

Transport Operations Legislation Amendment Bill 2007

Amendments agreed to during Consideration

1 **Clause 2 (Commencement)—**

At page 4, line 7, after ‘Part 2’—

insert—

‘, other than section 7A.’.

2 **After clause 7—**

At page 7, after line 17—

insert—

‘7A **Amendment of s 144 (Transport arrangements for pupils)**

‘(1) Section 144, heading, ‘pupils’—

omit, insert—

‘**students**’.

‘(2) Section 144(1) and (2)(a), ‘pupils’—

omit, insert—

‘students’.

‘(3) Section 144(2)(b), ‘pupils’—

omit, insert—

‘students’.

‘(4) Section 144—

insert—

‘(3) The chief executive may ask an education authority to give the chief executive information about a student, or a student’s parent, that is relevant to the administration of the arrangements, including, for example, information relevant to the student’s eligibility for assistance under the arrangements.’

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Examples of information that may be relevant to the administration of arrangements—

- the home address of a student or a student's parent
- information about whether or not a student is enrolled in a stated educational establishment
- information about a student's attendance at the student's educational establishment
- a student's date of birth or year level at the student's educational establishment

'(4) If the chief executive makes a request under subsection (3), the education authority must give the chief executive the requested information.

'(5) Subsection (4) applies to requested information in the education authority's possession or to which the authority has access.

'(6) Subsection (4) applies despite any other Act or law of the State, including, for example, the *Education (General Provisions) Act 2006*, section 426.

'(7) A relevant person who has gained or has access to information obtained under subsection (4) must not make a record of the information, use the information or disclose the information to anyone else, unless the recording, use or disclosure is—

- (a) for a purpose of this Act; or
- (b) with the written consent of the person to whom the information relates or, if the person is a student who is a child, of the student's parent; or
- (c) in compliance with lawful process requiring production of documents or giving of evidence before a court or tribunal; or
- (d) permitted or required by another Act.

Maximum penalty—50 penalty units.

'(8) In this section—

disclose, information, includes give access to the information.

education authority means—

- (a) the chief executive of the department in which the *Education (General Provisions) Act 2006* is administered; or
- (b) the principal of a State instructional institution as defined under the *Education (General Provisions) Act 2006*.

parent, of a student, means—

- (a) if the student is a child—a person who is the student's parent as defined under the *Education (General Provisions) Act 2006*, section 10; or
- (b) if the student is an adult—a person who was the student's parent as defined under the *Education (General Provisions) Act 2006*, section 10, immediately before the student stopped being a child.

relevant person means a person who—

- (a) is performing or has performed a function under this Act; or
- (b) is or was otherwise engaged in the administration of this Act.'?.'