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ELIZABETHAE II REGINAE

A.D. 1990

No. 81 of 1990

An Act to amend the Senior Secondary Assessment Board of South Australia Act, 1983.

[Assented to 20 December 1990]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Senior Secondary Assessment Board of South Australia Act Amendment Act, 1990*.

(2) The *Senior Secondary Assessment Board of South Australia Act, 1983*, is referred to in this Act as "the principal Act".

Commencement

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

Interpretation

3. Section 4 of the principal Act is amended by inserting after the definition of "institution" the following definition:

"senior secondary education" means year 11 level and year 12 level of secondary education:.

Membership of Board

4. Section 8 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

(1) The Board is to consist of—

(a) the Chief Executive Officer;

and

(b) twenty-six other members appointed by the Governor of whom:

(i) four must be persons nominated by the Director-General of Education and at least one of those four a practising teacher;

(ii) one must be a person nominated by the Director-General of Technical and Further Education;

- (iii) two must be persons nominated by the Council of The University of Adelaide;
- (iv) two must be persons nominated by the Council of The Flinders University of South Australia;
- (v) two must be persons nominated by the Council of The University of South Australia;
- (vi) one must be a person nominated by the South Australian Independent Schools Board Incorporated;
- (vii) one must be a person nominated by the South Australian Commission for Catholic Schools;
- (viii) one must be a person nominated by the South Australian Association of State School Organizations Incorporated;
- (ix) two must be persons nominated by the South Australian Institute of Teachers and at least one of those two a practising teacher;
- (x) one must be a person nominated by the Association of Non-Government Education Employees;
- (xi) one must be a person nominated by the South Australian Association of School Parents Clubs Incorporated;
- (xii) one must be a person nominated by The Federation of Parents and Friends Associations of Independent Schools of S.A.;
- (xiii) one must be a person nominated by The Federation of Parents and Friends Associations of South Australian Catholic Schools;
- (xiv) one must be a person nominated by the Industrial and Commercial Training Commission;
- (xv) two must be persons nominated by the United Trades and Labor Council;
- (xvi) two must be persons nominated by the Chamber of Commerce and Industry, South Australia, Incorporated;
- (xvii) one must be a person nominated by the Commissioner of Equal Opportunity.

Procedures, etc., of Board

5. Section 10 of the principal Act is amended by striking out from subsection (1) "Eighteen" and substituting "Sixteen".

Substitution of s. 15

6. Section 15 of the principal Act is repealed and the following section is substituted:

Functions of Board

15. (1) The Board has the following functions:

- (a) to approve syllabuses (which may consist of a detailed structure or a more general outline) for subjects comprised in the prescribed certification requirements of senior secondary education that have been prepared at the direction of the Board or submitted to it by a school, institution or other authority;
- (b) to direct the preparation of syllabuses for its consideration under paragraph (a);

- (c) to assess, by such means as the Board thinks fit, achievements in or satisfactory completion of subjects or other requirements comprised in the prescribed certification requirements by students at senior secondary education levels;
- (d) to recognize, if it thinks fit and to such extent as it thinks fit, assessments of students at senior secondary education levels made by schools, institutions or other authorities;
- (e) to recognize, if it thinks fit and to such extent as it thinks fit, the qualifications or experience of a student in or towards completion of the prescribed certification requirements of senior secondary education;
- (f) to prepare and maintain records of assessments made or recognized by the Board and to provide, on request, a copy or extract of those records to a student or former student or to such other person as the student or former student directs;
- (g) to certify satisfactory completion of the prescribed certification requirements of senior secondary education by students;
- (h) to provide to schools, institutions or other authorities, on request, such information as they may reasonably request in relation to the Board's policies and processes, including information as to the criteria that will be applied by the Board in granting approvals and recognitions;
- (i) to publicize the prescribed certification requirements of senior secondary education and the assessment, recognition and certification processes as it thinks fit and to make syllabuses prepared or approved by the Board available to members of the public;
- (j) to undertake or commission research related to any matter for which it is responsible and to publish the results of such research as it thinks fit;
- (k) to keep under review the operation of this Act and the policies and processes of the Board.

(2) The Board may adopt and apply such transitional arrangements with respect to syllabuses, assessment or other processes of the Board as it considers appropriate in view of any legislative change or any change in its policies or processes.

Regulations

7. Section 23 of the principal Act is amended—

(a) by inserting “, on the recommendation of the Board,” after “may”;

and

(b) by inserting after its present contents as amended by this section (now to be designated as subsection (1)) the following subsections:

(2) Without limiting the generality of subsection (1), the regulations may—

(a) prescribe specified subjects, patterns of study and other requirements as certification requirements of senior secondary education;

and

(b) provide for and regulate fees to be charged for goods or services provided by the Board and provide for the waiving or reduction of such fees.

(3) The regulations may confer discretionary powers on the Board.

SCHEDULE

The principal Act is further amended as follows:

Provision Amended	How Amended
Long title	Strike out "to repeal the <i>Public Examinations Board Act, 1968</i> ,".
Section 2	Strike out this section.
Section 3	Strike out this section.
Section 4	Strike out the definition of "the former board".
Section 5	Strike out this section.
Section 6	Strike out this section.
Section 7 (1)	Strike out subsection (1) and substitute: (1) The <i>Senior Secondary Assessment Board of South Australia</i> is established.
Section 7 (2)	Strike out "shall be" twice occurring and substitute, in each case, "is".
Section 7 (3)	Strike out "shall" and substitute "will".
Section 8 (2)	Strike out "shall" first occurring and substitute "will". Strike out "shall, upon the expiration of his term of office, be" and substitute "is, on the expiration of a term of office,".
Section 8 (3)	Strike out this subsection and substitute: (3) The Governor may appoint a person to be the deputy of an appointed member of the Board and that person may, in the absence of that member, act as a member of the Board.
Section 8 (4)	Strike out "a member of the Board that he has appointed" and substitute "an appointed member of the Board".
Section 8 (4) (a)	Strike out "his".
Section 8 (4) (b)	Strike out "satisfactorily the duties of his office" and substitute "official duties satisfactorily".
Section 8 (5)	Strike out "The office of a member of the Board appointed by the Governor becomes vacant if—" and substitute "The office of an appointed member of the Board becomes vacant if the member—".
Section 8 (5) (a)-(d)	Strike out "he" wherever it occurs.
Section 8 (5) (b)	Strike out this paragraph and substitute: (b) completes a term of office and is not reappointed;
Section 8 (6)	Strike out "shall" and substitute "must".
Section 9 (1)	Strike out "shall" and substitute "must". Strike out "Chairman" first occurring and substitute "presiding member". Strike out "Deputy Chairman" and substitute "deputy presiding member".
Section 9 (2)	Strike out "The Chairman and the Deputy Chairman shall" and substitute "The presiding member and the deputy presiding member will". Strike out "shall be" and substitute "are".
Section 9a (1)	Strike out "shall" twice occurring and substitute, in each case, "will".
Section 9a (2)	Strike out this subsection.
Section 9a (3)	Strike out "Subsequent appointments" and substitute "Appointments". Strike out "shall" and substitute "will".
Section 9a (4)	Strike out "shall" and substitute "must". Insert "or she" after "he".
Section 9a (5)	Strike out "the duties of his office" and substitute "official duties".
Section 10 (1)	Strike out "shall".

Provision Amended	How Amended
Section 10 (2)	Strike out this subsection and substitute: (2) The presiding member, or in his or her absence, the deputy presiding member, must preside at a meeting of the Board and in the absence of both the presiding member and the deputy presiding member the members present at the meeting must decide who is to preside.
Section 10 (3)	Strike out "shall be" and substitute "is".
Section 10 (4)	Strike out "shall be" and substitute "is". Strike out "shall, in the event of an equality of votes, have" and substitute "has, in the event of an equality of votes,".
Section 10 (5)	Strike out "shall" and substitute "must".
Section 10 (6)	Strike out "shall" and substitute "must".
Section 11 (1)	Strike out "shall be" and substitute "is".
Section 11 (2)	Strike out "shall attach" and substitute "attaches". Strike out "him" and substitute "the member". Strike out "his or its" twice occurring.
Section 11 (3)	Strike out "shall attach" and substitute "attaches".
Section 13 (1) (a)	Strike out this paragraph and substitute: (a) must, as soon as the member becomes aware of the contract or proposed contract, disclose the nature of the interest to the Board;
Section 13 (1) (b)	Strike out "shall" and substitute "must".
Section 13 (1)	Strike out "Five hundred dollars" and substitute "Division 9 fine".
Section 13 (2)	Strike out "shall" and substitute "must".
Section 14	Strike out "shall, if the Governor thinks fit, be" and substitute "is, if the Governor thinks fit,".
Section 18 (2)	Strike out this subsection.
Section 19 (1)	Strike out "shall" and substitute "must".
Section 19 (2)	Strike out "shall" and substitute "must".
Section 19 (3)	Strike out this subsection.
Section 20 (1)	Strike out "shall" and substitute "must". Strike out "the thirty-first day of" and substitute "31". Strike out "thirty-first day of" second occurring and substitute "31".
Section 20 (2)	Strike out "shall" and substitute "must".
Section 21	Strike out this section and substitute: Summary offences 21. Offences against this Act are summary offences.
Section 22	Strike out "moneys" twice occurring and substitute, in each case, "money". Strike out "shall" and substitute "must".

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

D. B. DUNSTAN, Governor