

2017

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Education and Early Childhood Development)

Education Amendment Bill 2017

A Bill for

An Act to amend the *Education Act 2004*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Education Amendment Act 2017*.

3 **2 Commencement**

4 (1) This Act commences on—

5 (a) 1 January 2019; or

6 (b) if, before 1 January 2019, the Minister fixes another day by
7 written notice—the day fixed.

8 *Note 1* The naming and commencement provisions automatically commence on
9 the notification day (see [Legislation Act](#), s 75 (1)).

10 *Note 2* A single day or time may be fixed, or different days or times may be
11 fixed, for the commencement of different provisions (see [Legislation](#)
12 [Act](#), s 77 (1)).

13 (2) If this Act has not commenced by 1 January 2019, it automatically
14 commences on that day.

15 (3) The [Legislation Act](#), section 79 (Automatic commencement of
16 postponed law) does not apply to this Act.

17 **3 Legislation amended**

18 This Act amends the *Education Act 2004*.

19 **4 Provisional registration for home education**
20 **Section 130**

21 *omit*

1 **5 Registration for home education**
2 **Section 131 (1) and (2)**

3 *substitute*

- 4 (1) The parents of a child living, or usually living, in the ACT may
5 apply to the director-general for registration of the child for home
6 education.

7 *Note* The parents of a child living in the ACT must enrol the child at an
8 education provider or apply to register the child for home education not
9 later than 10 school term days after the day the child begins living in the
10 ACT (see s 10).

- 11 (2) The application must—
12 (a) be in writing; and
13 (b) include any information prescribed by regulation.

14 **6 Conditions of registration for home education**
15 **New section 132 (d) to (f)**

16 *insert*

- 17 (d) the child must live, or usually live, in the ACT;
18 (e) the parents of the child must, within 28 days of either of the
19 following occurring, tell the director-general, in writing, about
20 the thing occurring:
21 (i) information on the register under section 139 changes;
22 (ii) the child stops living, or usually living, in the ACT;

1 (f) any condition prescribed by regulation.

2 **Examples—par (d)**

- 3 1 the child lives in the ACT, but receives medical treatment in Sydney
4 2 the child's parents have a shared parenting agreement for the child and
5 only 1 parent lives in the ACT
6 3 the child's family leave the ACT for an extended holiday and intend to
7 return to the ACT

8 *Note* An example is part of the Act, is not exhaustive and may extend,
9 but does not limit, the meaning of the provision in which it
10 appears (see [Legislation Act](#), s 126 and s 132).

11 **7 Renewal of registration for home education**
12 **Section 137 (1)**

13 *omit*

14 in writing

15 **8 Section 137 (2)**

16 *substitute*

17 (2) The application must—

18 (a) be in writing; and

19 (b) include any information prescribed by regulation; and

20 (c) be made—

21 (i) not later than 3 months before the registration ends; or

22 (ii) within a shorter period approved by the director-general.

1 **9 Section 137 (4)**

2 *omit*

3 **10 Home education reports**
4 **New section 138 (2)**

5 *insert*

6 (2) The report must comply with any requirement prescribed by
7 regulation.

8 **11 Home education register**
9 **New section 139 (2)**

10 *insert*

11 (2) The register must include any information prescribed by regulation.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 26 October 2017.

2 Notification

Notified under the [Legislation Act](#) on 2017.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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