

EDUCATION.

No. 96 of 1982.

AN ACT to amend the Education Act 1928-1981.

[Assented to 1 December 1982.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Education Amendment Act 1982*.

Short title
and
citation.

(2) In this Act the Education Act 1928-1981 is referred to as the principal Act.

Reprinted as
approved 22
June 1976
and amended
by Acts
Nos. 95 of
1976, 27 of
1977, 48 of
1979 and 100
of 1981.

(3) The principal Act as amended by this Act may be cited as the Education Act 1928-1982.

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Section 20G
inserted.

3. The principal Act is amended by inserting after section 20F the following section—

Suspension
and exclusion
of a child
from a Gov-
ernment
school.

“ 20G. (1) If a person holding or acting in a prescribed class of position is of the opinion that the conduct and behaviour of a child attending a Government school is not conducive to the good order and proper management of the Government school the person may suspend the child from attendance at the Government school in accordance with and subject to the regulations.

(2) Where, pursuant to subsection (1) of this section, a person holding or acting in a prescribed class of position suspends a child from attending a Government school the person may in addition recommend to the Minister that the child be excluded from attending the Government school.

(3) A recommendation made under subsection (2) of this section shall be subject to review and confirmation by a panel constituted in accordance with the regulations.

(4) On receipt of a recommendation made under subsection (2) of this section that has been confirmed in accordance with subsection (3) of this section the Minister may, on the recommendation of the Director-General, by order exclude the child in relation to whom the recommendation is made from attending at the Government school specified in the order or at any Government school.

(5) In any order made under this section the Minister may give such further directions as he thinks fit relating to the education of the child with respect to whom the order is made.

(6) An order made in relation to a child under this section may be varied or revoked by the Minister by further order and shall remain in force for the period specified in the order or if no such period is specified, until further order made by the Minister under this section with respect to the child.

(7) Where—

- (a) the Minister excludes a child from attending a Government school and pursuant to subsection (5) of this section gives directions relating to the education of the child in relation to whom the order is made; and
- (b) the child fails to comply with such directions without an excuse that is deemed a reasonable excuse under section 14 of this Act,

the child is deemed to be habitually absent from school for the purposes of section 18 of this Act and the provisions of that section apply accordingly.

(8) The suspension or exclusion of a child from attending a Government school under this section has effect notwithstanding any other provision of this Act and is a defence in any proceeding under this Act relating to the child's non-attendance at school. " .