

PUBLIC INSTRUCTION (BLIND AND INFIRM CHILDREN) AMENDMENT ACT.

Act No. 7, 1944.

An Act to amend the Public Instruction (Amendment) Act, 1916, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 11th April, 1944.] George VI.
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BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Public Instruction (Blind and Infirm Children) Amendment Act, 1944." Short title.

2.

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Amendment
of Act
No. 51, 1916.
Sec. 2.
(Interpre-
tation.)

2. (1) The Public Instruction (Amendment) Act, 1916, as amended by subsequent Acts, is amended—

(a) (i) by inserting in subsection one of section two next after the definition of "Certified school" the following new definition:—

"Certified special school" means a school for the time being certified under this Act as a certified special school and includes a provisionally certified special school.

(ii) by inserting in the same subsection next after the definition of "Principal Act" the following new definition:—

"Special school" means a school declared under the provisions of this Act to be a special school.

Sec. 5.
(Register of
attendance.)

(b) by inserting in section five after the words "certified school" the words "or special certified school";

New sec.
7A.

(c) by inserting next after section seven the following short heading and new section:—

Special Schools.

Special
schools.

7A. (1) The Governor may, by proclamation published in the Gazette, declare any school established under the Principal Act at which provision is made for the education of children who, by reason of blindness or other infirmity, are not capable of being educated by the ordinary methods of instruction, to be a special school.

(2) Different special schools may be so declared for children suffering from different classes of infirmity.

(3) Where any special school is so declared the Governor may by the same or a subsequent proclamation define the area which shall, for the purposes of this Act, be the district of such special school.

(4)

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(4) The Governor may, by proclamation published in the Gazette, revoke any such declaration or from time to time vary the boundaries of any such district, or define another district or districts in substitution for any such district.

(5) Where a special school has been declared for children suffering from any specified class of infirmity, and a district has been defined in respect of such special school, the parent or guardian of any child suffering from that class of infirmity who is between the age of six years and the school leaving age shall furnish a return in such form and containing such particulars as may be prescribed by regulations made under this Act.

(d) (i) by inserting next after subsection two of section ten the following new subsection:—

(2A) (a) The proprietor or principal teacher of any school, other than a State school, which is in existence at the commencement of the Public Instruction (Blind and Infirm Children) Amendment Act, 1944, and is attended by children between the age of six years and the school leaving age, and at which provision is made for the education of children who, by reason of blindness or other infirmity, are not capable of being educated by the ordinary methods of instruction, may apply to the Minister for registration of the school under this subsection, and he shall cause it to be registered on a list to be kept for that purpose, and upon registration the school shall be a provisionally certified special school from the time of registration to the thirty-first day of December next ensuing.

(b) Any person who, after the commencement of the Public Instruction (Blind and Infirm Children) Amendment Act, 1944, is desirous of establishing any school, other than

Sec. 10.
(Registration and certification of schools.)

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than a State School, to be attended by children between the age of six years and the school leaving age and at which provision is to be made for the education of children who, by reason of blindness or other infirmity, are not capable of being educated by the ordinary methods of instruction, may apply to the Minister for registration of such school under this subsection, and if the Minister is satisfied from evidence submitted by the applicant that the premises in which it is proposed to conduct such school are provided with proper access, drainage, light, ventilation, and sanitary conveniences, and that the school will provide regular and efficient instruction, he shall cause it to be registered on a list to be kept for that purpose, and upon registration the school shall be a provisionally certified special school for a period of six months dating from the time of registration.

- (ii) by omitting from subsection three of the same section the words "the first or second subsection" and by inserting in lieu thereof the words "subsection one, subsection two or subsection (2A) of this section";
- (iii) by inserting in the same subsection after the words "certified school" the words "or a certified special school, as the case may be";
- (iv) by omitting from subsection five of the same section the words "the first or second subsection" and by inserting in lieu thereof the words "subsection one, subsection two or subsection (2A) of this section";
- (v) by inserting at the end of subsection six of the same section the following words:—

A school at which provision is made for the education of children who, by reason of blindness or other infirmity, are not capable of

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of being educated by the ordinary methods of instruction may be certified as efficient for the instruction of children suffering from a specified class of infirmity.

- (vi) by inserting in subsection seven of the same section after the words "Certified schools" the words "and certified special schools";
- (vii) by inserting in subsection eight of the same section after the words "certified schools" the words "and of certified special schools";
- (e) (i) by inserting in subsection two of section eleven after the words "certified school" the words "or a certified special school, as the case may be"; Sec. 11. (Inspection of school premises.)
- (ii) by inserting in the same subsection after the words "State school" the words "or a special school, as the case may be";
- (f) by inserting in section twelve after the words "certified schools" the words "or certified special schools"; Sec. 12. (Returns.)
- (g) by inserting in section nineteen after the words "State school" the words "or special school." Sec. 19. (Certificate of teacher evidence in certain cases.)

(2) The amendments made by subsection one of this section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

3. (1) The Public Instruction (Amendment) Act, 1916, as amended by subsequent Acts, is further amended— Further amendment of Act No. 51, 1916.

- (a) by inserting next after subsection one of section four the following new subsection:— Sec. 4. (Compulsory attendance at school.)
 - (1A) The parent or guardian of any child between the age of six years and the school leaving age shall, where—

- (a) such child is, by reason of blindness or other infirmity, not capable of being educated by the ordinary methods of instruction; and

(b),

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(b) a special school has been declared or a certified special school has been established for children suffering from the class of infirmity from which such child is suffering; and

(c) the place of residence of such child is within the district of such special school or of such certified special school,

cause him to attend regularly at such special school or certified special school.

(b) by inserting in subsection two of the same section after the words "certified school" wherever occurring the words "or special school or certified special school";

(c) by inserting next after subsection four of the same section the following new subsection:—

(4A) In the application of subsection four of this section to and in respect of a child who, by reason of blindness or other infirmity, is not capable of being educated by the ordinary methods of instruction that subsection shall be read and construed as if paragraph (d) thereof were omitted and the following paragraph inserted in lieu thereof:—

(d) the child is not resident in the district of the special school or certified special school.

(2) The amendments made by subsection one of this section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

The day so appointed shall be later than the day appointed and notified pursuant to subsection two of section two of this Act.