
	<i>insert—</i>	20
	(3) A person is disqualified from becoming or continuing as a member of a subcommittee of an association if the person has a conviction, other than a spent conviction, for an indictable offence.	21
		22
		23
		24
<b>Clause 30</b>	<b>Amendment of s 139 (Regulation may provide for membership)</b>	25
	Section 139(2)—	26
	<i>omit, insert—</i>	27
		28

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[s 31]

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	(2) Subsection (1) is subject to sections 118 and 154C.	1 2
<b>Clause 31</b>	<b>Insertion of new ch 7, pt 11</b>	3
	Chapter 7—	4
	<i>insert—</i>	5
	<b>Part 11</b>	6
	<b>Special provisions for campus associations</b>	7
	<b>Division 1</b>	8
	<b>Preliminary</b>	
	<b>154A Application of part</b>	9
	(1) This part applies if a State instructional institution is a State school that—	10 11
	(a) consists of more than 1 campus; and	12
	(b) is prescribed by regulation to be a school to which this part applies.	13 14
	(2) A State school to which this part applies is a <i>regional State school</i> .	15 16
	<b>154B Definitions for part</b>	17
	In this part—	18
	<i>campus association</i> means a parents and citizens association formed for a campus of a regional State school.	19 20 21
	<i>head of campus</i> , for a campus of a regional State school, means—	22 23
	(a) if the principal is responsible for the day-to-day management of the campus—the principal; or	24 25 26

- 
- (b) if the principal is not responsible for the day-to-day management of the campus—the person who is responsible for the day-to-day management of the campus. 1  
2  
3  
4
- regional State school* see section 154A(2). 5
- relevant provisions* see section 154H(1). 6

## **Division 2            Formation and operation                                  of campus associations** 7 8

### **154C Formation of association for campus of                                  regional State school** 9 10

- (1) A parents and citizens association may be formed for a campus of a regional State school in the way prescribed by regulation. 11  
12  
13
- (2) The following persons are eligible to be members of a campus association formed for a campus of a regional State school— 14  
15  
16
- (a) a parent of a child who attends classes at the campus; 17  
18
- (b) a staff member of the school who performs their day-to-day responsibilities at the campus; 19  
20  
21
- (c) an adult, other than a person mentioned in paragraph (a) or (b), who is interested in the welfare of the campus. 22  
23  
24
- (3) Both of the following persons are members of a campus association formed for a campus of a regional State school— 25  
26  
27
- (a) the principal of the school; 28
- (b) if the principal is not the head of campus—the head of campus. 29  
30

[s 31]

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<b>154D Formation of interim campus association</b>	1
(1) An interim campus association may, within 2 years before the first day of operation of a proposed campus of a regional State school or a proposed regional State school, be formed for the proposed campus of the school in the way prescribed by regulation.	2 3 4 5 6 7
(2) An adult interested in the welfare of the proposed campus is eligible to be a member of an interim campus association formed for the campus.	8 9 10
(3) An interim campus association formed for the proposed campus is taken to be a campus association formed for the campus of the school from the start of operation of the campus or school.	11 12 13 14 15
<b>154E Objectives of campus association</b>	16
The objectives of a campus association are to promote the interests of, and facilitate the development and further improvement of, the campus of the regional State school for which the association is formed.	17 18 19 20 21
<b>154F Functions of campus association</b>	22
(1) A campus association for a campus of a regional State school has the following functions—	23 24
(a) fostering community interest in educational matters;	25 26
(b) trying to bring about closer cooperation between the following persons—	27 28
(i) the children attending the campus;	29
(ii) the parents of the children;	30
(iii) other members of the community;	31



- 
- (iv) staff members of the regional State school; 1  
2
- (c) if asked by the head of campus or of its own volition, giving advice and recommendations to the head of campus or the principal of the school about— 3  
4  
5  
6
- (i) issues relating to persons who receive educational instruction at the campus; 7  
8  
or 9
- (ii) the general operations and management of the campus; 10  
11
- (d) giving, or assisting in the giving of, financial or other resources or services for the benefit of persons who receive educational instruction at the campus; 12  
13  
14  
15
- (e) performing any other functions, not inconsistent with this Act, as the Minister decides. 16  
17  
18
- (2) In the performance of its functions, a campus association must comply with this Act and any written directions the Minister may give the association about— 19  
20  
21  
22
- (a) complying with departmental policies that apply to associations; or 23  
24
- (b) a matter relevant to the performance of its functions. 25  
26
- 154G Dissolution of campus association** 27
- A campus association is dissolved— 28
- (a) if the campus for which the association is formed is closed; or 29  
30
- (b) if the regional State school that included the campus for which the association is formed 31  
32

[s 31]

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is closed or stops being a regional State school; or	1 2
(c) if the number of members of the association is 2 or less; or	3 4
(d) in other circumstances prescribed by regulation.	5 6
<b>Division 3</b>	
<b>Modified application of chapter</b>	7 8
<b>154H Application of pts 2–10 in relation to campus associations</b>	9 10
(1) Parts 2 to 10, other than section 146, (the <i>relevant provisions</i> ) apply in relation to a campus association subject to the modifications provided for under this division.	11 12 13 14
(2) A campus association is an association for the purposes of the relevant provisions.	15 16
(3) Also, an interim campus association is an interim parents and citizens association for the purposes of the relevant provisions.	17 18 19
<b>154I References to State school or State instructional institution</b>	20 21
A reference in the relevant provisions to a State school or State instructional institution for which an association is formed is taken to be a reference to the campus of the regional State school for which the campus association is formed.	22 23 24 25 26
<b>154J References to principal</b>	27
A reference in the relevant provisions to the principal of the State instructional institution for	28 29

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which an association is formed is taken to be a reference to— 1  
2

(a) the principal of the regional State school that includes the campus for which the association is formed; and 3  
4  
5

(b) if the principal is not the head of campus—the head of campus. 6  
7

**154K References to relevant staff members for s 126** 8  
9

A reference in section 126 to a relevant staff member for a State school is, for a campus of a regional State school for which a campus association is formed, taken to be a reference to a staff member of the regional State school who performs their day-to-day responsibilities at the campus. 10  
11  
12  
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14  
15  
16

**154L Authority of campus association** 17

(1) Subsection (2) applies in relation to a campus of a regional State school for which a campus association is formed. 18  
19  
20

(2) Without derogating from the authority of the head of campus in the person's capacity as the person responsible for the day-to-day management of the campus, the campus association may exercise the authority in relation to the campus that is consistent with the functions of an association. 21  
22  
23  
24  
25  
26

(3) A campus association must not exercise any authority over— 27  
28

(a) the teaching staff of the regional State school who perform their day-to-day responsibilities at the campus; or 29  
30  
31

(b) any other teaching staff of the regional State school; or 32  
33

[s 32]

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	(c) the control or management of the campus; or	1 2
	(d) the control or management of the regional State school.	3 4
<b>Clause 32</b>	<b>Amendment of s 156 (Enrolment)</b>	5
(1)	Section 156(1), from ‘if’—	6
	<i>omit, insert—</i>	7
	if—	8
	(a) the prospective student is entitled under this Act to be enrolled at the school; and	9 10
	(b) for a special school, either—	11
	(i) the prospective student is a continuing special school student and the principal is satisfied—	12 13 14
	(A) the student is a person with a disability; and	15 16
	(B) the special school is able to cater for the educational needs of the student; or	17 18 19
	(ii) the chief executive has referred the application back to the principal under section 166(2).	20 21 22
(2)	Section 156(3), from ‘must’—	23
	<i>omit, insert—</i>	24
	must refer the application to the chief executive to be dealt with under division 3 if—	25 26
	(a) the prospective student is a continuing special school student but the principal is not satisfied of either of the matters mentioned in subsection (1)(b)(i)(A) or (B); or	27 28 29 30 31

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	(b) the prospective student is not a continuing special school student.	1 2
(3)	Section 156— <i>insert—</i>	3 4
	(4) In this section— <i>continuing special school student</i> means a prospective student who is, at the time an application for enrolment at a special school is made for the student, enrolled at another special school. <i>person with a disability</i> see section 165.	5 6 7 8 9 10 11
<b>Clause 33</b>	<b>Amendment of ch 14, hdg (Transfer notes)</b> Chapter 14, heading, after ‘notes’— <i>insert—</i> <b>and related matters</b>	12 13 14 15
<b>Clause 34</b>	<b>Replacement of ch 14, pts 1 and 2</b> Chapter 14, parts 1 and 2— <i>omit, insert—</i>	16 17 18
	<b>Part 1 Preliminary</b>	19
	<b>383 Definitions for chapter</b>	20
	In this chapter— <i>former student</i> see sections 385(1)(a) and 386(1)(c). <i>related document</i> , in relation to a transfer note, means a document mentioned in the transfer note. <i>transfer note</i> , for a student or former student of a State school or non-State school, see section 384.	21 22 23 24 25 26 27

[s 34]

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<b>384 Meaning of <i>transfer note</i></b>	1
(1) A <i>transfer note</i> , for a student or former student of a State school or non-State school, is a document in the approved form that includes the following information, including personal information, about the student or former student—	2 3 4 5 6
(a) information of a type prescribed by regulation;	7 8
(b) any information required to be included under section 388C(2).	9 10
(2) The information included in a transfer note must be factual, objective and succinct.	11 12
(3) In this section— <i>personal information</i> see section 426(6).	13 14

<b>Part 2</b>	<b>Transfer notes and transfer of records</b>	15 16
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<b>Division 1</b>	<b>Requests for transfer notes on cessation of enrolment</b>	17 18 19
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<b>385 Request by parent of former student or former student</b>	20 21
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(1) This section applies if—	22
(a) the enrolment of a student (the <i>former student</i> ) at a State school or non-State school is ceased at the request of—	23 24 25
(i) if the student is a child—a parent of the student; or	26 27

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(ii) if the student is an adult—the student; and	1 2
(b) when the request to cease the enrolment is made, the person making the request asks the principal of the school for a transfer note for the former student.	3 4 5 6
(2) The principal of the school must, within 10 school days after the day the request for a transfer note is received—	7 8 9
(a) prepare a transfer note for the former student; and	10 11
(b) give the person making the request the transfer note and a copy of any related documents.	12 13 14
<b>386 Request by former student in particular     circumstances</b>	15 16
(1) This section applies if—	17
(a) a student of a State school or non-State school is a child; and	18 19
(b) the principal of the school is reasonably satisfied it would be inappropriate in the circumstances for a parent of the student to—	20 21 22 23
(i) request that the student’s enrolment cease; or	24 25
(ii) receive a transfer note for the student and a copy of any related documents; and	26 27 28
<i>Example—</i>	29
It may be inappropriate for a parent of a student to request that the student’s enrolment cease, or to receive a transfer note for the student and a copy of any related documents, if the student is living independently of the student’s parents.	30 31 32 33 34

[s 34]

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(c)	the enrolment of the student (the <i>former student</i> ) is ceased at the request of the student; and	1 2 3
(d)	when the request to cease the enrolment is made, the former student asks the principal for a transfer note for the student.	4 5 6
(2)	The principal of the school must, within 10 school days after the day the request for a transfer note is received—	7 8 9
(a)	prepare a transfer note for the former student; and	10 11
(b)	give the former student the transfer note and a copy of any related documents.	12 13
<b>Division 2</b>	<b>Requests for transfer notes after enrolment at new school</b>	14 15 16
<b>387 Purpose of division</b>		17
	The purpose of giving the principal of a State school or non-State school a transfer note for a student mentioned in section 388 is to provide information to the principal to help the principal—	18 19 20 21 22
(a)	ensure continuity of the student's educational program; and	23 24
(b)	meet the principal's duty of care obligations in relation to the following persons—	25 26
(i)	the student;	27
(ii)	the members of the school community.	28



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<b>388 Application of division</b>	1
This division applies if—	2
(a) the enrolment of a student at a State school or non-State school (the <i>previous school</i> ) is to continue at another State school or non-State school (in either case the <i>new school</i> ); and	3 4 5 6 7
(b) the principal of the new school does not have information of the type mentioned in section 384(1)(a) in relation to the student.	8 9 10
<b>388A Definitions for division</b>	11
In this division—	12
<i>former school</i> , in relation to a student enrolled at a new school—	13 14
(a) means any State school or non-State school at which the student was enrolled within the 12-month period before being enrolled at the new school; but	15 16 17 18
(b) does not include the student’s previous school.	19 20
<i>new school</i> see section 388(a).	21
<i>previous school</i> see section 388(a).	22
<b>388B Principal of new school to ask for transfer note</b>	23 24
(1) Within 90 days after the day the student is enrolled at the new school, the principal of the new school—	25 26 27
(a) must ask the principal of the previous school to prepare a transfer note for the student; and	28 29 30

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- (b) may ask the principal of a former school to prepare a transfer note for the student. 1  
2
  - (2) When making a request under subsection (1), the principal of the new school must give notice of the request to— 3  
4  
5
    - (a) if the student is a child—a parent of the student; or 6  
7
    - (b) if the student is an adult—the student. 8
  - (3) However, if the student is a child and the principal is reasonably satisfied it would be inappropriate in the circumstances to give notice of the request to a parent of the student— 9  
10  
11  
12
    - (a) subsection (2)(a) does not apply; and 13
    - (b) the principal must give notice of the request to the student. 14  
15
- Example—* 16
- It may be inappropriate to give notice of the request to a parent of the student if the student is living independently of the student’s parents. 17  
18  
19

**388C Principal of previous school or former school to prepare transfer note** 20  
21

- (1) The principal of the previous school or former school must, within 10 school days after the day a request under section 388B(1) is received— 22  
23  
24
  - (a) prepare a transfer note for the student; and 25
  - (b) give the principal of the new school the transfer note and a copy of any related documents. 26  
27  
28
- (2) The principal of the previous school, or of the former school, must include in the transfer note any information about the student that the principal reasonably believes is necessary to help the principal of the new school protect the safety 29  
30  
31  
32  
33

- 
- and wellbeing of the following persons— 1
- (a) the student; 2
  - (b) the members of the school community. 3

**388D Principal of new school to give copy of transfer note** 4  
5

- (1) A person who is given notice under section 388B(2) or (3)(b) may ask the principal of the new school for a copy of any transfer note mentioned in the notice. 6  
7  
8  
9
- (2) If the principal of the new school receives a request under subsection (1), the principal must give the person making the request a copy of the transfer note and of any related documents within 10 school days after the later of the following days— 10  
11  
12  
13  
14  
15
  - (a) the day the principal of the new school receives the transfer note and a copy of any related documents from the principal of the previous school or former school; 16  
17  
18  
19
  - (b) the day the principal of the new school receives the request under subsection (1). 20  
21

**Division 3            Transfer of records** 22  
**between State schools** 23

**388E Transfer of records not prevented** 24

- (1) This section applies if— 25
  - (a) the enrolment of a student at a State school (the *first school*) has ceased; and 26  
27
  - (b) the student is enrolled at another State school (the *second school*). 28  
29

[s 35]

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	(2) This part does not prevent the principal of the first school transferring records relating to the student to the principal of the second school.	1 2 3
<b>Clause 35</b>	<b>Amendment of s 419F (Registration in programs)</b>	4
(1)	Section 419F(3)(b)(i), from ‘centre-based service’— <i>omit, insert—</i> relevant kindergarten; or	5 6 7
(2)	Section 419F(3)(b)(ii)— <i>omit, insert—</i> (ii) has medical grounds for needing distance education; or	8 9 10 11
(3)	Section 419F— <i>insert—</i> (3A) For subsection (3)(b)(ii), the child has medical grounds for needing distance education only if— (a) the child has 1 or more medical certificates stating that the child is unable to attend a centre-based service for a period during the child’s registration year due to the child’s state of health; and (b) the total period for which the child is unable to attend a centre-based service under all medical certificates mentioned in paragraph (a) is more than 10 weeks.	12 13 14 15 16 17 18 19 20 21 22 23 24
(4)	Section 419F(7)— <i>insert—</i> <b><i>approved kindergarten program</i></b> , in relation to a centre-based service, means a program for which the service receives kindergarten program funding from the department. <b><i>relevant kindergarten</i></b> means—	25 26 27 28 29 30 31

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	(a) a centre-based service that provides an approved kindergarten program; or	1 2
	(b) a prescribed State school that provides a kindergarten learning program.	3 4
(5)	Section 419F(3A) to (7)— <i>renumber</i> as section 419F(4) to (8).	5 6
<b>Clause 36</b>	<b>Amendment of s 426 (Confidentiality)</b>	7
(1)	Section 426(2), ‘This section also’— <i>omit, insert</i> — Also, this section	8 9 10
(2)	Section 426(2)(b), ‘contained in a transfer note’— <i>omit, insert</i> — included in a transfer note under chapter 14	11 12 13
(3)	Section 426(2)(b)(i), ‘continuing’— <i>omit.</i>	14 15
(4)	Section 426(3), ‘This section also’— <i>omit, insert</i> — Further, this section	16 17 18
(5)	Section 426(4)(d), ‘subsection (4A)’— <i>omit, insert</i> — subsection (5), section 426A	19 20 21
(6)	Section 426(4A) and (5)— <i>renumber</i> as section 426(5) and (6).	22 23
<b>Clause 37</b>	<b>Insertion of new s 426A</b>	24
	After section 426— <i>insert</i> —	25 26

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- 426A Confidentiality—approved online services** 1
- (1) For section 426(4)(d), a public service employee 2  
employed in the department may— 3
- (a) disclose, to an entity that provides an 4  
approved online service, personal 5  
information that is relevant information 6  
about a student of a State school; or 7
- (b) make a record of, or use, personal 8  
information about a student of a State school 9  
for the purpose of disclosing relevant 10  
information under paragraph (a). 11
- (2) The chief executive may approve, as an *approved* 12  
*online service*, an online service that requires the 13  
disclosure, recording or use of personal 14  
information about a student of a State school if the 15  
chief executive is reasonably satisfied— 16
- (a) a contract or other arrangement entered into 17  
with the entity that provides, or is to 18  
provide, the online service is a service 19  
arrangement and the entity is a bound 20  
contracted service provider in relation to the 21  
contract or arrangement; and 22
- (b) an appropriately qualified public service 23  
employee employed in the department has 24  
assessed the online service according to a 25  
framework for assessing the matters 26  
mentioned in paragraphs (c) and (d); and 27
- (c) the online service is suitable to protect the 28  
privacy and online security of relevant 29  
information about the student that may be 30  
disclosed to, or recorded or used by, the 31  
entity providing the service; and 32
- (d) the entity that provides, or is to provide, the 33  
online service does not, for the purpose of 34  
providing the service, require the disclosure 35

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	to, or recording or use by, the entity of sensitive information about the student; and	1 2
(e)	the online service is required for either or both of the following purposes—	3 4
(i)	for providing services for the education or educational support of students of State schools;	5 6 7
(ii)	for the effective management of State schools.	8 9
(3)	The chief executive must ensure a list of all approved online services is made available for public inspection, without charge—	10 11 12
(a)	during normal business hours at the department’s head office; and	13 14
(b)	on the department’s website.	15
(4)	In this section—	16
	<i>bound contracted service provider</i> see the <i>Information Privacy Act 2009</i> , schedule 5.	17 18
	<i>disclose</i> , information, see section 426(6).	19
	<i>personal information</i> see section 426(6).	20
	<i>relevant information</i> , about a student of a State school, means personal information, other than sensitive information, about the student that is relevant to the provision, or use, of an approved online service.	21 22 23 24 25
	<i>sensitive information</i> see the <i>Information Privacy Act 2009</i> , schedule 5.	26 27
	<i>service arrangement</i> see the <i>Information Privacy Act 2009</i> , section 34.	28 29
<b>Clause 38</b>	<b>Insertion of new ch 20, pt 11, div 3</b>	30
	Chapter 20, part 11, as inserted by this Act—	31

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[s 38]

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<i>insert—</i>	1	
<b>Division 3</b>	<b>Provisions commencing by proclamation</b>	2 3
<b>548 Applications for enrolment—special schools</b>		4
(1) This section applies if—		5
(a) before the commencement, an application for enrolment of a prospective student at a special school was made and referred to the chief executive under former section 156(3); and		6 7 8 9 10
(b) immediately before the commencement, the application had not been—		11 12
(i) dealt with under section 167; or		13
(ii) referred back to the principal under section 166(2) and decided by the principal under former section 156; or		14 15 16
(iii) withdrawn.		17
(2) The application must be decided under former chapter 8, part 1 as if the amendment Act had not been enacted.		18 19 20
<b>549 Existing applications for registration in distance education kindergarten learning program</b>		21 22 23
(1) This section applies if—		24
(a) before the commencement, a person made an application for the registration of a kindergarten age child in a distance education kindergarten learning program under former section 419F; and		25 26 27 28 29



- 
- (b) immediately before the commencement, the application had not been decided or withdrawn. 1  
2  
3
- (2) The application must be decided under new section 419F. 4  
5
- 550 Reviews not started of refusal to grant registration in distance education kindergarten learning program** 6  
7  
8
- (1) This section applies if— 9
- (a) immediately before the commencement— 10
- (i) a person could have, but had not, applied to the chief executive under former section 419G for a review of a decision, under former section 419F, to refuse to grant an application for registration in a distance education kindergarten learning program; and 11  
12  
13  
14  
15  
16  
17
- (ii) the period within which the person could apply for the review had not ended; and 18  
19  
20
- (b) after the commencement and within the period mentioned in subsection (1)(a)(ii), the person applies for the review. 21  
22  
23
- (2) The chief executive must decide the review as if new section 419F had been in force when the person’s application under former section 419F was made. 24  
25  
26  
27
- 551 Existing reviews of refusal to grant registration in distance education kindergarten learning program** 28  
29  
30
- (1) This section applies in relation to a review by the chief executive that was started, but not decided, before the commencement, of a decision under 31  
32  
33

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former section 419F to refuse to grant an application for registration in a distance education kindergarten learning program. 1  
2  
3

- (2) The chief executive must decide the review as if new section 419F had been in force when the person's application under former section 419F was made. 4  
5  
6  
7

**552 Transfer notes requested before commencement—cessation of enrolment** 8  
9

- (1) This section applies if— 10
- (a) before the commencement, a request mentioned in former section 386(1)(b) or (3)(d) was made for a transfer note for a former student of a State school or non-State school; and 11  
12  
13  
14  
15
  - (b) immediately before the commencement, the school's principal had not complied with former section 386(2) or (4) in relation to the request. 16  
17  
18  
19
- (2) Former section 386 continues to apply in relation to the request as if the amendment Act had not been enacted. 20  
21  
22

**553 Transfer notes requested before commencement—application for enrolment** 23  
24

- (1) This section applies if— 25
- (a) before the commencement, the principal of a new school gave a notice under former section 387(3) asking for a transfer note for a former student or continuing student of a State school or non-State school; and 26  
27  
28  
29  
30
  - (b) immediately before the commencement— 31

- 
- (i) the previous school’s principal had not complied with former section 387(4) in relation to the request and the period for complying had not ended under that section; or
  - (ii) the new school’s principal had not given notice under former section 387(5) or (7) that the first notice had been given under former section 387(3); or
  - (iii) the new school’s principal had not complied with former section 387(8) in relation to a request made under that subsection, or with former section 387(10).
- (2) Former section 387 continues to apply in relation to the request as if the amendment Act had not been enacted.

**554 Confidentiality—approved online services**

- (1) For section 426A(1), a reference to personal information about a student of a State school includes a reference to personal information that the public service employee gained, or had access to, before the commencement.
- (2) For section 426A(2), a reference to personal information about a student of a State school includes a reference to personal information that came into existence before the commencement.

**555 Validation provision for existing campus associations**

- (1) This section applies if—
  - (a) before the commencement, an association (a *former association*) was formed for a

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- former school before the school's closure; 1  
and 2
- (b) immediately before the closure of the 3  
former school, the former association 4  
performed the functions of an association 5  
under this Act for the school; and 6
- (c) from the closure of the former school, the 7  
former association purported to continue in 8  
existence as if it were an association formed 9  
for Tagai State College. 10
- (2) The former association is taken to be, and to have 11  
been during the transitional period, a campus 12  
association formed for Tagai State College. 13
- (3) For subsection (2)— 14
- (a) chapter 7, part 11 applies as if it had taken 15  
effect on 1 January 2007; and 16
- (b) Tagai State College is taken to have been a 17  
regional State school during the transitional 18  
period. 19
- (4) Anything done during the transitional period by 20  
the former association in the purported 21  
performance of a function under this Act has the 22  
same effect, and is taken to have always had the 23  
same effect, as if the former association had been 24  
validly formed as a campus association for Tagai 25  
State College under this Act. 26
- (5) In this section— 27
- former school*** means a State school that, before 28  
the commencement, was closed and amalgamated 29  
with other schools to form Tagai State College. 30
- transitional period*** means the period starting on 1 31  
January 2007 and ending immediately before the 32  
commencement. 33

<b>Clause 39</b>	<b>Amendment of sch 4 (Dictionary)</b>	1
(1)	Schedule 4, definitions <i>relevant person</i> and <i>transfer note</i> —	2
	<i>omit.</i>	3
(2)	Schedule 4—	4
	<i>insert</i> —	5
	<i>campus association</i> see section 154B.	6
	<i>former school</i> , in relation to a student enrolled at a new school, for chapter 14, part 2, division 2, see section 388A.	7 8 9
	<i>former student</i> , for chapter 14, see sections 385(1)(a) and 386(1)(c).	10 11
	<i>head of campus</i> , for a campus of a regional State school, for chapter 7, part 11, see section 154B.	12 13
	<i>new school</i> , for chapter 14, part 2, division 2, see section 388(a).	14 15
	<i>previous school</i> , for chapter 14, part 2, division 2, see section 388(a).	16 17
	<i>regional State school</i> see section 154A(2).	18
	<i>related document</i> , in relation to a transfer note, for chapter 14, see section 383.	19 20
	<i>relevant person</i> , for chapter 12, part 10, see section 364.	21 22
	<i>relevant provisions</i> , for chapter 7, part 11, see section 154H(1).	23 24
	<i>transfer note</i> , for a student or former student of a State school or non-State school, for chapter 14, see section 384.	25 26 27
(3)	Schedule 4, definition <i>association</i> —	28
	<i>insert</i> —	29
	(c) for a regional State school—a campus association formed under section 154C for a campus of the school; or	30 31 32

[s 40]

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- (d) for a proposed campus of a regional State school or a proposed regional State school—an interim campus association formed under section 154D for the proposed campus. 1  
2  
3  
4  
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## **Part 3                      Other amendments** 6

### **Clause 40      Legislation amended** 7

Schedule 1 amends the legislation it mentions. 8

<b>Schedule 1</b>	<b>Other amendments</b>	1
	section 40	2
<b>Part 1</b>	<b>Amendments commencing on assent</b>	3
		4
	<b>Child Protection Act 1999</b>	5
<b>1</b>	<b>Section 159M, definition <i>prescribed entity</i>, paragraph (e), ‘Education (Accreditation of Non-State Schools) Act 2001’—</b>	6
	<i>omit, insert—</i>	7
		8
	<i>Education (Accreditation of Non-State Schools) Act 2017</i>	9
		10
		11
	<b>Education (General Provisions) Act 2006</b>	12
<b>1</b>	<b>Schedule 4, definition <i>relevant person</i>—</b>	13
	<i>omit.</i>	14
<b>2</b>	<b>Schedule 4—</b>	15
	<i>insert—</i>	16
	<b><i>relevant person</i>—</b>	17
	(a) for chapter 12, part 10—see section 364; or	18
	(b) for a student of a State school or non-State school, for chapter 14—see section 383.	19
		20

Schedule 1

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	<i>sexual abuse</i> , in relation to a relevant person, for chapter 12, part 10, see section 364.	1 2
<b>3</b>	<b>Schedule 4, definition <i>full-time</i>, paragraph (a), ‘VETE Act’—</b> <i>omit, insert—</i> <i>Further Education and Training Act 2014</i>	3 4 5 6
<b>4</b>	<b>Schedule 4, definition <i>participating</i>, paragraph (a), ‘VETE Act’—</b> <i>omit, insert—</i> <i>Further Education and Training Act 2014</i>	7 8 9 10
<b>Part 2</b>	<b>Amendments commencing by proclamation</b>	11 12
	<b>Education (General Provisions) Act 2006</b>	13
<b>1</b>	<b>Section 79(1), ‘section 109(6) and (7)’—</b> <i>omit, insert—</i> section 109(7) and (8)	14 15 16
<b>2</b>	<b>Section 419G(2), ‘section 419F(5)’—</b> <i>omit, insert—</i> section 419F(6)	17 18 19