

EDUCATION AND TRAINING LEGISLATION AMENDMENT BILL

First Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (12.35 pm): I present a bill for an act to amend the Education (Capital Assistance) Act 1993, the Education (General Provisions) Act 2006, the Education (Queensland College of Teachers) Act 2005, the Education (Queensland Studies Authority) Act 2002, the Grammar Schools Act 1975, the James Cook University Act 1997, the Vocational Education, Training and Employment Act 2000, the Vocational Education, Training and Employment Regulation 2000 and the Child Care Act 2002 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Tabled paper: Education and Training Legislation Amendment Bill.

Tabled paper: Education and Training Legislation Amendment Bill, explanatory notes.

Second Reading

Hon. GJ WILSON (Ferny Grove—ALP) (Minister for Education and Training) (12.35 pm): I move—

That the bill be now read a second time.

The principal objective of this bill is to provide for a number of minor, technical and clarifying amendments to a range of statutes in my portfolio, including the acts that are referred to in the long title of the bill. The bill also incorporates more substantial amendments to the Education (General Provisions) Act 2006—the EGPA—to provide the legislative basis for a pre-preparatory learning program in certain state and non-state schools.

The amendments also strengthen the prohibition on the use of certain terms by child-care providers to ensure that child-care providers cannot describe the care they provide in any manner which may suggest that they are providing prep year education. Before elaborating further on these amendments, I will detail the minor and technical amendments.

My department administers 21 acts. A miscellaneous provisions bill is required from time to time to make minor amendments to the Education and Training portfolio of legislation to remove redundant provisions, correct omissions and clarify existing provisions. The amendment to the Education (Capital Assistance) Act 1993 removes a redundant provision. This act presently requires an administrative procedure to declare a person or body as the approved authority for a non-state school which applies for and may be granted capital assistance. The method of determining the approved authority under the act preceded the framework established by the Education (Accreditation of Non-State Schools) Act 2001—the ANSS Act—whereby accredited non-state schools must each have a governing body. In practice, since the commencement of the ANSS Act the approved authority is always the school's governing body. Therefore, it is no longer necessary for the minister to declare the approved authority.

The bill amends a number of provisions in the Education (Queensland College of Teachers) Act 2005 to clarify provisions and address administrative or operational issues that have arisen. The Queensland College of Teachers has been in operation for three years and the suggested amendments were identified by the office of the college to enhance its operation. For example, the college has encountered the situation whereby a person whose conduct is the subject of disciplinary action was an approved teacher at the time the conduct occurred and disciplinary proceedings commenced; however, during the disciplinary proceeding and before the disciplinary action was completed the person's approval lapsed, for example, the person failed to pay their annual registration or permission to teach fee.

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In these circumstances, the person cannot be disciplined either as an approved teacher, as they are no longer an approved teacher, or as a former approved teacher, as they do not fit within the definition of 'former approved teacher' by virtue of the fact they were an approved teacher at the start of the hearing. The amendment clarifies the definitions to ensure that if a person was an approved teacher at the start of a disciplinary proceeding but ceases to be an approved teacher during the disciplinary proceeding the proceeding can continue.

The bill amends the Education (Queensland Studies Authority) Act 2002 to make a technical amendment to the definition of 'school studies' in the Education (Queensland Studies Authority) Act 2002, changing the reference from the Adelaide Declaration on National Goals for Schooling in the Twenty-First Century to the current Melbourne Declaration on Educational Goals for

Young Australians. The new declaration was made by the Ministerial Council on Education, Employment, Training and Youth Affairs on 5 December 2008.

The Grammar Schools Act 1975 was amended in 2003 following a review of the act. One amendment was that, in order to be eligible to vote or participate in the elections for the board, a donor or subscriber must demonstrate an ongoing commitment to the grammar school by way of donations. In September 2005, the Grammar Schools Act Review Steering Committee assessed the adequacy of the act in the context of the 2003 amendments. As a result of the recommendations of the steering committee, the bill allows a donor or subscriber to voluntarily relinquish their status as a donor or subscriber by notifying the board in writing.

The bill also amends the James Cook University Act 1997 to facilitate the efficient conduct of elections of convocation members to the council and to implement other amendments suggested by the university that will enable more effective operation of the act.

Under the Vocational Education, Training and Employment Act 2000, one of the functions of the Training and Employment Recognition Council is to regulate the issuing of qualifications and statements of attainment. The bill clarifies the functions so that the council can declare invalid a qualification or statement of attainment issued in inappropriate circumstances, for example by a registered training organisation acting outside its scope of registration.

The bill also amends the EGPA to create a legislative head of power for the provision of an approved pre-preparatory learning program for children at certain state and non-state schools. This program will be offered to children who are at least 3½ years old and will focus on literacy and numeracy. The bill provides that a pre-preparatory aged child who is provided with this program is not a student of the school or enrolled at the school. This is necessary to ensure that a range of provisions of the EGPA that are not appropriate for this cohort will not apply to them, for example the full range of behaviour management provisions. Instead, the bill provides that the child is registered for the program.

Section 429A of the EGPA prohibits the use of certain terms by child-care providers. The intention of the prohibition is to distinguish the prep year from child care and to limit confusion for parents because the use of those terms by a child-care provider could lead to parents assuming that the child-care provider is able to provide education in the prep year of schooling. However, since its introduction it has become clear that the prohibition as it stands is not sufficiently broad to achieve this policy intention. The bill therefore amends the EGPA to expand this prohibition and ensure that child-care providers must not describe the care they provide in any manner which may suggest that they are providing prep year education, for example by using the acronym 'PREP.' I commend the bill to the House.

Debate, on motion of Dr Flegg, adjourned.

~~ELECTRICAL SAFETY AND OTHER LEGISLATION AMENDMENT BILL~~

~~First Reading~~

~~Hon. CR DICK (Greenslopes—ALP) (Attorney General and Minister for Industrial Relations) (12.45 pm): I present a bill for an act to amend the Electrical Safety Act 2002, the Electrical Safety Regulation 2002, the Acts Interpretation Act 1954, the Building and Construction Industry (Portable Long Service Leave) Act 1991, the Contract Cleaning Industry (Portable Long Service Leave) Act 2005, the Evidence Act 1977, the Holidays Act 1983, the Industrial Relations Act 1999, the Industrial Relations Regulation 2000, the Industrial Relations (Tribunals) Rules 2000, the Parliamentary Service Act 1988, the Parliamentary Service Rule 2000, the Trading (Allowable Hours) Act 1990, the Workers' Compensation and Rehabilitation Act 2003, the Workers' Compensation and Rehabilitation Regulation 2003, the Workplace Health and Safety Act 1995 and the Workplace Health and Safety Regulation 2008 for particular purposes. I present the explanatory notes, and I move—~~

~~That the bill be now read a first time.~~

~~Question put—That the bill be now read a first time.~~

~~Motion agreed to.~~

~~Bill read a first time.~~

~~Tabled paper: Electrical Safety and Other Legislation Amendment Bill.~~

~~Tabled paper: Electrical Safety and Other Legislation Amendment Bill, explanatory notes.~~

~~Second Reading~~

~~Hon. CR DICK (Greenslopes—ALP) (Attorney General and Minister for Industrial Relations) (12.46 pm): I move—~~

~~That the bill be now read a second time.~~