

## **EDUCATION AMENDMENT BILL 2005**

### **EXPLANATORY STATEMENT**

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## Overview

This Bill clarifies the appropriate time frame within which the Minister must undertake consultation in the event that a school with falling enrolments might be considered for amalgamation or closure.

The ACT Government has recently decided to close a government school in West Belconnen. In announcing its decision, the Government indicated it would undertake the statutory consultation required in section 20 (5) of the Education Act. There has been considerable disquiet that while the Government is complying with the strict letter of the law, it has not acted in accordance with its spirit. The community expectation was that consultation would have taken place *before* the decision was taken to close down the school.

This Bill seeks to make the letter of the legislation reflect both its spirit and community expectations.

## Summary of Clauses

Clauses 1 – 3 are mechanical clauses relating to the naming and commencement of the legislation.

Clause 1 – Name of Act – This Act is the *Education Amendment Bill 2005*.

Clause 2 – Commencement – This clause provides that this Act commences on the day after its notification day.

Clause 3 – Legislation Amended – This Act amends the *Education Act 2004*.

Clause 4 – New clause 20 (5)

New clause 20 (5) makes it explicit that the Minister must undertake certain activities (have regard to certain impacts and ensure at least six months' worth of activities) **before** deciding to amalgamate or close an ACT Government school.