

EDUCATION (MISCELLANEOUS AMENDMENTS) BILL 2002

EXPLANATORY NOTES

AMENDMENTS TO BE MOVED IN COMMITTEE BY THE HONOURABLE MINISTER FOR EDUCATION

GENERAL OUTLINE

Objective of the amendment

The amendment to the Education (Miscellaneous Amendments) Bill 2002 extends the period in which an applicant may be considered to have satisfied the public notification requirements attaching to applications for eligibility for Government funding from one year to three years.

Reason for the amendment

The Bill gives the Non-State Schools Eligibility for Government Funding Committee discretion to waive the public notification requirements when these requirements have recently been met for an application which is substantially similar.

Subsequent to the introduction of the Bill, it has become clear that a three year rather than one year period is more appropriate to align with the standard cycle of school applications and to cover adequately all of the approvals for schools affected by the transition from the *Education (General Provisions) Act 1989* to the *Education (Accreditation of Non-State Schools) Act 2002*.

Achievement of objective

The objective is achieved by amending clause 23 of the Bill by replacing "1 year" with "3 years" and by making provision for the discretion to arise in relation to an application made under the previous regime.

Alternative ways of achieving the policy objective

There are no alternative ways of achieving the policy objective.

Estimated cost for Government implementation

The amendment will not result in any implementation costs to Government.

Consistency with fundamental legislative principles

The amendment is consistent with the fundamental legislative principles prescribed under the *Legislative Standards Act 1992*.

Conclusion

The Bill be amended by extending the period in which an applicant may be considered to have satisfied the public notification requirements attaching to applications for eligibility for Government funding from one year to three years.

NOTES ON PROVISIONS

Clause 1 – amends clause 23 of the Bill in two ways. It extends the period during which a substantially similar application must have been made to three years. Also, it provides for this application to have been made under the *Education (Accreditation of Non-State Schools) Act 2001* or the *Education (General Provisions) Act 1989* within this extended period.