



Australian Capital Territory

# ACT Teacher Quality Institute Regulation 2010

**Subordinate Law SL2010-53**

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The Australian Capital Territory Executive makes the following regulation under the *ACT Teacher Quality Institute Act 2010*.

Dated 23 December 2010.

ANDREW BARR  
Minister

JOY BURCH  
Minister

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## Part 1 Preliminary

### 1 Name of regulation

This regulation is the *ACT Teacher Quality Institute Regulation 2010*.

### 2 Commencement

This regulation commences on the commencement of the *ACT Teacher Quality Institute Act 2010*, section 3.

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

### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation.

*Note 2* A definition in the dictionary applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

### 4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

## 5 Offences against regulation—application of Criminal Code etc

Other legislation applies in relation to offences against this regulation.

*Note 1 Criminal Code*

The Criminal Code, ch 2 applies to all offences against this regulation (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2 Penalty units*

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

## Part 2 Registration and permits to teach

### 6 Application for registration or permit to teach—details— Act, s 30 (2) (a)

- (1) The following details are prescribed:
  - (a) the applicant's name and any former names;
  - (b) the applicant's home address and email address;
  - (c) the applicant's date of birth;
  - (d) the applicant's gender;
  - (e) if, at the date of application, the applicant holds full registration, provisional registration or a permit to teach—the applicant's registration number;
  - (f) if, at the date of application, the applicant is teaching—the address of each place where the applicant teaches;
  - (g) whether the applicant identifies as an indigenous person.

- (2) In this section:

***indigenous person*** means a descendant of the Aboriginal race of Australia or people who are descendants of indigenous inhabitants of the Torres Strait Islands.

**7 Eligibility for full registration—teaching qualifications—  
Act, s 32 (1) (a) (i)**

- (1) The following teaching qualifications are prescribed:
- (a) a course of pre-service teacher education—
    - (i) consisting of at least 4 years of academic study; and
    - (ii) including an accredited pre-service (initial) teacher education program;
- Note* Accreditation of education programs is dealt with in the Act, pt 7.
- (b) an accredited graduate pre-service teacher education program;
  - (c) a course of teacher education—
    - (i) provided by a university or higher education provider; and
    - (ii) that the institute is satisfied is equivalent to a course mentioned in paragraph (a) or (b).

- (2) In this section:

***higher education provider***—see the *Training and Tertiary Education Act 2003*, dictionary.

***university***—see the *Training and Tertiary Education Act 2003*, dictionary.



**8 Eligibility for full registration—experience, skills, etc—  
Act, s 32 (1) (a) (ii)**

- (1) The following requirements are prescribed:
  - (a) either—
    - (i) satisfactory completion of 1 year of teaching at a school;  
or
    - (ii) experience that the institute is satisfied is equivalent to satisfactory completion of 1 year of teaching at a school;
  - (b) demonstrated abilities, knowledge and skills required by a standard for full registration.
- (2) The institute may be satisfied about a matter mentioned in subsection (1) if the institute receives a certificate from 1 or more of the following entities certifying that the entity is satisfied about the matter:
  - (a) the principal of a school where the person has been teaching;
  - (b) the provider of an accredited pre-service teacher education program;
  - (c) someone else that the institute is satisfied can provide satisfactory assessment of the matter.

**Example**

a registered teacher who supervised the applicant's teaching at a school

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

**9 Eligibility for full registration—period of teaching—  
Act, s 32 (1) (b)**

The prescribed period is—

- (a) for a person applying for full registration under the Act, section 30 (Application for registration or permit to teach)—180 days; or
- (b) for a person applying for renewal of full registration under the Act, section 51 (Renewal of registration)—100 days.

**10 Eligibility for full registration—English language skills—  
Act, s 32 (1) (c)**

International English Language Testing System (IELTS) score of at least band 8 in speaking and listening and at least band 7 in reading and writing is prescribed.

**11 Eligibility for provisional registration—experience, skills,  
etc—Act, s 33 (1) (a) (ii)**

- (1) The prescribed requirements are—
  - (a) either—
    - (i) 180 days of teaching at a school; or
    - (ii) experience that the institute is satisfied is equivalent to satisfactory completion of 1 year of teaching at a school; and
  - (b) demonstrated abilities, knowledge and skills required by a standard for provisional registration.
- (2) The institute may be satisfied about a matter mentioned in subsection (1) if the institute receives a certificate from 1 or more of the following entities certifying that the entity is satisfied about the matter:
  - (a) the principal of a school where the person has been teaching;

- (b) the provider of an accredited education program of pre-service teacher education;
- (c) someone else that the institute is satisfied can provide satisfactory assessment of the matter.

**12 Eligibility for provisional registration—English language skills—Act, s 33 (1) (b)**

International English Language Testing System (IELTS) score of at least band 8 in speaking and listening and at least band 7 in reading and writing is prescribed.

**13 Additional eligibility requirements for permit to teach—English language skills—Act, s 35 (1) (a)**

International English Language Testing System (IELTS) score of at least band 8 in speaking and listening and at least band 7 in reading and writing is prescribed.

**14 Eligibility for permit to teach—other requirements—Act, s 35 (1) (f)**

A qualification, from a provider of an accredited education program, in the subject the person is to teach, is prescribed.

**15 Term of provisional registration—Act, s 48 (1) (a)**

The prescribed period is 2 years.

**16 Term of provisional registration—Act, s 48 (2)**

The prescribed period is 1 year.

**17 Term of permit to teach—Act, s 49 (1) (a)**

The prescribed period is the period, not longer than 5 years, that the institute is satisfied that the person is to be employed or engaged to teach in a school.

**Example**

the person has agreed to enter into a contract of employment to teach for a stated period conditional on being given a permit to teach for the period

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

**18 Term of permit to teach—Act, s 49 (2)**

The prescribed period is the period, not longer than 5 years, that the institute is satisfied that the person is to be further employed or engaged to teach in a school.

**Example**

the person is to be further employed to teach in a school for a period for which he or she is given a permit

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

## Part 3                      Accreditation—education programs

### 19                      Education programs register—Act, s 71 (4)

The following details are prescribed:

- (a) details about course content of the education program;
- (b) details that the education provider for the education program asks the institute to not make available to the public.

**Examples—par (b)**

- 1 details that are the intellectual property of the education provider
- 2 details that are commercial-in-confidence for the education provider

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

### 20                      Grounds for suspending or cancelling accreditation—Act, s 81 (b)

The following circumstances are prescribed:

- (a) the education provider for the education program does not have the educational or management capacity to provide the education program;
- (b) the method of delivery is not suitable for the education program.

## **Part 4 Transitional**

**21 Teachers currently teaching—Act, s 151 (2) (a)**

30 June 2012 is prescribed.

**22 Education providers currently providing education programs—Act, s 152 (2) (a)**

30 June 2012 is prescribed.

## Dictionary

(see s 3)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following term:

- home address.

*Note 3* Terms used in this regulation have the same meaning that they have in the *ACT Teacher Quality Institute Act 2010* (see Legislation Act, s 148). For example, the following terms are defined in the *ACT Teacher Quality Institute Act 2010*, dict:

- accredited education program
- institute
- school.

*standard* means a standard made under the Act, section 97 (Determination of standards).

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## Endnotes

### 1 Notification

Notified under the Legislation Act on 23 December 2010.

### 2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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