

**EXPLANATORY STATEMENT**

**AUSTRALIAN CAPITAL TERRITORY**

**ORDINANCE**

**No. 28 of 1985**

**SCHOOLS AUTHORITY (AMENDMENT) ORDINANCE 1985**

Paragraph 12 of the Seat of Government (Administration) Act 1910 ('the Act') provides that 'the Governor-General may make Ordinances for the peace, order and good government of the Territory'.

The Schools Authority Ordinance 1976 ('the Ordinance') provides for the establishment and operation of the Australian Capital Territory Schools Authority to control schools and pre-schools established and conducted in the Territory on behalf of the Commonwealth, and the establishment and operation of school boards with functions in relation to those schools.

The Schools Authority (Amendment) Ordinance 1985 amends the Ordinance by making changes to the structure of the Schools Authority.

The principal amendments are:

- (1) reduction of the membership of the Authority from 15 to 9 members;
- (2) appointment of a part-time Chairman by the Governor-General;
- (3) provision for the Minister to appoint an acting part-time member to act as Chairman.

Minor consequential amendments are also made.

Details of the proposed Ordinance are attached.

Authority: Seat of Government (Administration) Act 1910.

## ATTACHMENT

### Details of the Proposed Ordinance

- Section 1 cites the Ordinance as the Schools Authority (Amendment) Ordinance 1985.
- Section 2 provides that the Ordinance shall come into operation on 1 July 1985.
- Section 3 provides that 'Principal Ordinance' means the Schools Authority Ordinance 1976
- Section 4 repeals Section 10 of the Principal Ordinance and reduces membership of the Authority from 15 persons in the Principal Ordinance to 9 persons in the amending Ordinance. The reduction is effected by deleting the nominee of the Canberra Pre-School Society and by reducing the nominees of the Australian Capital Territory Council of Parents and Citizens Associations Incorporated, the Australian Capital Territory Teachers' Federation, and the Minister from 2 to 1, 3 to 1 and 6 to 4 respectively.
- Section 5 amends Section 11 of the Principal Ordinance and provides for consistency in reference to House of Assembly nominees in Section 10 of the amending Ordinance.
- Section 6 amends Section 15 of the Principal Ordinance and provides for consistency in reference to members nominated by the Australian Capital Territory Council of Parents and Citizens Associations Incorporated, Australian Capital Territory Teachers' Federation and the House of Assembly in Section 10 of the amending Ordinance.

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Section 7 repeals Section 16 of the Principal Ordinance in relation to the appointment of the Chairman of the Authority by the Authority and substitutes a new Section which provides for the Governor-General to appoint a part-time member to be Chairman of the Authority for a period not exceeding 3 years. The part-time member is eligible for re-appointment and ceases to hold office as Chairman when the person ceases to be a member. There is also provision for the Chairman to resign by writing and delivered to the Governor-General.

Section 8 amends Section 17 of the Principal Ordinance by reducing the number of members who may request the Chairman to convene a meeting from 5 members to 3, and by reducing the quorum provisions from 8 members to 5.

Section 9 amends Section 18 of the Principal Ordinance so that it is consistent with the reduced membership in Section 10 of the amending Ordinance. The Section also provides a new Section which gives, in effect, the Minister the power to appoint an acting member as acting Chairman.