



ANNO TRICESIMO SECUNDO

**ELIZABETHAE II REGINAE**

**A.D. 1983**

\*\*\*\*\*

**No. 94 of 1983**

**An Act to amend the Further Education Act, 1976.**

*[Assented to 15 December 1983]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

- Short title.

**1.** (1) This Act may be cited as the "Further Education Act Amendment Act, 1983".

(2) The Further Education Act, 1976, is in this Act referred to as "the principal Act".
- Commencement.

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

(2) The Governor may, in a proclamation fixing a day for this Act to come into operation, suspend the operation of specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.
- Amendment of long title.

**3.** The long title to the principal Act is amended by striking out the word "further" and substituting the passage "technical and further".
- Repeal of s. 1 and substitution of new section.

**4.** Section 1 of the principal Act is repealed and the following section is substituted:

1. This Act may be cited as the "Technical and Further Education Act, 1976".
- Amendment of s. 3—  
Arrangement of Act.

**5.** Section 3 of the principal Act is amended by striking out the passage "FURTHER EDUCATION" and substituting the passage "TECHNICAL AND FURTHER EDUCATION".
- Amendment of s. 4—  
Interpretation.

**6.** Subsection (1) of section 4 of the principal Act is amended—

(a) by striking out the definition of "college of further education" and substituting the following definition:

“college of technical and further education” means an educational institution at which technical and further education is provided pursuant to this Act;

(b) by striking out from the definition of “the Director-General” the passage “Further Education” and substituting the passage “Technical and Further Education”;

(c) by striking out the definition of “the Department” and substituting the following definition:

“the Department” means the Department of Technical and Further Education;

(d) by striking out the definition of “further education”;

and

(e) by inserting after the definition of “the Teachers Salaries Board” the following definition:

“technical and further education” means instruction or training in any academic, vocational or practical discipline other than instruction or training excluded from the application of this Act.

7. Section 5 of the principal Act is amended by striking out from paragraph (b) the passage “college of further education” and substituting the passage “college of technical and further education”.

Amendment of  
s. 5—  
Application of  
Act.

8. Section 6 of the principal Act is amended by striking out from subsection (2) the passage “further education” and substituting the passage “technical and further education”.

Amendment of  
s. 6—  
Administration of  
this Act.

9. Section 9 of the principal Act is amended—

(a) by striking out the passage “further education” wherever it occurs in subsections (1), (2), (4) and (5) and substituting, in each case, the passage “technical and further education”;

and

(b) by striking out from subsection (3) the passage “instruction in colleges of further education” and substituting the passage “instruction or training in colleges of technical and further education”.

Amendment of  
s. 9—  
General powers of  
the Minister.

10. Section 10 of the principal Act is repealed and the following sections are substituted:

Repeal of s. 10  
and substitution  
of new sections.

10. (1) There shall be a council entitled the “South Australian Council of Technical and Further Education”.

South Australian  
Council of  
Technical and  
Further  
Education.

(2) The council shall consist of not less than ten members nor more than twenty members appointed by the Governor of whom—

(a) one shall be appointed on the nomination of the United Trades and Labor Council of South Australia;

and

(b) one shall be appointed on the nomination of the Chamber of Commerce and Industry, South Australia, Incorporated.

(3) Not less than five members of the council shall be men and not less than five shall be women.

(4) One member of the council shall be appointed by the Governor to be chairman of the council and another shall be so appointed to be deputy chairman of the council.

(5) A person appointed under this section as a member, or as the chairman or deputy chairman, of the council holds office at the pleasure of the Governor.

(6) The chairman of the council shall preside at meetings of the council and, if he is absent from a meeting, the deputy chairman of the council shall preside at the meeting and, if both the chairman and the deputy chairman are absent from a meeting, the members present shall decide who is to preside at the meeting.

(7) The functions of the council are—

(a) to identify and assess the needs and attitudes of the community in relation to technical and further education and to advise the Minister and the Director-General in relation to educational programmes to accommodate those needs and attitudes;

and

(b) to advise the Minister and the Director-General on any matter relating to technical and further education.

Advisory  
committees.

10a. (1) The Minister may appoint such advisory committees as he considers desirable.

(2) The membership of an advisory committee shall be as determined by the Minister and its members shall hold office at his pleasure.

(3) An advisory committee shall investigate—

(a) aspects of technical and further education;

and

(b) matters affecting the administration of this Act,

as directed by the Minister and shall advise the Director-General of the results of its investigations.

(4) Subject to any direction of the Minister, the procedure of an advisory committee shall be determined by the committee.

Amendment of  
s. 11—  
Continuance of  
the Department.

11. Section 11 of the principal Act is amended by striking out the passage "Further Education" where it occurs in subsections (1) and (2) and substituting, in each case, the passage "Technical and Further Education".

Amendment of  
s. 28—  
Establishment of  
college councils.

12. Section 28 of the principal Act is amended by striking out the passage "college of further education" where it occurs in subsections (1) and (2) and substituting, in each case, the passage "college of technical and further education".

Amendment of  
heading to  
Part V.

13. The heading to Part V of the principal Act is amended by striking out the passage "FURTHER EDUCATION" and substituting the passage "TECHNICAL AND FURTHER EDUCATION".

14. Section 34 of the principal Act is amended by striking out the passage "In this Part" and substituting the passage "In this Part and in Part VI".

Amendment of  
s. 34—  
Interpretation.

15. Section 36 of the principal Act is amended—

(a) by striking out from paragraph (a) of subsection (3) the word "instruction" where twice occurring and substituting, in each case, the passage "instruction or training";

Amendment of  
s. 36—  
Application for  
licence.

(b) by striking out paragraph (b) of subsection (3) and substituting the following paragraph:

(b) that the instruction or training is to be given in a proper manner by competent persons;;

and

(c) by striking out from paragraph (c) the word "instruction" and substituting the passage "instruction or training".

16. Section 43 of the principal Act is amended—

(a) by striking out the passage "further education" where it occurs in paragraphs (a), (e), (g), (h), (i), (ia), (j) and (k) of subsection (2) and substituting, in each case, the passage "technical and further education";

Amendment of  
s. 43—  
Regulations.

(b) by striking out from paragraph (d) of subsection (2) the word "instruction" where twice occurring and substituting, in each case, the passage "instruction or training";

(c) by inserting in subsection (2) after paragraph (d) the following paragraph:

(da) the fees to be paid for or in relation to instruction, training or materials provided or made available to students who enrol in courses conducted under this Act (the regulations made under this paragraph may either fix, or provide for the fixing of, such fees, regulate their payment and provide for exemptions to be granted, in appropriate cases, from liability to pay them);;

(d) by striking out from paragraph (g) of subsection (2) the word "instruction" and substituting the passage "instruction or training";

and

(e) by striking out from subparagraph (vii) of paragraph (m) of subsection (2) the word "instruction" and substituting the passage "instruction or training".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor