

LEGISLATIVE COUNCIL

Read 1° 30 October 1990

(Brought in by the Honourable B. T. Pullen)

A BILL

to amend the **Teaching Service Act 1981** to make provision with respect to the term of appointment of principals and the promotion of advanced skills teachers and for other purposes.

Teaching Service (Amendment) Act 1990

The Parliament of Victoria enacts as follows:

PART 1—PRELIMINARY

1. *Purpose*

5 The purpose of this Act is to amend the **Teaching Service Act 1981** to make further provision for—

- (a) the term of appointment of principals; and
- (b) the promotion of advanced skills teachers; and
- (c) other related matters.

Section headings appear in bold italics and are not part of the Act (see **Interpretation of Legislation Act 1984**).

2. Commencement

This Act comes into operation on the day on which it receives the Royal Assent.

PART 2—TERM OF APPOINTMENT OF PRINCIPALS**3. *New section 8B*** 5

After section 8A of the **Teaching Service Act 1981** insert—

“8B. *Term of appointment for principals appointed under this Division*

- (1) An appointment under this Division of a person to an office of principal is for a 7 year term. 10
- (2) An appointment of a principal may be renewed for successive terms not exceeding 5 years.
- (3) At the end of an appointment under this section the principal so appointed becomes an unattached officer unless— 15
 - (a) the appointment is renewed; or
 - (b) he or she is appointed to another office.”

4. *New sections 62B and 62C*

After section 62A of the **Teaching Service Act 1981** insert— 20

“62B. *Term of appointment for principals appointed under this Division*

- (1) An appointment under this Division of a person to an office of principal is for a 7 year term.
- (2) An appointment of a principal may be renewed for successive terms not exceeding 5 years. 25
- (3) At the end of an appointment under this section the principal so appointed becomes an unattached officer unless—
 - (a) the appointment is renewed; or 30

(b) he or she is appointed to another office.

62C. Term of appointment of principals appointed on or before the commencement of the Teaching Service (Amendment) Act 1990

- 5 (1) Despite section 62B, a principal of a school at the date of commencement of the **Teaching Service (Amendment) Act 1990**—
- 10 (a) if he or she was appointed to that position on 1 January 1989 or before that date, is to be taken to have been appointed to that position until 31 December 1995; or
- 15 (b) if he or she was appointed to that position after 1 January 1989, is to be taken to have been appointed for a period of seven years from the date of his or her appointment.
- (2) The appointment of a person to whom subsection (1) applies may be renewed for successive terms not exceeding 5 years.
- 20 (3) At the end of an appointment under this section the principal so appointed becomes an unattached officer unless—
- (a) the appointment is renewed; or
- (b) he or she is appointed to another office.”.

25 **PART 3—ADVANCED SKILLS TEACHERS**

5. Insertion of new section to follow section 61

After section 61 of the Teaching Service Act 1981 insert—

“61A. Board to consider recommendation of committee for advanced skills teachers

- 30 (1) When deciding whom to appoint to fill a vacancy in an office of advanced skills teacher in a school, the relevant appointments board must, in the manner decided by the Minister,

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take into account the recommendation of a committee consisting of—

- (a) the principal of the school; and
- (b) a teacher from the school, nominated by teachers from the school; and 5
- (c) one person appointed by the Chief General Manager; and
- (d) one person nominated by the industrial association of employees that is the relevant industrial association of employees for the appointment in question. 10

(2) If two or more industrial associations of employees claim to be the relevant industrial association of employees for the appointment, the Industrial Relations Commission constituted by a member of the Commission sitting alone shall decide which industrial association of employees is the relevant industrial association of employees for the appointment in question. 15 20

(3) The procedure of the committee is to be determined by the Minister.”.

6. Amendment of section 64A

In section 64A of the **Teaching Service Act 1981**, after sub-section (1) insert— 25

“(1A) An officer who—

- (a) is eligible, under an award or Ministerial order, to apply for appointment as an advanced skills teacher in a school; and 30
- (b) considers that, in accordance with this section or any ministerial order, he or she has a better claim to be transferred or promoted to a vacant

office of advanced skills teacher in a school than the officer provisionally transferred or promoted to that office—

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may, subject to and in accordance with the regulations made under this Division, apply to a Teaching Service Appeals Board for a review of that provisional transfer or promotion.”.

