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Crown Law Department,
Perth, 23rd February, 1971.

THE undermentioned Regulations made under the provisions of the Education Act, 1928, and amended from time to time up to and including the 15th October, 1970, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

W. J. ROBINSON,
Under Secretary for Law.

EDUCATION ACT, 1928.

EDUCATION ACT REGULATIONS, 1960.

Published in the *Government Gazette* on the 26th July, 1960, and reprinted in the *Government Gazette* published on the 21st February, 1968, incorporating the amendments thereto published in the *Government Gazette* prior to the 1st December, 1967, and now reprinted incorporating the further amendments thereto published in the *Government Gazette* on the 20th December, 1967; the 21st May, 1968; the 11th October, 1968; the 12th November, 1968; the 6th February, 1969; the 23rd April, 1969; the 16th May, 1969; the 30th July, 1969; the 17th December, 1969; the 19th December, 1969; the 6th February, 1970; the 25th March, 1970; the 17th April, 1970; the 29th May, 1970; the 2nd July, 1970; the 15th July, 1970 and the 21st August, 1970; and so reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice, dated 22nd February, 1971.

EDUCATION ACT REGULATIONS, 1960.

PART I.—PRELIMINARY.

1. These regulations may be cited as the Education Act Regulations, 1960, and shall take and have effect on and after the 26th day of July, 1960.

2. The Education Act Regulations, 1949, published in the *Government Gazette* on the 26th July, 1949, as amended from time to time thereafter by regulations amending the same and duly made under the Education Act, 1928, as amended, are revoked.

3. These regulations are divided into parts, divisions, sections, subdivisions and schedules as follows:—

Reg. 3
amended by
G.G. 9/2/61,
p. 359;
G.G. 30/5/61,
p. 1384;
G.G. 29/6/61,
p. 2065;
G.G. 31/8/61,
p. 2590;
G.G. 29/8/63,
p. 2602-3;
G.G. 16/6/64,
p. 2429;
G.G. 11/8/64,
p. 2895;
G.G. 18/3/65,
pp. 841
and 846;
G.G. 19/8/65,
p. 2364,
G.G. 16/12/65,
p. 4183;
G.G. 30/3/66,
p. 830
G.G. 25/3/70,
p. 884.

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4. In these regulations, unless the context requires otherwise—
- “administrative instructions” means instructions or directions issued from time to time by the Director-General, and includes departmental orders lawfully issued;
- “approved teachers’ college” means a school or college established under the Act for the training or education of teachers;
- “certification” of a teacher means his status as the holder of a Teachers’ Certificate (Conditional), a Teachers’ Certificate (Technical), a Teachers’ Certificate, a Teachers’ Higher Certificate (Conditional) or a Teachers’ Higher Certificate;
- “classification” of a teacher means his classification in the service of the Department in relation to his certification and grade;
- “Department” means Education Department;
- “Director” means an officer of the Department duly appointed as a Director of Education to be in charge of the primary, secondary, technical, special services or teacher education division of the Department;
- “Director-General” means the Director-General of Education;
- “District Superintendent” means an officer of the Department duly appointed as a Superintendent of Education to supervise the work of schools in a particular district;
- “grade” in reference to a teacher’s classification, means position on the basic salary scale;
- “headmaster” includes principal and headmistress;
- “high school” means a school that has pupils in the first, second and third years only of a secondary course;
- “junior high school” means a Class I or Class II primary school that is declared a junior high school by the Director-General under regulation 165 of these regulations;
- “junior primary school” means a primary school in which the classified school standard of education is not higher than grade 3;
- “parent” includes guardian, and every person who is liable to maintain or has the actual custody of any child;
- “primary school” means primary school Class IA, I, II, III or IV, or school for native children, established or maintained under the Act;
- “school” means Government school or college unless expressly referred to as one other than a government school or college;
- “school year” means the period from the date of commencement of school in the month of February in each year to the commencement of the summer vacation in the month of December of the same year;
- “secondary school” means high school or senior high school established or maintained under the Act;
- “senior high school” means a school that has pupils in the first, second, third, fourth and fifth years of a secondary course;
- “special school” means a school which, because it differs in some way from an ordinary primary school or secondary school, is declared by the Director-General to be a special school;
- “Superintendent” means an officer of the Department holding the position of a Superintendent of Education, or Assistant Superintendent of Education, in the Department;
- “Teachers Handbook” means the handbook of information issued by the Director-General;
- “the Act” means the Education Act, 1928, as amended.

Reg. 4
amended by
G.G. 29/6/61,
p. 2066;
G.G. 4/10/62,
p. 3274,
G.G. 20/12/62,
p. 4059;
G.G. 29/8/63,
p. 2606;
G.G. 11/8/64,
p. 2395;
G.G. 16/12/65,
p. 4183;
G.G. 30/12/66,
p. 3466;
G.G. 12/11/68,
p. 3339.

PART II.—PUPILS.

Division 1.—Admission and Transfer—Primary and Secondary Schools.

5. (1) Before a child is admitted to a school, a parent of the child, on being requested so to do by the headmaster of the school, shall fill in and sign the appropriate admission form, and shall produce for inspection by the headmaster a duly authenticated birth certificate or extract from the birth certificate relating to that child.

(2) A parent who, on being so requested, fails or refuses to fill in and sign the form or to produce the certificate or extract, or who furnishes to the headmaster, or enters in the form, information relating to the child which he knows is false, commits an offence.

Penalty, on conviction by a court of summary jurisdiction: Forty dollars.

(3) Upon admission of a child to a school the headmaster shall enter the name of the child and all appropriate and necessary information in the admission register.

Reg. 6
amended by
G.G. 29/6/61,
p. 2065.

6. (1) A child may be transferred from one school to another—
- (a) during the first fortnight of a school year; or
 - (b) at any time, if the child's parent changes his residence to one in a locality in or near which the other school is situated;

But a child shall not be admitted to a school specially set apart to serve a particular district unless the child lives within that district.

(2) Where a parent desires to have his child transferred from one school to another in circumstances other than those set out in paragraph (a) or paragraph (b) of subregulation (1) of this regulation, the parent shall obtain the written consent of the Director-General to the transfer and produce that consent to the headmaster of the school to which the transfer is desired.

(3) The headmaster of a school to which a parent desires to transfer his child in the circumstances referred to in subregulation (2) of this regulation, shall not admit the child to that school unless the written consent of the Director-General to the transfer is produced.

Reg. 7
substituted
by G.G.
11/8/64,
p. 2895.

7. Where a child transfers from one school to another school, the headmaster of the school to which the child is admitted shall send a transfer note to the headmaster of the school that the child has left.

Division 2.—Compulsory Attendance.

Reg. 8
amended by
G.G. 29/6/61,
p. 2065.

8. (1) Where a parent of a child who has not reached leaving age informs a welfare officer or the Director-General that the child is under regular and efficient instruction at home or elsewhere, a Superintendent may after examining the child, grant that child a certificate exempting him from attending a school.

(2) (a) A certificate so granted may, by notice in writing served on a parent of the child, be cancelled by the Director-General if it appears to him that there has been an alteration of the circumstances under which the certificate was granted and that the child should not be exempted from attending a school.

(b) Upon service of the notice of cancellation, the certificate ceases to have any force or effect.

(3) A school shall not be declared efficient or placed on the list of efficient schools if it has less than eight pupils in attendance each day; but the Minister may require an officer of the Department to make a report on persons being over 18 years of age who instruct a less number of children each day, in order to decide whether the instruction is such as may provide a reasonable excuse for the children not attending a school.

9. For the purpose of this division a continuous attendance by a child of not less than two full hours' secular instruction shall be reckoned as a half day's attendance.

10. (1) Except as otherwise provided in these regulations, or unless in possession of a certificate exempting him from attending a school, a child who is not less than six years of age nor more than leaving age shall attend school.

Reg. 10
amended by
G.G. 29/6/61,
p. 2065.

(2) Notwithstanding any provision of subregulation (1) of this regulation—

(a) a child whose age is not less than six years nor more than nine years, if living more than two miles by the nearest road or other reasonable means of access from a school, is not obliged to attend a school; but this paragraph does not apply to such a child if, in the opinion of the Minister, satisfactory means of conveyance are available to the child so that the distance to be travelled on foot by the child does not exceed one mile;

(b) a child whose age is not less than nine years nor more than leaving age, if living more than three miles by the nearest road or other reasonable means of access from a school, is not obliged to attend a school; but this paragraph does not apply to such a child if, in the opinion of the Minister, satisfactory means of conveyance are available to the child so that the distance to be travelled on foot by the child does not exceed two miles.

(3) A teacher shall inform a welfare officer or the Department of any child who to his knowledge is living within the area served by his school and does not attend a school, unless the child has a reasonable excuse as defined in the Act and these regulations for non-attendance.

11. (1) If a child on the roll of a school is absent, a parent of the child, on being required by the class teacher, or the headmaster, shall forward a written excuse for the absence of the child.

Reg. 11
amended by
G.G. 29/6/61,
p. 2065;
G.G. 11/8/64,
p. 2895.

(2) A teacher shall forward to a parent of any child who is absent for one half day or longer an absentee note which shall be despatched within two days of the first half day's absence of the child.

(3) The headmaster of a school shall obtain from the Department and maintain in his school a supply of absentee notes for use by teachers as required.

(4) (a) A teacher shall file for reference all letters of excuse received by him for a child's absence from school.

(b) Where a parent fails or refuses to furnish a letter of excuse when required, the headmaster of the school in which the child is enrolled shall make an entry in the appropriate compulsion form stating the periods of the child's absence from the school.

(c) The headmaster of a school shall notify the Director-General immediately a serious case of default in attendance occurs, or if a child without a reasonable excuse as defined in section 14 of the Act or in this regulation, fails or neglects to attend school.

(d) When notifying the Director-General as required by paragraph (c) of this subregulation, the headmaster shall after carefully verifying the same give the name and address of each child who is mentioned in the notification.

(5) Sickness or other unavoidable cause may be regarded as a reasonable excuse for a child's absence from school if a parent of the child gives the class teacher written notice of the cause of absence within seven days after the first day of absence.

(6) Within seven days after the Minister, or a person authorised by the Minister, requires a parent to produce a medical certificate in support of a child's absence from school on the ground of sickness, the parent shall obtain and furnish the certificate to the Minister or person so authorised.

(7) (a) A teacher shall at frequent intervals, and at least once each term, revise the register of names of the children in his class so that the register contains accurate information for the welfare officer relating to the addresses of parents of the children, and in the case of those residing in the Metropolitan Area, the street numbers of their houses should where possible be shown in the register.

(b) The headmaster of a school shall withdraw from the school roll the name of any child who—

- (i) leaves the district and goes to another school;
- (ii) by reason of being exempted from attending school on account of his age, has left the school;
- (iii) leaves the State; or
- (iv) resides beyond the compulsory radius and does not attend the school for one term or longer.

(c) [*Deleted by G.G. 11/8/64, p. 2895.*]

12. School Welfare Returns in respect of each month shall be forwarded to the Department by the headmaster of a government or non-government school within seven days after the end of each month in respect of which the return is made up.

Division 3.—Assistance in Conveyance of Children to School.

Reg. 13.
Amended by
G.G. 15/2/61,
p. 445;
G.G. 12/5/65,
p. 1461;
G.G. 30/3/66,
p. 830;
G.G. 14/6/67,
p. 1603;
G.G. 12/10/67,
p. 2877;
G.G. 21/5/68,
p. 1431.

13. (1) (a) The Minister may make a grant to a parent of a child who is transported to the primary school nearest the place of residence of that child, or to a government secondary or technical school, or to a private secondary school included in the list of "efficient" private schools published from time to time in the *Government Gazette*, provided that the child is punctual in attendance and attends the full day.

(b) The grant shall be equal to the amount by which the fares or cost of conveyance by public transport exceed or exceeds the sum of fifty cents (50c) per week for each child, provided that the amount to be paid by the Minister shall not exceed the sum of seventy-five cents (75c) per week for each child.

(c) Where a public transport system is available in an area not served by the Metropolitan Transport Trust, and the Minister is of the opinion that, if that public transport system were not available a Departmental school bus service would be approved, the Minister may, notwithstanding paragraph (b) of this subregulation, make a grant to the proprietor of that public transport system equal to the fares or cost of conveyance for such children as the Minister is satisfied are resident more than three miles from the nearest school of the appropriate class, as determined in subregulation (2) of regulation 14 of these regulations, and those children shall be conveyed to school without charge to their parents.

(2) (a) Where public transport is not available to a child attending a primary or secondary school and the child is driven by the shortest practicable route—

- (i) from his residence to the school, a distance exceeding five (5) miles; or
- (ii) from his residence to a school bus service to the school, a distance exceeding four (4) miles,

the Minister may make a grant not exceeding three and three-quarter cents (3¾c) per mile per day for one return trip.

(b) The amount payable under this subregulation in respect of any one vehicle shall not exceed the rate per mile referred to in paragraph (a), regardless of the number of children driven in that vehicle on one return trip on any day.

(3) (a) No payment under this regulation shall be made until an application in writing signed by the parent has been duly certified as correct by the headmaster of the school, or by a teacher authorised to give a certificate, and the application has been approved by the Minister.

(b) No grant shall be made in respect of a period prior to the date of the Minister's approval.

(c) No grant under this regulation shall be made by the Minister in respect of any student beyond the end of the year in which he attains the age of nineteen years.

Division 4.—Board and Supervision Allowance.

14. (1) The Minister may approve payment of an allowance to a parent of a child who boards away from home in order to attend an approved school if—

- (a) the residence of the parent is distant more than five miles from a school of the appropriate class set forth in subregulation (2) of this regulation and more than four miles from the nearest means of mechanical transport to that school; or
- (b) the Minister is satisfied that, because of the permanent disability or the death of a parent of the child, or for any other special circumstance, it is necessary in the best interests of the child that in order to attend an approved school the child boards away from home; or
- * (c) the Minister is satisfied, in the case of a child in the fourth or fifth year of a secondary school course, that because the home of that child is distant more than 35 miles from an approved school, it is necessary in the best interests of the child that in order to attend an approved school the child boards away from home; or
- (d) the parent or the child is not receiving assistance by way of a living allowance under the Aboriginal Secondary Grants Scheme provided by the Commonwealth Government.

Reg. 14, substituted by G.G. 15/5/63, p. 1315. Amended by G.G. 11/8/64, p. 2895; G.G. 9/12/64, p. 3933; G.G. 12/5/65, p. 1481; G.G. 16/12/65, p. 4183; G.G. 30/3/66, p. 829; G.G. 30/12/66, p. 3466; G.G. 12/10/67, p. 2877; G.G. 6/2/70, p. 365; G.G. 15/7/70, p. 2113.

(2) For the purposes of subregulation (1) of this regulation a school of the appropriate class is—

- (a) a government school, if the child is in grade 7 or a lower grade;
- (b) a government school classified Class I primary, Class IA primary, junior high, high, or senior high, if the child is in the first three years of a secondary school course;
- (c) a government senior high school, if the child is in the fourth and fifth years of a secondary school course; or
- (d) a technical college or school, if the child attends that school on a full time day course.

(3) Upon approval by the Minister there shall be paid to a parent of a child who after the first day of January, 1965, is undertaking a full-time primary school or secondary school course, in the case of a child whose home is situated in a Zone specified in the first column of the Table appended to this subregulation, an annual allowance of the amount set out opposite that Zone, in the second column of that Table if the child is in a primary school course or any of the first three years of a secondary school course, or of the amount set out opposite that Zone, in the third column of that Table, if the child is in the fourth or fifth year of a secondary

* Also see G.G. 5/2/71, p. 374.

school course, and for the purposes of this subregulation any course at a technical institution leading to the Leaving Certificate or its equivalent is deemed to be a secondary school course.

Table.*

	\$	\$
Zone A	180	230
Zone B ...	140	180
Zone C	120	160
Zone D	100	140

(3a) For the purposes of subregulation (3) of this regulation:—

- (a) Zone A comprises all that part of the State situated north of the 26th parallel of south latitude;
- (b) Zone B comprises all that part of the State not comprised by any of Zones A, C or D referred to in this subregulation;
- (c) Zone C comprises all that part of the State bounded on the west by Zone D, on the north by the 30th parallel of south latitude, on the east by the 124 meridian of east longitude, and on the south by the southern coastline of the State; and
- (d) Zone D comprises all that part of the State defined and described as the South-West Division by and in section 28 of the Land Act, 1933 (as amended).

(3b) Notwithstanding the provisions of subregulation (3) of this regulation, no payment shall be made thereunder to any student beyond the end of the year in which he attains the age of nineteen years unless the Minister directs otherwise.

(4) No payment shall be made under this regulation unless the application for the allowance, upon being certified by the headmaster of the school which the child attends, is approved by the Minister.

Reg. 15
amended by
G.G. 15/2/61,
p. 445;
G.G. 12/5/65,
p. 1482;
G.G. 30/3/66,
p. 829;
G.G. 30/7/69,
p. 2200.

15. The Minister may approve payment of an allowance at the rate of two hundred dollars (\$200) per annum to a parent who engages a person so that his child's or children's education by correspondence may be supervised.

Reg. 16
amended by
G.G. 12/5/65,
p. 1482;
G.G. 30/3/66,
p. 829;
G.G. 6/2/70,
p. 365.

16.* The Minister may approve payment of an allowance at the rate of one hundred and sixty dollars (\$160) per annum to a parent of a child who suffers, physical or mental disability and must board away from home in order to attend a school providing special instruction suited to his disability.

Reg. 17
amended by
G.G. 11/8/64,
p. 2895.

17. If a child boards at an institution the allowance approved under that regulation may, at the discretion of the Minister, be paid direct to the institution.

Division 5.—Health Provisions.

(a) General.

18. A child who attends a school in a dirty condition shall, on being so required by a teacher, cleanse himself or return home for the purpose of cleansing himself.

Reg. 19
amended by
G.G. 29/6/61,
p. 2065;
G.G. 14/6/67,
p. 1603.

19. (1) The headmaster of a school may refuse to allow a girl whose hair is long and is capable of being worn in plaits or tied back to attend the school unless her hair is so worn or tied back.

(2) Where the headmaster so refuses to allow the attendance of a girl, he shall immediately report to the Director-General the circumstances of the refusal.

* Now see G.G. 5/2/71, p. 374.

(3) The principal of a secondary school may refuse to allow a boy access to the woodwork or metalwork centres at the school if either the nature of the boy's dress or the condition of his hair is likely to constitute a hazard to the safety of any person.

20. (1) Every teacher shall ensure that all children obey and comply with the administrative instructions relating to health provisions and infectious or other diseases.

(2) Administrative instructions relating to health provisions and infectious or other diseases apply equally to children and teachers at any school.

(b) Infectious Diseases.

21. The headmaster of a school may for such period as he deems necessary exclude from the school any child who is suffering from any contagious, offensive or infectious disease, or who is habitually of unclean habits.

22. (1) A child who in any manner disobeys a lawful direction of a teacher, or fails to comply with any administrative instruction relating to infectious or other diseases, may be excluded from a school by the headmaster of the school.

Reg. 22
amended by
G.G. 29/6/61,
p. 2065.

(2) A child so excluded under this regulation or under regulation 21 of these regulations shall be reported immediately to the Director-General.

(c) Closing of Schools in Hot Weather.

23. If the temperature recorded by a school thermometer exceeds 105 degrees Fahrenheit during school hours in any school or classroom and there are no means available to the teacher whereby the temperature can be reduced below that temperature, the headmaster of the school may close the school during those hours and shall report the fact to the appropriate Director.

Reg. 23
amended by
G.G. 29/6/61,
p. 2065.

PART III.—GENERAL.

Division 1.—Discipline and Conduct of Teachers
and Pupils Generally.

24. (1) Every teacher shall make himself acquainted with the regulations and administrative instructions supplied to his school.

(2) A teacher is bound by and shall comply with all administrative instructions which apply to him.

25. (1) A teacher shall obey and strictly observe all departmental orders and every direction given to him by the Superintendent in the course of his employment as a teacher.

(2) If a teacher is aggrieved by an order or direction referred to in subregulation (1) of this regulation, he may appeal to the Minister for such redress as the Minister deems fair and reasonable: but pending the hearing of his appeal the teacher shall comply with the order or direction.

(3) Where a teacher appeals to the Minister under the provisions of subregulation (2) of this regulation, the Minister may, after due enquiry, dismiss the appeal, or cancel or vary the order or direction appealed against.

26. A teacher shall not—

- (a) use in a school any sectarian or denominational publication or party political propaganda of any kind whatsoever; or
- (b) inculcate or attempt to inculcate in a student any sectarian, denominational or party political propaganda.

Reg. 27
amended by
G.G. 29/6/61,
p. 2065.

27. (1) The headmaster of a school shall not permit or suffer any matter or thing which is of an advertising nature to be distributed or exhibited in the school unless the name of the advertiser is obliterated; but this provision shall not apply where in any case the Minister is satisfied that the matter or thing is genuinely serviceable as a school requisite or is of an educational or useful nature for the purpose of teaching.

(2) A teacher shall not without the express permission of the Director-General allow collecting cards, raffle tickets or subscription lists to be given to or used by the children in a school for raising money from the public or from one another.

(3) A teacher shall not permit or suffer a child who is on the roll of a school, when in the school premises, to solicit or beg for money for any purpose or to trade with, or sell any article to, any person for money, or seek by any means to promote the sale of any article.

(4) A child shall obey and give effect to every order given by a teacher in the course of his duties, or in exercise of his powers, as a teacher.

Reg. 28
amended by
G.G. 29/6/61,
p. 2065.

28. (1) For the purpose of disciplining a child a teacher may detain him in the school after the hours laid down in the time table, on the grounds of—

- (a) idleness in school;
- (b) unpunctuality;
- (c) disobedience; or
- (d) any other similar fault, other than inability to learn.

(2) Subject to these regulations and any directions received from time to time from the Director-General, a teacher has authority to secure the good behaviour of his pupils both within the school and in the school playground and when a child comes to or returns from the school.

29. (1) Except as provided in regulation 28 of these regulations, a teacher shall not detain a child at the school after the hours laid down in the time table.

(2) (a) A teacher shall not detain a child at the school during a dinner recess or a recess in the middle of the morning or afternoon session, but may do so only after the afternoon session of school for a period not exceeding half an hour except in exceptional circumstances.

(b) Where a teacher detains a child at the school for a period exceeding half an hour, he shall enter particulars of the period and the circumstances of the detention in the school punishment book which shall be kept by the headmaster of the school for the purpose.

30. The headmaster of a school shall make proper provisions for the supervision of the children attending the school when such children are at play both in the recesses during school hours and in the recess for dinner.

31. A teacher shall be present in a primary or secondary school at least fifteen minutes before the school commences in order to prepare the materials for his work and to secure good behaviour among his pupils.

32. The discipline enforced in a school shall be mild but firm, and any degrading or injurious punishment shall be avoided.

33. (1) (a) Corporal punishment may, as a last resort, be inflicted by the headmaster of a school, or by a teacher on the staff of that school under the direction and on the responsibility of the headmaster.

(b) A person who so inflicts corporal punishment on a child shall immediately after so doing enter particulars thereof and details of the offence in the school punishment book.

(c) The sole responsibility for the use of the cane in a school is vested in the headmaster of that school.

(2) (a) Corporal punishment may be inflicted for offences against morality, for gross impertinence, or for wilful and persistent disobedience.

(b) A headmaster or teacher shall not inflict corporal punishment on a child—

- (i) as a general rule, in public; or
- (ii) for failure or inability to learn; or
- (iii) for trivial breaches of school discipline; or
- (iv) for neglect to prepare home lessons.

(3) Corporal punishment shall only be inflicted with a cane on the palm of the hand.

34. (1) No headmaster or teacher shall inflict corporal punishment on a girl of the age of twelve years or over.

(2) (a) Corporal punishment of a girl whose age is less than twelve years may be inflicted only under very extreme circumstances, and if a female teacher is available in the school the punishment shall be inflicted by her and not by a male teacher.

(b) A headmaster shall not delegate to a teacher a general authority to inflict corporal punishment on girls, and each case of such punishment shall be the subject of the headmaster's special authority.

(c) Where corporal punishment is inflicted on a girl, the person inflicting the punishment shall enter in the punishment book a statement of the circumstances giving rise to the punishment and shall bring the matter to the notice of the District Superintendent when he next visits the school.

35. No child shall be expelled from a school, but if a headmaster considers that circumstances so warrant, he may suspend a child from attending school and report the suspension to the Director-General, who shall decide the action to be taken in respect of the child.

Reg. 35
amended by
G.G. 29/6/61,
p. 2065.

Division 2.—General Management of Primary and Secondary Schools.

36. (1) The headmaster of a school shall prepare or cause to be prepared a programme of instruction and a time table for the general work of the school and shall ensure that each teacher has in his possession a copy of the time table in respect of the class or classes for which the teacher is responsible, and that the time table is signed both by the teacher and himself.

Reg. 36
amended by
G.G. 29/6/61,
p. 2065.

(2) The programme of instruction in a school shall be in accordance with the Curriculum published from time to time by authority of the Director-General, or as approved by the appropriate District Superintendent.

37. (1) Except as provided in these regulations, no school shall be closed on any school day without the written authority of the Director-General or of a departmental officer acting with the authority of the Minister or the Director-General.

Reg. 37
amended by
G.G. 29/6/61,
p. 2065.

(2) During each recess in the middle of the morning and the afternoon sessions, a teacher shall ensure that all rooms in the school in his charge are aired.

Reg. 38
amended by
G.G. 14/6/67,
p. 1603.

38. (1) The headmaster of a school shall enter in the school journal, or other appropriate school record, particulars of all absences of teachers.

(2) In the absence of the headmaster of a school, the deputy headmaster or first mistress, as determined by regulation 167 of these regulations, shall take charge of the school and where the deputy headmaster or first mistress is also absent or where there is no deputy headmaster or first mistress appointed to that school, the teacher who is the senior teacher of the school, as determined by that regulation, shall take charge.

Division 3.—Records and Returns.

Reg. 39
amended by
G.G. 29/6/61,
p. 2065.

39. Where the Director-General has prescribed by administrative instruction or otherwise the form and manner in which registers and records are to be kept and maintained in any school and in which returns or any particular return shall be kept and furnished by any school, the headmaster of the school shall comply or ensure compliance with the instruction.

Reg. 40
amended by
G.G. 29/6/61,
p. 2065.

40. (1) A headmaster or teacher who is negligent in compiling or furnishing returns, or in keeping school registers, or in replying to correspondence or to notices in the *Education Circular* which require replies from him, commits misconduct which renders him liable to be dealt with under regulation 134 of these regulations by the Director-General who may impose for each case of misconduct a fine, and if the misconduct is repeated, a reduction in salary grading.

(2) A headmaster or teacher who fraudulently makes false entries in a register or return may, after due enquiry by the Minister, be dismissed by the Director-General.

Division 4.—Books and Materials.

Reg. 41
amended by
G.G. 29/6/61,
p. 2065.

41. (1) The Minister may approve of the free supply for use by school children of such materials and books as he thinks fit.

(2) Where books are prescribed for any course of study by the proper officer of the Department, a child undertaking that course shall procure at his own expense such materials and books required for that course as are not supplied to him free of charge.

(3) The Director-General may ban the use of any book which he considers unsuitable for school purposes and no teacher or pupil shall bring to or use in the school any book so banned.

Division 5.—Religious Instruction.

42. (1) A parent of a child shall, at the request of a teacher of the school attended by the child, inform the teacher as to the religious denomination to which the child belongs, and such information shall be recorded by the teacher in the appropriate register.

(2) A parent who wishes his child to attend the religious instruction given by the delegate of a denomination other than that to which the child belongs, shall notify the teacher in writing to that effect.

(3) Where a parent notifies the headmaster of a school in writing that he objects to his child receiving special religious instruction, a teacher shall not require the child to receive that instruction.

(4) Where a parent notifies a teacher in writing that he wishes his child to attend the religious instruction given by the delegate of a denomination other than that to which the child belongs, the teacher shall retain the notification.

43. (1) In a school where only one room is available for religious instruction, religious instruction of different persuasions shall be given at different times, and when children of one religious denomination are receiving instruction, arrangements shall be made for the children of other denominations to receive instruction in secular subjects.

(2) In a school where more than one room is available for religious instruction, religious instruction of the different persuasions shall be given at the same time in each of the rooms.

(3) If the same representative is duly delegated to act for more than one religious denomination, each denomination shall be regarded as a separate class, and so noted in the appropriate record of attendances.

(4) Where a parent objects to his child receiving the general religious instruction specified in a school programme, he shall notify the teacher in writing of his objection, and thereupon the teacher shall arrange for that child to be instructed in other subjects during the time assigned for the giving of religious instruction to the group or class of that child.

44. (1) No person shall give, or be allowed by the headmaster of a school to give, special religious instruction at a school unless such person has received from the Director-General a letter authorising him so to do. Reg. 44
amended by
G.G. 29/6/61,
p. 2065.

(2) The letter of authority shall, if required by the headmaster of the school, be produced by the holder for inspection and return by the headmaster.

Division 6.—School Premises.

45. (1) The headmaster of a school shall make necessary arrangements for the regular cleaning of the school rooms and shall ensure that the closets and all external premises are kept clean. Reg. 45
amended by
G.G. 29/6/61,
p. 2065.

(2) An allowance for the cleaning of school premises is payable to the headmaster of the school in accordance with the provisions of this regulation.

(3) (a) The allowance for the cleaning of school premises is payable in accordance with rates prescribed by appropriate industrial agreements, but if teachers or school children carry out the cleaning, the payment shall be two-thirds of those rates.

(b) An allowance for the cleaning of shelter sheds is payable at one-half the rates for a classroom, unless the sheds are equipped with desks in which case full rates are payable.

(c) For the purposes of calculating any allowance for the cleaning of school premises, six closets shall be regarded as equivalent to an area of 550 square feet and proportionate rates shall apply where there are smaller or larger numbers of closets.

(d) Where a school is held in a public hall or other hired building, special rates for cleaning, to be fixed by the Director-General, shall apply.

(4) The Minister shall indemnify every headmaster of a school against any claim under the Workers' Compensation Act, 1912 (as amended), or any other law, for personal injury by accident sustained by a cleaner or other employee and arising out of or in the course of his employment by the headmaster to perform work in or about school premises at the instance or with the permission of the Minister or the Director-General.

(5) The Minister or Director-General may determine the person to be given employment as a cleaner or to perform work in or about school premises.

46. A headmaster of a school in consideration of the allowances paid or payable to him for cleaning, or causing to be cleaned, the school premises, shall—

- (a) have the premises, including all outbuildings, swept and dusted daily and washed with sufficient frequency to keep them thoroughly clean; and
- (b) have all necessary fires laid and ready to be lighted during the period from the first day of May to the first day of October in each year.

Reg. 47
amended by
G.G. 29/6/61,
p. 2065;
G.G. 30/3/66,
p. 829.

47. (1) The headmaster of a school is responsible for the safe custody of the school buildings and furniture.

(2) In a school where a Cadet Corps is established, the headmaster of that school is responsible for such government property as is issued to the school in connection with that Corps.

(3) (a) Where urgent minor repairs are required to school buildings or fittings, or to teachers' quarters, the headmaster of the school may arrange for the work to be carried out by a local contractor if the cost thereof does not exceed twenty dollars.

(b) Accounts, accompanied by a brief description of the work so carried out, shall be certified by the headmaster and forwarded by him to the Department.

Reg. 48
amended by
G.G. 29/6/61,
p. 2065.

48. Where the average attendance in a classroom at a school exceeds its capacity calculated on the basis of twelve square feet for each child, the headmaster of that school shall report the matter to the Department, but shall not refuse the admission of a child unless the Director-General authorises such refusal.

Reg. 49
amended by
G.G. 29/6/61,
p. 2065;
G.G. 28/3/62,
p. 815;
G.G. 9/12/64,
p. 3933.

49. (1) Where in any locality there is no other suitable building for the holding of meetings, religious services or entertainment, the Director-General may let a school building for use for any of those purposes.

(2) Application for the use of a school building for a purpose mentioned in subregulation (1) of this regulation shall be made to the headmaster of that school and, unless otherwise instructed by the Director-General, the headmaster shall deal with the application in accordance with the procedures laid down in the Administrative Instructions.

(3) The Director-General may fix a charge for the use of a school building and the amount so fixed shall be payable in advance and be lodged with the application.

(4) If the amount so fixed is not paid in advance, permission to use the building shall be deemed to be cancelled and the headmaster shall not make the building available, or hand the key to the building, to the applicant.

(5) If a teacher occupies a residence under the same roof as a school room, the headmaster of the school shall not entertain an application for the use of the school room for a dance unless the application is accompanied by a statement in writing from the teacher that he has no objection to the use of the school room for that purpose.

(6) In no circumstances shall intoxicating liquor be brought onto the premises or grounds of any school.

Reg. 50
amended by
G.G. 29/6/61,
p. 2065.

50. (1) A teacher who occupies a school residence shall take reasonable care of it.

(2) (a) A teacher to whom a residence is allotted by the Department shall keep the residence clean and fit for habitation.

(b) A teacher who vacates a residence leaving it in a dirty condition shall, if required by the Director-General, pay to his successor or to the Department the costs incurred by the successor or the Department in cleaning the residence.

(c) In addition to the cost of cleaning referred to in paragraph (b) of this regulation, the teacher so vacating the residence is liable to a fine which, subject to regulation 134 of these regulations, the Director-General may impose after due enquiry and proof that the teacher left the residence in that condition.

Division 7.—School Concerts and Entertainments.

51. Where a school concert or entertainment is held, the teacher in charge of that concert or entertainment shall forward to the Director-General a statement showing the receipts and expenditure, if any, relating thereto, and also after expenditure the balance, if any, and shall attach to such statement receipts for all items of expenditure.

Reg. 51
amended by
G.G. 29/6/61,
p. 2065.

52. Where inter-school sports are held, the headmaster of the school responsible for preparing the accounts relating to the sports shall forward within four weeks after the holding of the event a copy of the accounts to each of the schools concerned and to the Director-General.

Reg. 52
amended by
G.G. 29/6/61,
p. 2065.

53. A teacher shall not accept for the purposes of any school concert or entertainment, whether to be held during or after school hours, the services, whether as a lecturer, or entertainer or otherwise, of any person who is not a student or member of the staff of the school, unless authority for admission of that person to the school premises is obtained from the appropriate director.

Reg. 53
amended by
G.G. 29/6/61,
p. 2065.

Division 8.—Visitors.

54. (1) A person not being a teacher of the school may during the hours of secular instruction visit a school maintained or subsidised by the Government to observe how the school is conducted, but such person shall not take part in the work of the school.

Reg. 54
amended by
G.G. 29/6/61,
p. 2065;
G.G. 29/8/63,
p. 2003;
G.G. 30/3/66,
p. 829.

(2) (a) A person—

- (i) who interrupts any work of a school; or
- (ii) who upbraids, insults, abuses or threatens a teacher while that teacher is acting as an officer of the Department; or
- (iii) whose presence in the school is, in the opinion of the headmaster, subversive of the discipline in the school,

shall, if required by the headmaster, immediately leave the school premises.

(b) A person who contravenes the provisions of this subregulation, commits an offence.

Penalty, on conviction by a court of summary jurisdiction: Forty dollars.

(3) Where the headmaster of a school requires a visitor who interrupts the work of the school, or who upbraids, insults, abuses or threatens a teacher, or whose presence in the school is, in his opinion, subversive of the discipline in the school, to leave the school premises, the headmaster shall report the fact to the Director-General.

(4) Upon receiving the report referred to in subregulation (3) of this regulation the Director-General may, if in his opinion the circumstances so warrant, direct that proceedings for an offence against this regulation be taken against the offender, and for the purposes of this subregulation such proceedings may be instituted by any officer of the Department authorised by the Director-General so to do.

55. (1) Subject to regulation 54 of these regulations, a person shall not, except with the permission of the headmaster, enter or remain on school premises unless that person enters or remains for the purpose of transacting lawful business, or of doing some lawful thing, connected with the school or with a teacher or pupil of the school.

Reg. 55
amended by
G.G. 30/3/66,
p. 829.

(2) A person who contravenes this regulation commits an offence. Penalty, on conviction by a court of summary jurisdiction: Ten dollars.

Division 9.—Amenities in Schools.

Reg. 56
substituted
by G.G.
16/6/64,
pp. 2429-30.

56. (1) The principal or headmaster of a school may, with the approval of the Director-General—

- (a) establish and conduct within the premises of the school a library, book-shop, book hire scheme, school fund, or other amenity not being conducted by a Parents and Citizens' Association that is likely to facilitate, assist or be of advantage to the teachers and instructors in their professional duties and to students at the school in the course of their studies, as the case may be;
- (b) issue directions, seek voluntary contributions from parents not exceeding an amount approved by the Director-General, and make charges for the conduct, management and use of a library, book-shop, book hire scheme, school fund or other amenity so established or conducted;
- (c) enlist for any of those purposes the aid of one or more members of the teaching staff of the school; and
- (d) enlist the assistance of members of the Parents and Citizens' Association of the school.

(2) A Parents and Citizens' Association of a school may, with the approval of the Director-General—

- (a) establish and conduct within the premises of the school an oslo lunch centre, canteen, cafeteria or other amenity not being conducted by the principal or headmaster of a school, where such amenity is likely to facilitate, assist or be of advantage to the teachers and instructors in their professional duties and to students at the school in the course of their studies, as the case may be;
- (b) organise and conduct such activities approved by the Director-General and seek voluntary contributions from parents, such contributions together with money raised by approved activities to form a fund to be known as the "Parents and Citizens' Fund".

(3) Where a library, book-shop, book hire scheme, school fund or other amenity is established and conducted on school premises in accordance with this regulation, the principal or headmaster of the school shall, at the end of each school year, furnish or cause to be furnished to the Director of his Division a report in writing concerning the conduct, management and activities of or in connection with that amenity for that school year, together with a certified statement of receipts and expenditure showing the financial transactions during that year of all amenities other than those for which the Parents and Citizens' Association has financial responsibility, and shall also forward at the same time a copy of such statement to the Secretary of the Parents and Citizens' Association of the school.

(4) A committee comprising the principal or headmaster and two members of the staff of a school in the premises of which an amenity is established and conducted under this regulation, may dispose to the best advantage, as the committee sees fit, of such voluntary contributions and of the profits that arise from the conduct of that amenity.

(5) Where the assistance of the Parents and Citizens' Association of the school has been enlisted, the Association shall be represented on the committee established under subregulation (4) of this regulation by not more than two of the office bearers of the Association.

(6) Where the Parents and Citizens' Association is conducting the amenity under this regulation the Association may dispose to the best advantage, as it sees fit, of such voluntary contributions and of the profits that arise from the conduct of that amenity, and the principal or headmaster or his representative shall be on the appropriate committee of the Association.

(7) Unless the Director-General directs otherwise, the books of account and supporting receipts and other documents relating to amenities or school funds conducted by the principal or headmaster shall be retained in the school and made available for examination as and when required by the Departmental auditor who shall submit a report on his findings to the appropriate Director.

(8) The Director-General may at any time order the closure or abolition of any amenity established or conducted under this regulation and the principal or headmaster or Parents and Citizens' Association shall give effect to the order according to the tenor thereof.

57. School banking may be conducted in accordance with the procedures set out from time to time in the Administrative Instructions.

Reg. 57 substituted by G.G. 19/8/65, p. 2304.

Division 10.—Subsidies to Schools.

57A.* (1) The Minister may determine the nature and extent of subsidies available from the Department for the purchase and repair of equipment as set out in Schedule 6 to these regulations.

Reg. 57A added by G.G. 18/3/65, p. 846.

(2) Subsidies for the purchase and repair of equipment set out in Part I of Schedule 6 to these regulations shall be available to "efficient" non-government schools on the same conditions as to government schools of equivalent size and type.

(3) Except for claims for subsidies for the purchase of library books, no claims will be accepted by the Department for the purchase and repair of equipment set out in Schedule 6 to these regulations unless the approval of the Director-General is obtained before the equipment is purchased or repaired.

(4) The procedure for making claims for subsidies is set out in the Administrative Instructions.

(5) In cases where assistance is available annually, the year shall mean the fiscal year from 1st July to the next following 30th June.

57B. Applications for grants payable under section 9B of the Act to any non-government primary school at which fees are paid for the tuition of its scholars shall be made by the headmaster of the school in February and August of each year, and the total of the annual grant to the school shall be paid in two moieties.

Reg. 57B added by G.G. 16/12/65, p. 4183; substituted by G.G. 21/5/68, p. 1431.

57C. (1) The parent or guardian of a scholar who—

(a) is in the secondary course at a school at which fees are payable for the tuition of its scholars; and

(b) is not in receipt of any scholarship, bursary or like award the value of which exceeds eighty dollars per annum,

may, in writing, request the headmaster of the school to apply for a grant to the school under section 9B of the Act in respect of that scholar, and such a request shall be made at the commencement of each academic year or at any later time during the year if a grant first becomes payable to that school in respect of that scholar, or if the rate of the grant payable in respect of that scholar varies during the academic year.

Reg. 57C. Added by G.G. 21/5/68, p. 1431-2.

(2) No payment under section 9B of the Act shall be made in respect of a scholar until a request in writing signed by the parent or guardian has been received and duly certified as correct by the headmaster or other responsible officer of the school and a claim submitted to the Director-General in respect of all so qualified scholars by the headmaster of the school concerned.

* Now see G.G. 5/2/71, p. 374.

(3) The annual payment shall be made direct to the school the scholar attends in three equal instalments and the amounts so paid shall be deducted by the school from the account for tuition fees that are payable by the parent.

PART IV.—TEACHERS.

Division 1.—Admission and Appointment.

Reg. 58
amended by
G.G. 29/6/61,
p. 2065.

58. The headmaster of a school shall ensure that no person is allowed to conduct a class in the school, whether on payment of remuneration or not, unless that person has been duly appointed a teacher of the school or has received from the Director-General permission to conduct that class.

Reg. 59
amended by
G.G. 29/6/61,
p. 2065.

59. An applicant for appointment as a teacher—

- (a) shall satisfy the Director-General of his good character, his literary attainments, his practical or potential skill in teaching and his physical fitness;
- (b) may be required to pass such examinations and undergo such courses of training as are prescribed or as the Director-General may require; and
- (c) shall undertake to accept employment and serve the Department in any part of the State.

Reg. 60
amended by
G.G. 29/6/61,
p. 2065.

60. (1) (a) A person who—

- (i) holds a certificate from an approved teachers' training institution in the United Kingdom or in any of the British Dominions;
- (ii) is a University graduate and has had experience as a teacher; or
- (iii) holds a teacher's certificate of the Education Department of the United Kingdom or of a British Dominion;

may be employed as a teacher in a school without further examination, if the Director-General is satisfied as to the teaching experience or ability of that person.

(b) In this regulation "approved" means recognised by the Director-General as of a sufficiently high standard.

(2) A person may be appointed or employed as a teacher in the Technical Education Division if, in the opinion of the Director-General, he has special qualifications for such appointment or employment.

Reg. 61
amended by
G.G. 29/6/61,
p. 2065.

61. The Director-General may appoint a person as a teacher on such classification as the Director-General thinks fit, subject to an appeal by that person to the Minister against the classification.

Reg. 62
substituted
by G.G.
29/5/70,
p. 1448.

62. A teacher's first appointment in the service of the Department shall be on probation and his classification shall be provisional, and the teacher is liable to have his classification reduced or his appointment cancelled unless a satisfactory report on his efficiency as a teacher has been received by the Director-General within two years.

Reg. 63
amended by
G.G. 29/6/61,
p. 2065;
G.G. 29/8/63,
p. 2603;
G.G. 31/5/66,
p. 1422-3.

63. (1) A married woman, or any other person suitably qualified, may be appointed a temporary teacher either during the absence of a teacher, or to fill a vacancy on the staff of a school, when no other teacher is available in the Department.

(2) (a) A temporary teacher whose service in the opinion of the Director-General is likely to be continuous shall be paid on the same basis as that for a permanent teacher.

(b) A temporary teacher whose service in the opinion of the Director-General is not likely to be continuous shall be paid on casual rates as defined in subregulation (2) of regulation 109 of these regulations.

(3) (a) The engagement of a temporary teacher who is being paid on the same basis as that for a permanent teacher may be terminated at any time by the Director-General or by the teacher, upon the giving of one month's notice of such termination.

(b) The engagement of a temporary teacher who is being paid on casual rates may be terminated at any time by the Director-General or by the teacher, upon the giving of one week's notice of such termination.

(4) A temporary teacher is not eligible—

(a) for inclusion in a promotion list; or

(b) to apply for an advertised vacancy unless the vacant position is one for which applications are invited from persons not employed in the public service.

64. A teacher when appointed to a school shall notify the Director-General of the date when he commences duty in that school.

Reg. 64
amended by
G.G. 29/6/61,
p. 2065.

65. A teacher, on taking charge of a school, shall check the stock and inventory of the school left by his predecessor and shall notify the Director-General of any discrepancies ascertained in so checking.

Reg. 65
amended by
G.G. 29/6/61,
p. 2065.

66. A person on assuming his first appointment as a teacher is entitled to receive payment of train and other fares from Perth, or such other starting point as the Director-General may approve, and in addition thereto of such allowances prescribed in regulation 72 as the Director-General deems applicable.

Reg. 66
amended by
G.G. 29/6/61,
p. 2065;
G.G. 16/6/64,
p. 2430.

67. A person who holds one or more certificates in manual arts or in home economics from any institution approved by the Director-General may be appointed a teacher without examination and may be classified according to the certificate or certificates and his skill in teaching.

Reg. 67
amended by
G.G. 29/6/61,
p. 2065;
G.G. 12/11/68,
p. 3339;
G.G. 6/2/69,
p. 486.

68. A teacher who has been employed as a Tradesman Instructor in the primary or secondary service, or in both the primary and the secondary service, shall be granted the Teachers' Certificate (Conditional) and an allowance in accordance with the appropriate rate prescribed under the classification of teachers' salaries, until the teacher fulfils the requirements for the Teachers' Certificate.

Division 2.—Transfers.

69. A teacher who desires a transfer to another school shall make an application in writing to the Director-General through his appropriate Superintendent.

Reg. 69
amended by
G.G. 29/6/61,
p. 2065.

70. A teacher who has less than 20 years' service in the Department and has been stationed in the Metropolitan Area or other favourable locality for not less than five consecutive years shall if so ordered by the Director-General, move to a school in a less favourable district in order that a teacher in the latter district might be transferred to the Metropolitan Area or other favourable locality.

Reg. 70
amended by
G.G. 29/6/61,
p. 2065.

71. (1) Subject to regulations 73 and 75 of these regulations a teacher who is transferred from one school to another is entitled to free transport of necessary furniture, furnishings, domestic appliances and effects, and personal effects for himself and his dependants—

Reg. 71
amended by
G.G. 29/6/61,
p. 2065;
G.G. 13/2/62,
p. 473.

(a) up to two tons weight, if the teacher is unmarried, or

(b) up to four tons weight, if the teacher is married.

(2) Where very exceptional circumstances can be shown to exist, a reasonable quantity in excess of the maximum provided by this regulation may be authorised by the Director-General.

(3) A teacher under transfer may be reimbursed such expenses as the Director-General determines, and is authorised to determine, in respect to the movement of a teacher's motor vehicle.

Reg. 72
substituted
by G.G.
15/2/62.
p. 473.
Amended by
G.G. 16/6/64,
p. 2430;
G.G. 14/6/67.
p. 1603.

72. (1) Subject to regulation 73 of these regulations, upon transfer by the Department a teacher is entitled to an allowance at the rate of three dollars fifty cents (\$3.50) for each complete day of travel for such period as the Director-General deems reasonable, and such allowance shall be in addition to any allowance that may be payable on account of fares.

(2) (a) Where in the course of travelling from one locality to another upon transfer a teacher purchases one or more meals at the times specified in paragraph (b) of this subregulation, the allowance referred to in subregulation (1) of this regulation shall be apportioned as follows:—

- (i) For three meals and a bed or sleeping berth, one full day's allowance.
- (ii) For three meals, or for two meals and a bed or sleeping berth, three-quarters of one full day's allowance.
- (iii) For two meals or for one meal and a bed or sleeping berth, one-half of one full day's allowance.
- (iv) For one meal, or for a bed or sleeping berth without meals, one-quarter of one full day's allowance.

(b) The times for meals referred to in paragraph (a) of this subregulation are 8 a.m., 1 p.m. and 6 p.m.

(3) A teacher who travels by ship where the fare includes board during the voyage is entitled to an allowance equivalent to fifteen per centum (15%) of the passage money in lieu of the allowances referred to in subregulations (1) and (2) of this regulation.

(4) A married teacher who is entitled to an allowance under subregulations (1), (2) or (3) of this regulation is also entitled to one-half of that allowance in respect to each member of his family in addition to any allowance that may be payable on account of fares for each member of his family.

Reg. 73
substituted
by G.G.
15/2/62.
p. 473.

73. The provisions of regulations 71 and 72 of these regulations do not apply to a teacher transferred from one school to another solely at his own request or on account of misconduct or unsatisfactory service, and such teacher shall bear his own expenses of travelling unless the Director-General orders otherwise.

74. A teacher shall render an account for all expenses on the appropriate form and shall attach to that form vouchers in support of all payments, and a statement showing the times of departure for and arrival at his destination.

Reg. 75
substituted
by G.G.
15/2/62.
p. 473.

75. (1) Except in respect of teachers transferred under regulation 73 of these regulations, the items specified in subregulation (1) of regulation 71 of these regulations shall be transported by rail, unless the Director-General approves another mode of transport, in which case the mode so approved shall be used.

(2) The transport by road of the items specified in subregulation (1) of regulation 71 of these regulations will be approved only in special circumstances and an application for approval to use road transport shall be accompanied by tenders from at least two carriers where practicable.

(3) The teacher shall endeavour to arrange transport at the most reasonable cost, having regard to all the circumstances, and if in the opinion of the Director-General the cost is unreasonably high the amount to be paid to the teacher in respect of that cost shall be the amount fixed by the Director-General.

Division 3.—Certification.

76. (1) (a) A teacher appropriately qualified may be awarded a certificate of a class specified in paragraph (b) of this subregulation. Reg. 76
amended by
G.G. 25/3/70,
p. 884.

- (b) Teachers' Certificates are designated—
 Teachers' Higher Certificate;
 Teachers' Higher Certificate (Conditional);
 Teachers' Certificate;
 Teachers' Certificate (Technical);
 Teachers' Certificate (Conditional).

(c) A teacher who holds the classification "A3 Special" which was awarded because of service in the 1939-1945 War is entitled to the Teachers' Higher Certificate (Conditional).

(2) Certification of a teacher depends upon attainments based on examinations as prescribed together with satisfactory service.

77. In order to qualify for higher certification, the following minimum periods of satisfactory service are required:—

- (1) From Teachers' Certificate (Conditional) to Teachers' Certificate.—A minimum of two years' service, except that on the recommendation of the Director of Teacher Education, a teacher who does not obtain the teaching mark necessary to complete the full requirements for the Teachers' Certificate while at a Teachers' College, but obtains a satisfactory report in the first year after he leaves the College or who completes the examination requirements of the Teachers' Certificate in the first year after he leaves the College, may proceed to the Teachers' Certificate in his second year ex-College. Reg. 77
amended by
G.G. 15/2/62,
p. 474;
G.G. 28/3/62,
p. 815;
G.G. 4/10/62,
p. 3274;
G.G. 16/6/64,
p. 2430;
G.G. 16/12/65,
p. 4184; G.G.
80/12/66,
p. 3466;
G.G. 14/6/67,
p. 1603;
G.G. 12/10/67,
p. 2877;
G.G. 25/3/70,
p. 884.
- (2) From Teachers' Certificate or its equivalent to Teachers' Higher Certificate.—Minimum of six years' service with the Teachers' Certificate or its equivalent, except that—
- (a) a teacher, whose course of training has been approved by the Director-General as being of five years' duration, may qualify after three years' service with the Teachers' Certificate or its equivalent;
 - (b) a teacher, whose course of training has been approved by the Director-General as being of four years' duration, may qualify after four years' service with the Teachers' Certificate or its equivalent;
 - (c) a teacher, whose course of training has been approved by the Director-General as being of three years' duration, may qualify after five years' service with the Teachers' Certificate or its equivalent.
- (3) From Teachers' Certificate (Technical) to Teachers' Higher Certificate—
- (a) a teacher who holds an honours or higher degree may qualify after three years' service with a Teachers' Certificate (Technical);
 - (b) a teacher who holds a degree or equivalent qualification may qualify after four years' service with a Teachers' Certificate (Technical);
 - (c) a teacher who holds a diploma of the Technical Education Division or equivalent qualification may qualify after five years' service with a Teachers' Certificate (Technical);
 - (d) other technical teachers may qualify after six years' service with a Teachers' Certificate (Technical); and
 - (e) a teacher who does not hold a Teachers' Certificate (Technical) is required to have two years of experience in addition to the period specified in paragraph (a), (b), (c), or (d) of this subregulation according to the qualifications which that teacher holds.

(4) [Deleted by G.G. 30/12/66, p. 3466.]

Reg. 78
amended by
G.G. 25/3/70,
p. 884.

78. Promotion to higher certification of a teacher who satisfies the requirements of these regulations dates from the day on which the satisfactory service required under the appropriate regulation is completed.

Reg. 79
amended by
G.G. 29/6/61,
p. 2066;
G.G. 14/6/67,
p. 1603;
G.G. 25/3/70,
p. 885.

79. (1) No teacher is entitled, as a result of the completion of an examination, to be granted the Teachers' Certificate or the Teachers' Certificate (Technical) before the first day of January following the year in which he completes the examination.

(2) A teacher who completes the academic requirements for the Teachers' Higher Certificate is entitled, if the conditions relating to service are fulfilled, to receive his new certification on the first day of January, the first day of March, the first day of July, or the first day of October, as the case may be, next following the completion of all those academic requirements.

(3) For the purposes of subregulation (2) of this regulation, the date of submission of the final thesis in the form in which it is accepted shall be the date on which the academic requirements of the Teachers' Higher Certificate are completed.

Division 4.—Examination.

Reg. 80
amended by
G.G. 11/8/64,
p. 2895.

80. (1) The attainments of a teacher shall be tested by written examinations or oral examinations, or by both such examinations.

(2) A teacher may sit for an annual examination, but is not entitled to sit for any part of an examination for a higher certificate so long as his examination for a lower certificate is incomplete.

Reg. 81
amended by
G.G. 29/6/61,
p. 2065.

81. (1) (a) A teacher wishing to take an examination for a Teachers' Certificate in parts shall offer at least three complete subjects for each part.

(b) The provisions of paragraph (a) of this subregulation do not apply to an examination for the Teachers' Certificate (Technical), or to a case where the teacher has less than three complete subjects remaining to complete the examination.

(2) In this regulation "complete subject" means all that is included under one heading in the syllabus for the examination.

(3) Where it appears to the Director-General from the results of an examination that a teacher has clearly neglected to prepare sufficiently for the subjects offered by him at the examination, the Director-General may refuse the teacher permission to sit again for that examination the following year.

82. Teachers' examinations, other than examinations for the Teachers' Higher Certificate, shall be held annually and the syllabuses and the conditions pertaining to those examinations and for the Teachers' Higher Certificate examination shall be published from time to time as occasion requires in the Education Circular or in the Teachers' Handbook.

Reg. 83
amended by
G.G. 16/6/64,
p. 2430.

83. (1) A teacher is entitled to be reimbursed his travelling expenses necessarily incurred by him in attending that sitting of the departmental examinations held at the centre nearest to his school at which he is successful in completing the full and final requirements of the certificate for which he is being examined.

(2) In this regulation "travelling expenses" means the appropriate fares and allowances according to the scales prescribed in regulation 72 of these regulations and shall relate only to the period covered by the actual journey to and from the centre nearest to the teachers' school.

Reg. 84
amended by
G.G. 30/3/66,
p. 829.

84. (1) A candidate who has passed in a part only of an examination need not sit again for the subjects in which he has passed.

(2) A candidate is, on making application within one month of the publication of the results of an examination and payment of a fee of \$1.05, entitled to secure a special report on any paper for which he sat at the examination.

Division 5.—Resignation and Retirement.

85. (1) A teacher intending to resign from the permanent staff of the Department shall give the Director-General one month's notice in writing of his resignation.

Reg. 85
amended by
G.G. 29/6/61,
p. 2065;
G.G. 28/3/62,
p. 815;
G.G. 30/12/66,
p. 3466;
G.G. 12/11/68,
p. 3339;
G.G. 6/2/69,
p. 436.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, no notice of resignation terminating between the first day of January and the thirty-first day of March (both days inclusive) of any year shall be given except by a teacher whose term of continuous service on the permanent staff had commenced between those days, such teacher being entitled to resign on any date subsequent to that of taking up his first appointment followed by continuous service; but any resignation purporting to take effect during the first or second school term vacations, or within seven days after the end of either of those vacations, may at the option of the Director-General be deemed to be effective as from the last school day prior to the vacation in question, and any resignation, notice of which is tendered during a summer vacation may at the option of the Director-General be deemed to be effective from the thirty-first day of December of that vacation.

(3) Where a full month's notice of resignation is not given by a teacher, his pay for such period, not exceeding one month, as the Director-General thinks fit, may be forfeited.

(4) A teacher in charge of a school who is about to retire or resign is not entitled to receive his salary for the last month of his service unless and until he makes out and leaves in the school portfolio an inventory of all school stock, and has all the books and records of the school complete and in order.

85A. (1) A female teacher on the permanent staff intending to marry shall notify the Director-General in writing not later than one month before the proposed date of her marriage and if she desires to continue as a teacher on the permanent staff shall, at the same time, make an application to that effect.

Reg. 85A
added by
G.G. 12/11/68,
p. 3339.

(2) On receipt of an application referred to in subregulation (1) of this regulation, the Director-General, on the recommendation of the Director of the appropriate division, may, if he thinks fit, approve of the teacher remaining on the permanent staff.

(3) Notwithstanding subregulation (2) of this regulation, no female teacher who marries shall continue on the permanent staff unless she undertakes to accept employment and serve the Department in any part of the State.

(4) Where a married female teacher who is approved for continued employment on the permanent staff applies for a transfer, the Director-General may transfer her to another position if that position is vacant and the Director-General is satisfied that that position would be suitable for that teacher.

(5) Where the Director-General is unable to grant a transfer pursuant to subregulation (4) of this regulation to a married female teacher who has applied for such a transfer, the married female teacher may be given leave without pay for a period not exceeding twelve months and if, after the expiration of a period of twelve months, the Director-General is still unable to grant such a transfer, the teacher will be required to resign.

86.* (1) The Minister may, on a report from the Director-General, require a teacher on the permanent staff to retire on or after reaching the age of sixty years.

Reg. 86
amended by
G.G. 29/6/61,
p. 2065;
G.G. 18/3/65,
p. 841;
G.G. 31/5/66,
p. 1423.

(2) A teacher so required shall be advised by the Director-General of the reasons for his retirement and is entitled to have one month's clear notice prior to the date when his retirement becomes effective.

(3) Upon reaching the age of sixty-five years a teacher, by force of this regulation, vacates his appointment unless, due to the exigencies of the Department, the Minister approves of the teacher

* Also see G.G. 5/2/71, p. 374.

continuing in his position for any period until, but not longer than, the end of the school year in which that teacher attains the age of sixty-five years; but this regulation does not preclude a teacher from receiving pay for holidays to which he is entitled by virtue of his service with the Department.

Division 6.—Appointments and Promotion.

Section A.—General.

Reg. 87
substituted
by
G.G. 29/6/61,
p. 2065.
amended by
G.G. 9/12/64,
p. 3953;
G.G. 16/12/65,
p. 4184.

87. (1) Appointments to the position for which promotion lists are prepared in accordance with section B or section D of this Division shall be made by the Director-General in accordance with procedures specified in that section.

(2) Appointments to vacancies advertised in accordance with section C of this Division shall be made by the Director-General in accordance with the procedure specified in that section.

(3) Appointments to schools that are declared special schools pursuant to subregulation (2) of regulation 162, or established as special schools pursuant to regulation 262A, of these regulations shall be made by the Director-General who shall take into account any special qualifications and experience appropriate to the exceptional conditions of those schools.

88. [*Revoked by G.G. 25/3/70, p.885*]

Reg. 89
substituted
by
G.G. 29/6/61,
p. 2066.

89. (1) Where by reason of a school being raised to a higher class, or for any other reason, a position becomes altered to a higher class, that position shall be deemed vacant and action shall be taken to fill it in accordance with these regulations.

(2) Where by reason of a school being reduced to a lower class, or for any other reason, a position becomes altered to a lower class, the teacher is, if his service has been satisfactory in the opinion of the Director-General, entitled to retain his salary as it was prior to the alteration until he is offered a school or position corresponding to that salary; but if he is permitted to decline the transfer, his salary shall then be reduced to that which corresponds to the position in the lower class.

Reg. 90
substituted
by
G.G. 29/6/61,
p. 2067.

90. Where a female teacher on being required to do so serves in a position higher in grade than that to which her certificate entitles her because there is no applicant with the necessary certificate available to fill the position, the teacher may after two years' service in that position be appointed permanently to it if, the position having been re-advertised, she is duly recommended.

Section B.—Positions in Primary Schools for which Promotion Lists are Prepared.

Reg. 91
substituted
by
G.G. 29/6/61,
p. 2067.

91. (1) A Board to be called the Primary Schools Appointments Board is constituted for the Primary Education Division of the Department.

(2) The Primary Schools Appointments Board shall consist of—

- (a) the Director of the Primary Education Division of the Department, or in his absence a deputy whom the Director-General may appoint, who shall also be Chairman of the Board;
- (b) a nominee of the Minister, who is not a member of the State Public Service; and
- (c) a teacher of the Primary Education Division elected by the primary school members of the State School Teachers' Union of W.A. Incorporated by ballot conducted by that Union.

(3) If the Board is required to decide a question which involves the interests of the teachers' representative on the Board, or if that representative is unable to attend a meeting of the Board, a deputy who must be elected by the Primary School members of the State School Teachers' Union of W.A. Incorporated by ballot conducted by that Union, may take the place of that representative on the Board.

(4) (a) The member elected by the State School Teachers' Union of W.A. Incorporated and holding office on the seventeenth day of April, 1961, shall continue to hold office until the thirty-first day of May, 1962.

(b) The deputy member elected by the said Union and holding office on the seventeenth day of April, 1961, shall continue to hold office until the thirty-first day of August, 1962.

(c) As from and including the first day of June, 1962, or, as the case may be, the first day of September, 1962, a member or deputy member elected by the said Union shall hold office for three years from the date of his election, and shall be eligible for re-election.

(d) If the office of member or deputy member becomes vacant before the expiration of the period of three years for which the election was held, the said Union shall conduct a further election to appoint a member or deputy member who shall hold office only until the expiration of the said three year period.

(5) Any teacher qualified for election under this regulation is eligible for election as a member or deputy member of the Board, and every election shall be held at the time, in the manner and in other respects in accordance with rules made by the said Union for the purpose.

92. (1) The Board shall consider matters related to positions in primary schools for which promotion lists are prepared as set forth in regulations 94 and 95 of these regulations, and give advice or make recommendations to the Director-General on such positions, and shall consider appeals from teachers against their positions on a promotion list so prepared, but no appeal against the report of a Superintendent shall be referred to the Board.

Reg. 92
substituted
by
G.G. 29/6/61,
p. 2067.

(2) The Board shall meet as often as necessary and shall be given access to the complete records of every teacher whose position the Board is considering.

(3) (a) The Director-General may return a recommendation of the Board with a request to the Board to reconsider it for reasons to be stated in the request, and the Board shall reconsider the recommendation accordingly and may, if it deems fit, either adhere to the recommendation already made or make another recommendation.

(b) The second recommendation of the Board shall be final.

93. (1) Except in the matter prescribed in paragraph (b) of subregulation (1) of regulation 95 and in paragraph (b) of subregulation (1) of regulation 99 of these regulations, a teacher aggrieved by any decision of the Board may within twenty-one days after the publication of the decision appeal against the decision by lodging with the Board a notice in writing signed by him setting out fully the grounds of appeal.

Reg. 93
substituted
by
G.G. 29/6/61,
p. 2065,
amended by
G.G. 4/10/62,
p. 3274;
G.G. 25/3/70,
p. 885.

(2) The decision of the Board after considering the appeal shall be final and no further appeal of any kind shall be allowed except as provided for in subsection (1) of section 37AF of the Act.

Reg. 94 substituted by G.G. 29/6/61, p. 2068. Amended by G.G. 15/2/62, pp. 474-5, G.G. 4/10/62, pp. 3274-5, G.G. 12/5/65, p. 1482, G.G. 14/6/67, p. 1603, G.G. 25/3/70, p. 885.

94. (1) (a) Subject to paragraph (b) of this subregulation, the Director-General shall publish in *The Education Circular* the following promotion lists for positions of headmasters and headmistresses:—

- (i) Class III primary and junior primary schools;
- (ii) Class IA, Class I and Class II primary schools;
- (iii) Class IA, Class I and Class II, junior primary schools; and
- (iv) Class I junior high schools.

(b) For the purpose of this subregulation, agricultural junior high schools shall not be included, and Class II Junior High Schools shall be counted as Class II primary schools, except that special qualifications as prescribed in subregulation (2) of regulation 99 of these regulations shall be required for appointment to a Class II Junior High School from the promotion list for Class II schools.

(2) (a) Each promotion list must be compiled by the thirty-first day of May in each year and the names of teachers who have the required qualifications and have applied to the Department to be included in the list shall be placed in the list.

(b) The Board may add to a promotion list the names of qualified teachers who apply for inclusion in the list subsequent to the list being compiled in any year and those whose names are so added shall be deemed to have been placed in the list on the day application is received by the Department.

(c) Except in the case of the promotion list for Class I Junior High Schools for which a headmaster must apply, the name of any headmaster or headmistress who completes the necessary requirements shall, without application, be added to the list.

Reg. 95 substituted by G.G. 4/10/62, p. 3275. Amended by G.G. 20/12/62, p. 4059; G.G. 3/12/63, p. 3719; G.G. 18/3/65, p. 841; G.G. 14/6/67, p. 1603; G.G. 12/11/68, p. 3539; G.G. 25/3/70, p. 885.

95.* (1) (a) Each promotion list, other than that for Class I Junior High Schools, shall include the names of teachers who are eligible in accordance with regulations 96, 97 and 169 of these regulations and whose service is satisfactory.

(b) If the Director-General considers a teacher should not be included on a promotion list, he shall so inform the Board in writing with reasons and, should the Board then not include that teacher's name on the promotion list, the Board shall inform the teacher in writing of the reasons for the exclusion of his name and the teacher may appeal against the decision of the Board to the Government School Teachers' Tribunal.

(c) The promotion list for Class I Junior High Schools shall include teachers who are eligible in accordance with regulations 96 and 169 of these regulations, whose service is satisfactory and who apply for inclusion on the list.

(d) [*Deleted by G.G. 14/6/67, p. 1603.*]

(e) [*Deleted by G.G. 14/6/67, p. 1603.*]

(f) The Board shall compile lists of the names of all teachers arranged in the order of eligibility for the particular promotion list, but where more than one teacher has become eligible at the same time, the order shall be determined in accordance with their relative service marks combined with their certificate marks determined and calculated in accordance with subregulation (2) of this regulation.

(g) [*Deleted by G.G. 25/3/70, p. 885.*]

(2) (a) In calculating certificate marks the Board shall assign values for certificates as follows:—

	Marks
Teachers' Higher Certificate	10
Teachers' Higher Certificate (Conditional)	8
Teachers' Certificate	5

but where a teacher holds a University degree or an associateship of the Perth Technical College or The Western Australian Institute of Technology one additional mark shall be added to his certificate mark.

* Also see G.G. 5/2/71, p. 374.

(b) In calculating the service mark of a teacher the whole of his service in the Department shall be taken into consideration and marks shall be awarded as follows:—

	Marks
For each year of service as a monitor	$\frac{1}{4}$
For each year of service as the holder of a Science Teachers' Exhibition	$\frac{1}{4}$
For each year of service as a student in a Teachers' College	$\frac{1}{4}$
For each year of service as a teacher	$\frac{1}{2}$

96.* (1) For the first appointment as headmaster or headmistress, a teacher holding the Teachers' Certificate is eligible for appointment only to a Class IV primary school.

(2) A teacher holding the Teachers' Higher Certificate or Teachers' Higher Certificate (Conditional) is eligible to have his or her name placed for a first appointment as a headmaster or headmistress on the promotion list for a Class III school only.

(3) [*Revoked G.G. 14/6/67, p. 1604.*]

(4) In order to be eligible for inclusion on the promotion list for Class I Junior High Schools and subject to the provisions of paragraph (b) of subregulation (1) of regulation 95 of these regulations, a teacher must be a male and shall be required to have the qualifications specified in regulation 169 of these regulations and shall have completed service as follows:—

- (a) Two years as headmaster of Class II primary school: or
- (b) two years as deputy principal of a secondary school or an agricultural junior high school: or
- (c) two years' service as a principal advisory teacher: or
- (d) service in a teachers' college for two years as a senior lecturer or five years as a lecturer Grade I: or
- (e) service in a technical school or college for two years as a Lecturer Group I or five years as a Lecturer Group II:

but teachers who qualify under paragraphs (c), (d) and (e) of this subregulation must have in addition not less than 10 years' teaching experience at either or both the primary and secondary level.

97. (1) (a) Subject to the provisions of regulation 96 of these regulations and to paragraph (c) of this subregulation, a headmaster or headmistress is eligible only for inclusion of his or her name in the promotion list pertaining to the class of school next above that in which the headmaster or headmistress is placed.

(b) A headmaster or headmistress is not eligible for inclusion of his or her name in the promotion list for the next higher grade of school unless and until the headmaster or headmistress obtains the required qualifications mentioned in regulation 169 of these regulations, completes two years' service as permanent head in the grade of school in which he or she is serving, whose service is satisfactory and further a teacher is not eligible, as from the first day of January, 1970 to have his or her name included in a promotion list until he or she has completed four years' service with the Department.

(c) Service as headmistress of a primary school or junior primary school shall qualify a female teacher for the appropriate promotion list for junior primary schools, but service as headmistress of a junior primary school shall not count as service for promotion lists for primary schools.

(d) [*Deleted by G.G. 14/6/67, p. 1604.*]

Reg. 96 substituted by G.G. 29/6/61, p. 2069. Amended by G.G. 15/2/62, p. 474; G.G. 4/10/62, p. 3276; G.G. 14/6/67, p. 1603; G.G. 12/11/6d, p. 3339; G.G. 2/7/70, p. 1888.

Reg. 97 substituted by G.G. 29/6/61, p. 2069. Amended by G.G. 4/10/62, p. 3277; G.G. 20/12/62, p. 4059; G.G. 11/6/63, p. 1711; G.G. 14/6/67, p. 1604; G.G. 25/3/70, p. 885; G.G. 21/8/70, p. 2657.

* Also see G.G. 5/2/71, p. 374.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, a teacher who is on the promotion list for a Class 1 primary school and who accepts promotion to a Class 1 Junior High School shall have his name retained on the promotion list for Class 1 primary schools.

(3) (a) A headmaster of a "special school" with the necessary qualifications and service is eligible for inclusion of his name in a promotion list pertaining to the class of school next above the class in which he is serving as headmaster, except that only headmasters who were headmasters of a Class II primary school or a Class II Junior High School when appointed to a Class I Junior High School may count service in a Class I Junior High School as qualifying service for the promotion lists for Class I or Class IA primary schools, as the case may be.

(b) For the purposes of this subregulation a headmaster's service in a "special school" of any class is equivalent to service in schools of that class.

(4) (a) A teacher who accepts promotion to the headmastership of a Class IA or Class I primary school shall have his name removed from the promotion list for Class I Junior High Schools.

(b) A teacher who accepts promotion to the principalship of a secondary school shall have his name removed from the promotion lists for Class I Junior High Schools and Class IA and Class I primary schools.

Reg. 98
substituted
by
G.G. 29/6/61,
p. 2070.
Amended by
G.G. 4/10/62,
p. 3277;
G.G. 14/6/67,
p. 1604.

98. (1) (a) The Director-General may, by notice in the *Education Circular*, request a teacher whose name appears on a promotion list to inform the Department on such matters relating to his eligibility for promotion as the Director-General may specify in the notice, and in particular with regard to the intentions and preferences of the teacher in relation to such promotions for which he is eligible.

(b) Teachers who are eligible and who wish to be considered for appointment to a Class II Junior High School shall apply indicating their preferences and whether they prefer appointment to a Class II primary school or a Class II Junior High School.

(c) A female teacher whose name is included in the promotion list for Class III schools shall indicate her preference for a Class III primary school or a Class III junior primary school.

(2) A teacher who, in the course of any year, neglects to comply with the request forfeits his right of promotion for the list for that year.

Reg. 99
substituted
by
G.G. 29/6/61,
p. 2070.
Amended by
G.G. 4/10/62,
p. 3278;
G.G. 14/6/67,
p. 1604;
G.G. 25/3/70,
p. 335-6.

99. (1) (a) (i) The Department shall fill every third vacancy that occurs in a school by the appointment of a teacher selected by the Board irrespective of the position of his name on the promotion list, and the Department shall fill all other vacancies by the appointment of teachers in the order in which their names appear on that list;

(ii) In determining whether a teacher is eligible for special promotion, the Board will have regard to his special qualifications, aptitude and experience for the discharge of the duties of the position to be filled and of the teacher's willingness to accept an appointment in any part of the State; and

(iii) The Director-General shall require all superintendents to submit recommendations for special promotion to the Board by the 31st December each year.

(b) Where a teacher has been selected and appointed to a third vacancy in accordance with the procedures of paragraph (a) of this subregulation, an appeal shall not be permitted by any other teacher against that selection and appointment except in the case of an appointment to Class I Junior High Schools, in which case a teacher who has applied for appointment to a Class I Junior

High School and who occupies a position on the promotion list which is equal to or higher than that of the selected teacher, may appeal to the Government School Teachers' Tribunal against the selection and appointment of that teacher.

(c) (i) For the purposes of paragraph (b) of this subregulation and in accordance with paragraph (k) of subsection (3) of section 37AE of the Act, the Government School Teachers' Tribunal shall have jurisdiction to hear and determine an appeal referred to in paragraph (b) of this subregulation.

(ii) The grounds of appeal available to an appellant are those set forth in subsection (3) of section 37AF of the Act and the appeal shall be made within fourteen days after the giving of notice of appointment.

(2) Appointments to Class II Junior High Schools shall be made from male teachers on the Class II promotion list who have applied for consideration, have the qualifications specified in paragraph (f) of regulation 169 of these regulations and whose service is satisfactory.

(3) Where a teacher desires the Board to take into account special circumstances in connection with his eligibility for inclusion of his name on the promotion list for any year, he may apply to the Board in writing setting out the circumstances, and the Board shall make a decision on the application.

(4) Where the available promotions in any year do not exhaust the list, the names of the teachers who did not receive promotion for that year and whose names remain on the list shall be placed at the head of the list for the following year in order of their eligibility, if their efficiency warrants their retention.

100. (1) A teacher does not lose his place in a promotion list by his refusal to accept promotion or to apply for promotion when invited to do so.

(2) Except for special cause involving extreme hardship of which the Board is the sole judge, a teacher whose name, by reason of the refusal of another teacher to accept or apply for promotion or any other cause, moves to a position on the promotion list above the name of that other teacher, is entitled to, and shall be granted, preference so far as any transfer is concerned.

(3) A teacher who has accepted promotion to a school outside the metropolitan area is not entitled and shall not be permitted to regress to a school of lower status within that area unless and until he has served for a minimum of two years in the former school, unless the Director-General otherwise decides.

(4) Where a teacher at his own request is moved to a position of lower status, he shall have the right to be restored when he so desires, if he possesses the requisite qualifications, to a position equivalent in status to that from which he was so moved, on the occurrence of a suitable vacancy, and his name shall be retained in his position on the list for promotion to a school of the class above that of the school in which he was serving at the time of his being so moved.

(5) A headmaster of a Class II Junior High School shall not be transferred to a Class II primary school that is not a junior high school, except under special circumstances approved by the Director-General.

(6) (a) The headmaster of a Class I Junior High School shall not be transferred to a Class I primary school that is not a junior high school until he is qualified for such a school by virtue of his position on the promotion list for Class I primary schools.

(b) The headmaster of a Class I Junior High School is eligible for appointment to a Class I primary school by selection in accordance with the provisions of paragraph (a) of subregulation (1) of regulation 99 of these regulations.

Reg. 100
substituted
by
G.G. 29/6/61,
p. 2070-1.
Amended by
G.G. 4/10/62,
p. 3278;
G.G. 16/6/64,
p. 2431.

Section C.—Advertised Vacancies.

Reg. 101
substituted
by
G.G. 29/6/61,
p. 2071.
Amended by
G.G. 4/10/62,
p. 3279;
G.G. 29/8/63,
p. 2604;
G.G. 16/12/65,
p. 4184;
G.G. 31/5/66,
p. 1423;
G.G. 12/11/68,
p. 3340;
G.G. 25/3/70,
p. 886.

101.* (1) (a) Permanent positions, other than those to which appointments are made from promotion lists in accordance with Section B or Section D of this Division, which are newly created positions or which are existing positions which have or may become vacant by reason of the death, retirement, resignation, transfer or promotion of the incumbent or from some other cause, and for appointment to which a teacher is required, either by these regulations or in the opinion of the Director-General, to possess special qualifications, or which entitle an appointee to a permanent responsibility allowance in addition to basic salary, shall be advertised as directed by the Director-General.

(b) The special qualifications described in paragraph (a) of this subregulation shall, if not defined in these regulations, be referred to in the advertisement.

(c) Subject to paragraph (e) of this subregulation, the Director-General, upon being satisfied that the permanent position referred to in paragraph (a) of this subregulation is still required and, if so, that a vacancy does in fact exist in such office, shall fill the same after the Director of the relevant division has duly made his recommendation from the eligible applicants.

(d) For the purposes of paragraph (a) of this subregulation, appointments to lectureships in teachers' colleges which are for a term of years, shall be deemed permanent appointments.

(e) If it appears to the Director-General, in any particular case, that the processes of filling a vacancy and of hearing appeals against a recommendation for appointment thereto are unlikely to be completed by the 31st December preceding the year from which the appointment is to take effect, he may refrain from making the appointment, to fill the position by a temporary appointment and to re-advertise the position in the following year.

(f) When applying for more than one advertised position, a teacher must state which position he prefers and list the other positions for which he applies in order of his preference for appointment thereto.

(2) (a) A full-time teacher on the permanent staff who is eligible in accordance with these regulations and has the required qualifications and service may apply for any position so advertised, except that a teacher who holds a position in the metropolitan area for which he had applied may not apply for another advertised position in that area identical in status and remuneration with that already held by him if appointment to such new position would mean that he had served less than two years in his present position.

(b) For the purposes of this subregulation the metropolitan area is defined as the area enclosed by a line joining the towns of Rockingham, Calista, Armadale, Karragullen, Mundaring, Mt. Helena, Upper Swan and Whitfords Beach, and the schools in those towns shall be considered as within the metropolitan area so defined.

(3) The Director-General shall give written notice to a teacher who is an unsuccessful applicant for an appointment within fourteen days of a recommendation being made.

(4) Any teacher who is an unsuccessful applicant for the appointment may, within fourteen days after being notified by the Director-General pursuant to subregulation (3) of this regulation, appeal under section 37AF of the Act to the Government School Teachers' Tribunal constituted under the Act.

Reg. 102
substituted
by
G.G. 29/6/61,
p. 2071;
amended by
G.G. 19/8/65,
p. 2364;
G.G. 30/7/69,
p. 2200.

102. (1) A Director in making his recommendations to the Director-General shall take into consideration the particular circumstances of the vacant position in question and the particular fitness of the applicants to discharge the duties of that position, and shall be bound by the ordinary rules of seniority only if the fitness of two or more of the applicants to discharge those duties is not capable, in the opinion of the Director, of clear distinction.

* Also see G.G. 5/2/71, pp. 374-5.

(2) Before giving advice or making a recommendation to the Director-General on any position, the Director of Technical Education shall seek and consider the advice of the appropriate professional or trade advisory committee, if any, as to the qualifications and standing of the applicants for appointment to the teaching staff.

(3) Where by reason of a determination of the Tribunal or for any other cause, an applicant recommended by the Director is not available for the appointment for which he is recommended, the Director shall make another recommendation from the original list of applicants.

Section D.—Principals, Deputy Principals and Principal Mistresses of Secondary Schools.

Heading substituted by G.G. 25/3/70, p. 886.

102A.* (1) The first appointment of a teacher to the position of principal, deputy principal or principal mistress of a secondary school shall be in accordance with regulations 101 and 102 of these regulations.

Reg. 102A added by G.G. 18/3/65, p. 841-2. Amended by G.G. 19/8/65, p. 2365; G.G. 25/3/70, p. 886.

(2) Subject to regulation 102D of these regulations, any subsequent appointment to another position of principal, deputy principal or principal mistress of a secondary school shall be in accordance with the transfer lists prepared for the purpose.

102B. (1) Subject to the provisions of subregulation (2) of this regulation, transfer lists for principals, deputy principals and principal mistresses of secondary schools shall be prepared in the Department and published in *The Education Circular* each year.

Reg. 102B added by G.G. 18/3/65, p. 842. Amended by G.G. 19/8/65, p. 2364; G.G. 25/3/70, p. 886.

(2) (a) The names of teachers shall be added to their respective transfer lists in the order in which they are appointed as principals, deputy principals or principal mistresses of secondary schools.

(b) Where the names of more than one teacher are added to the lists at the same time, the order of the names on any list shall be determined by the order in which the teachers obtained previous promotional positions.

(c) A teacher who is dissatisfied with the order in which his name is placed on a transfer list may appeal under section 37AF of the Act to the Government School Teachers' Tribunal.

102C. (1) All secondary schools shall be grouped into three groups and such groups shall be revised annually and published in *The Education Circular*.

Reg. 102C added by G.G. 18/3/65, p. 842. Substituted by G.G. 25/3/70, p. 886-7.

(2) The groups shall be formed as follows:—

Group A—inner metropolitan secondary schools;

Group B—

- (i) outer metropolitan secondary schools, and
- (ii) country secondary schools having a February enrolment of over 600 students;

Group C—country secondary schools having a February enrolment of 600 or less students.

102D. (1) (a) Unless the Director-General in special circumstances directs otherwise, a principal, deputy principal or principal mistress of a school in Group A must serve for five years in that school before he is eligible for transfer to another school in Group A.

Reg. 102D added by G.G. 18/3/65, p. 843. Amended by G.G. 19/8/65, p. 2365; G.G. 25/3/70, p. 888.

(b) Unless the Director-General in special circumstances directs otherwise, a principal, deputy principal or principal mistress of a school in Group B must serve for three years in that school before he is eligible for transfer to another school in Group B.

* Also see G.G. 5/2/71, p. 375.

(c) Unless the Director-General in special circumstances directs otherwise, a principal, deputy principal or principal mistress of a school in Group C must serve for three years in that school before he is eligible for transfer to another school in Group C.

(2) Notwithstanding the provisions of subregulation (1) of this regulation and provided it is in accordance with his position on the transfer list, a principal, deputy principal or principal mistress of a school is eligible to transfer to a school in another group at any time, and, if he is a principal, deputy principal or principal mistress of a school in Group B having less than 600 students, he may transfer to a school in Group B having more than 600 students at any time.

Section E.—Principals of Technical Schools.

Heading
added by
G.G. 25/3/70,
p. 887.

Reg. 102E
added by
G.G. 25/3/70,
p. 887.

102E.* (1) The first appointment of a teacher to the position of principal of a technical school shall be in accordance with regulations 101 and 102 of these regulations.

(2) Subject to regulation 102H of these regulations, any subsequent appointment to another position of principal of a technical school shall be in accordance with the transfer lists prepared for the purpose.

Reg. 102F
added by
G.G. 25/3/70,
p. 887.

102F. (1) Subject to the provisions of subregulation (2) of this regulation, transfer lists for principals of technical schools shall be prepared in the Department and published in *The Education Circular* each year.

(2) (a) The names of teachers shall be added to their respective transfer lists in the order in which they are appointed as principals of technical schools;

(b) Where the names of more than one teacher are added to the lists at the same time, the order of names on any list shall be determined by the order in which the teachers obtained previous promotional positions; and

(c) A teacher who is dissatisfied with the order in which his name is placed on a transfer list may appeal under section 37AF of the Act to the Government School Teachers' Tribunal.

Reg. 102G
added by
G.G. 25/3/70,
p. 887.

102G. (1) All technical schools shall be grouped into two groups and such groups shall be revised annually and published in *The Education Circular*.

(2) The groups shall be formed as follows:—

Group A—technical schools with an average attendance of over 6,000 student hours per week;

Group B—technical schools with an average attendance of 6,000 student hours, or less than 6,000 student hours, per week.

Reg. 102H
added by
G.G. 25/3/70,
p. 888.

102H. (1) Unless the Director-General in special circumstances directs otherwise—

(a) a principal of a school in Group A must serve for five years in that school before he is eligible for transfer to another school in Group A; and

(b) a principal of a school in Group B must serve for three years in that school before he is eligible for transfer to another school in Group B.

(2) Notwithstanding the provisions of subregulation (1) of this regulation and provided it is in accordance with his position on the transfer list, a principal of a school is eligible to transfer to a school in another Group at any time.

* Also see G.G. 5/2/71, p. 375.

Division 7.—Quarters and Accommodation.

103. (1) (a) Where quarters under the control of the Department are allocated for the use of a teacher, he shall pay to the Department rent which shall be deducted from his salary.

(b) The rent for quarters allocated under this subregulation shall be that fixed by the Government Employees' Housing Authority after due valuation.

(2) Where quarters under the control of the Government Employees' Housing Authority are allocated for the use of a teacher, he shall pay rent as determined by the Authority.

104. (1) Where a change in the rent charged for "old quarters" has been made under the provisions of regulation 103 of these regulations, a teacher may appeal to the Government School Teachers' Tribunal against the amount of rent fixed.

(2) For the purpose of this regulation "old quarters" means quarters completed and ready for occupation prior to the first day of January, 1946.

105. (1) Where a home is made available by the State Housing Commission for letting to a teacher, the rent recoverable from the teacher is to be that fixed by the Commission up to a maximum of ten dollars (\$10) per week.

(2) If the rent so fixed by the Commission exceeds ten dollars (\$10) per week the amount by which it so exceeds that sum shall be paid by the Department to the Commission.

106. (1) A married teacher who is on long service leave or sick leave may retain possession of quarters allotted to him by the Department, but if the teacher does not require the quarters during his leave and they are made available to and are occupied by the relieving teacher the latter shall pay the rent.

(2) Where a married teacher who is on long service leave or sick leave so retains possession of his quarters, he may let the quarters to a responsible tenant approved by the Director-General, but the teacher is responsible to the Department for the rent unless the relieving teacher enters into occupation of the quarters.

107. The Minister may in his discretion, grant to a teacher who cannot obtain accommodation within a reasonable distance from his school a forage allowance on production of documentary evidence of the cost incurred by him.

108. (1) A teacher who lives away from home and is required to pay board in excess of sixteen dollars (\$16) per week is entitled to and shall be paid by way of an allowance the amount by which the board exceeds sixteen dollars (\$16) per week, subject to the conditions that—

- (a) the allowance does not exceed ten dollars (\$10) per week;
- (b) the allowance is not payable in respect of board during the school summer vacation;
- (c) the teacher makes a statutory declaration that suitable accommodation at a lower cost is not available and the District Superintendent certifies that such is the case;
- (d) the allowance is payable for a maximum period of two school years, but is payable for not more than one school year in respect of a continuous appointment in the same school or the same locality;
- (e) the allowance is not payable to a teacher holding an appointment in a school situated within a radius of thirty miles of the Town Hall, Perth, except in special cases approved by the Minister; and

Heading added by G.G. 23/4/69, p. 1301.

Reg 103 substituted by G.G. 30/12/66, p. 3466-7.

Reg. 104 substituted by G.G. 29/6/61, p. 2072; G.G. 30/12/66, p. 3467.

Reg. 105 amended by G.G. 30/12/66, p. 3467.

Reg. 106 amended by G.G. 29/6/61, p. 2065.

Reg. 108 amended by G.G. 30/3/66, p. 329; G.G. 14/6/67, p. 1604; G.G. 12/11/68, p. 3340; G.G. 6/2/69, p. 486; G.G. 17/12/69, p. 4150.

(f) the allowance is not payable to a teacher in receipt of a salary in excess of that paid to a two-year trained male teacher in his third year of service.

(2) A married teacher who takes up an appointment necessitating the transfer of his home and finds it necessary to obtain boarding accommodation while seeking a home is entitled to and shall be paid an allowance of sixteen dollars (\$16) per week, subject to the conditions that—

- (a) the teacher truthfully states in writing that suitable housing accommodation is not available for his family and the District Superintendent certifies that such is the case;
- (b) the allowance is payable for a maximum period of three months from the date of taking up the appointment except where the Minister approves payment of the allowance for a longer period; and
- (c) the allowance is not payable to a teacher appointed to a school situated within a radius of thirty miles of the Town Hall, Perth, except in special cases approved by the Minister.

Division 8.—Salaries and Teaching Allowances.

Reg. 109
amended by
G.G. 31/5/66,
p. 1423;
G.G. 23/4/69,
p. 1301.

109. (1) Salaries and allowances shall be paid to teachers in accordance with those fixed by the Minister pursuant to the authority vested in him for classification of the teaching staff of the Department and the fixing of the salaries and other remuneration to be paid to teachers.

(2) A temporary teacher who is employed on casual rates shall be paid at such weekly rate as will make the total remuneration for a complete year's service as nearly as possible equivalent to the total annual remuneration of a teacher on the permanent staff of similar classification in a similar position.

For the purposes of this subregulation "service" means the period actually employed on teaching duties and on term or summer vacation, and on any period of long service leave.

(3) A teacher who is employed part-time shall work for such period of time as is in inverse proportion to his part-time hours of duty before being eligible for an increment in basic salary or in responsibility allowance.

Reg. 110
amended by
G.G. 29/6/61,
p. 2065.

110. (1) Schools where the conditions are exceptional may be declared by the Director-General to be "special schools" and a teacher in a school so declared may be paid at such rate, higher than that provided in these regulations, as the Minister, in his discretion, may determine.

(2) The salary attached to any special appointment or to any position to which special duties are assigned shall be as fixed by the Minister.

Reg. 111
amended by
G.G. 20/12/62,
p. 4059;
G.G. 29/8/63,
p. 2604;
G.G. 30/3/66,
p. 830;
G.G. 12/11/68,
p. 3340;
G.G. 25/3/70,
p. 888.

111.* (1) (a) A teacher who is employed continuously for more than three weeks in temporarily filling a position the salary for which is higher than that prescribed for his permanent position, or who is employed for more than two weeks in temporarily filling such a position if he commenced so to fill that position on or after the 1st day of January, 1963, shall, subject to paragraph (b) of this subregulation, be paid for the full period during which he holds the temporary position the salary to which he would be entitled if he held that temporary position permanently; and for the purposes of this paragraph where a deputy principal of a secondary school of over 600 students or a deputy principal of a technical college fills temporarily the position of principal of his school or college, as the case may be, he shall be paid the allowance equivalent to that paid on the fifth year of the principal's scale.

* Also see G.G. 5/2/71, p. 375.

(b) In calculating and determining the full period referred to in paragraph (a) of this subregulation there shall not be included in that period the summer vacation period, or any period of absence on long service leave, or on approved sick leave of more than two weeks' duration; but the intervention of any of those periods during the time that a teacher is temporarily filling a position shall not operate to break the continuity of the period for which the temporary position is filled by that teacher.

(2) Where a teacher, when relieving another teacher—

(a) has, in addition to his own maintenance, to maintain an establishment elsewhere; or

(b) incurs expense which he would not otherwise have been obliged to incur;

and no allowance is provided for in these regulations to cover the expenditure incurred on either account, he may be given assistance or relief on similar lines to those provided under the Public Service Act, 1904, for a public servant placed in similar circumstances.

112. (1) The Minister may from time to time publish in the *Government Gazette* a schedule of district allowances for teachers serving in the localities specified in the schedule.

Reg. 112
amended by
G.G. 29/6/61,
p. 2065;
G.G. 15/2/61,
p. 445-6;
G.G. 4/10/62,
p. 3279;
G.G. 31/5/66,
p. 1423;
G.G. 12/11/68,
p. 3349;
G.G. 19/12/69,
p. 4195.

(2) Where a teacher serves for a period of two years in a school in the Goldfields District, or such other locality as the Minister may determine, he may be granted a free first-class return boat, bus or train ticket, including sleeping berths for himself, his wife and children, for a journey during the summer vacation to Perth or Fremantle, or to such other place as the Director-General may approve; but this subregulation does not apply to a child over the age of 16 years unless the Director-General's special approval is obtained.

(3) (a) Subject to the provisions of paragraphs (b) and (c) of this subregulation, a teacher who serves for one year or for part of a year in the North-West District may be granted a free first-class return boat ticket for himself, his wife and children for a journey during the summer vacation to Fremantle or such other place as the Director-General may approve, except that where shipping berths are not available, or where the first part of the journey must be undertaken by air, free first-class air tickets may be granted for the whole journey, and, providing twelve months' service has been completed in the North-West District, the use of such air tickets may be deferred to the following first or second term vacation; but this paragraph shall not apply to a child whose age is seventeen (17) years or over unless the special approval of the Director-General is obtained.

(b) A temporary teacher whose home is normally in the North-West District may be granted a ticket only for the summer vacation following the completion of an unbroken period of service of one year.

(c) Where a teacher, whether permanent or temporary, who has completed a period of service referred to in paragraph (a) of this subregulation resigns from the Department, he shall not be granted a free first-class ticket mentioned in that paragraph for a return journey, but may be granted a similar free first-class ticket for a single journey.

(4) Where a teacher serves for a period of two years in the Goldfields District, or in such other locality as the Minister may determine, or for a period of one year in the North-West District, he may be granted a similar free ticket for a similar journey during his long service leave.

(5) A full qualifying period of two years, or, as the case may be, one year, shall elapse between the granting of a free ticket to a teacher under subregulation (3) of this regulation and the granting of another free ticket to the same teacher, except where

the pass has been deferred to the following first or second term vacation, in which case the period of twelve months mentioned in paragraph (a) of subregulation (3) of this regulation will be counted from the date the pass became due.

(6) An allowance, as determined by the Director-General, covering wholly or in part the cost of petrol and oil may be made to any teacher from the North-West or Goldfields Districts who uses his own motor vehicle as an alternative to using a free pass granted under this regulation.

(7) In and for the purpose of this regulation—

“Goldfields District” means that part of the State situated east of the No. 1 Rabbit Proof Fence and south of the twenty-sixth parallel of south latitude, and such other part or parts of the State as the Minister may determine from time to time.

“North-West District” means that part of the State situated north of the twenty-sixth parallel of south latitude.

113. [*Revoked by G.G. 19/12/69, P. 4195.*]

Reg. 114
amended by
G.G. 19/12/69,
p. 4195.

114. (1) Where a teacher completes a whole school year's work in a school in respect of which an allowance is payable under regulation 112 of these regulations, he is entitled to a full year's allowance.

(2) (a) Where a teacher who receives an allowance payable under regulation 112 of these regulations is absent on sick leave for a period exceeding two weeks, the allowance ceases to be so payable and must be discontinued, unless the Minister in his discretion orders otherwise.

(b) * An allowance payable to a teacher under regulation 112 of these regulations ceases to be so payable and must be discontinued while the teacher is on long service leave.

(c) An unmarried teacher, on proof to the satisfaction of the Minister that he is the sole support of relatives who reside in this State, and at the direction of the Minister, shall be considered a married person for the purposes of any allowance payable to him under regulation 112 of these regulations.

Division 9.—Leave.

Reg. 115
amended by
G.G. 29/6/61,
p. 2065.

115. No teacher shall be absent from duty unless he makes application for leave of absence on a departmental form which is obtainable from the office of the Director-General.

Reg. 116
amended by
G.G. 29/6/61,
p. 2072.

116. (1) (a) A teacher may, on sufficient cause being shown, be granted leave with pay for periods not exceeding in the aggregate three days in any year.

(b) Leave of absence granted under this subregulation may be for sick leave without a medical certificate being required, or for urgent private business which cannot be transacted at a time other than during school hours.

(c) When the leave of absence so granted is for sick leave, it shall be deducted from the cumulative sick leave of the teacher.

(d) Leave of absence shall not be granted under this subregulation if the leave would immediately precede or follow a school vacation or the Easter holiday period.

* Reg. 114 (2) (b) was amended by G.G. 22/10/70, p. 3258, but the amendment is not included in this reprint as it is still subject to disallowance by Parliament. The amendment reads as follows:—

Regulation 114 of the principal regulations is amended by substituting for paragraph (b) of subregulation (2) a paragraph as follows:—

(b) When a teacher is on long service leave he shall be paid a district allowance only for the portion of such leave during which his family or dependants remain in the district in which his school is situated.

(2) (a) An application for leave with pay for a period exceeding three days shall be accompanied by a medical certificate, but if the teacher is out of reach of a medical practitioner, a statement signed by a responsible person that the teacher is too ill to attend to his duties, may be accepted in lieu of the medical certificate.

(b) A medical certificate referred to in paragraph (a) of this subregulation shall be on the prescribed departmental form.

117. A headmaster may permit a member of his staff to have leave of absence only in cases of emergency which the headmaster shall immediately report to the Department.

118. (1) Leave of absence without pay may be granted to a teacher at the discretion of the Director-General, subject to the exigencies of the service, but except as provided in subregulations (2) and (3) of this regulation a period of absence without pay exceeding a continuous period of two weeks does not count for any purpose as part of a teacher's service in the Department.

Reg. 118.
Amended by
G.G. 29/6/61,
p. 2065;
G.G. 15/2/62,
p. 475;
G.G. 16/6/64,
p. 2431;
G.G. 30/12/66,
p. 3467;
G.G. 12/11/68,
p. 3340;
G.G. 15/7/70,
p. 2113.

(2) As from the first day of January, 1964, where a teacher is granted leave of absence without pay for the purpose of undertaking studies that relate directly to his duties as a teacher, the Minister, on the recommendation of the Director-General, may determine that such leave of absence be regarded as part of the period of service for all purposes of that teacher.

(3) As from the first day of January, 1970, sick leave without pay not exceeding a period of three months in a continuous absence shall be regarded as part of the period of service as a teacher for all purposes and where the period of sick leave without pay exceeds three months in a continuous absence only that period in excess of three months shall not count for any purpose as part of a teacher's service in the Department.

118A. (1) A female teacher who has become pregnant may, on application to the Director-General, be granted accouchement leave for a period not exceeding twelve months.

Reg. 118A.
Added by
G.G. 12/11/65,
p. 3341.

(2) Every application made in accordance with subregulation (1) of this regulation shall be supported by the certificate of a duly qualified medical practitioner and such certificate shall indicate the expected date of confinement.

(3) The minimum period of accouchement leave which may be granted a teacher in accordance with subregulation (1) of this regulation is a period commencing eight weeks before the expected date of her confinement and ending at the expiration of eight weeks from the day on which her pregnancy terminates.

(4) A teacher who has made application under subregulation (1) of this regulation may, at any time while she is on leave in accordance with this regulation, make further application so as to extend or reduce the period referred to in the original application, but so that the amended period complies with the requirements of subregulations (1) and (3) of this regulation, and the Director-General may vary the leave in accordance with the amended application.

(5) Accouchement leave granted in accordance with this regulation shall be leave without pay.

(6) Accouchement leave granted in accordance with the provisions of this regulation shall not be deemed sick leave for the purposes of regulation 120 of these regulations.

(7) A female teacher who is liable for service under an agreement entered into by her pursuant to regulation 200 of these regulations and who has been granted accouchement leave in

accordance with this regulation may count such accouchement leave as service towards the repayment of allowances received by her while undergoing a teachers' college course.

(8) Notwithstanding subregulation (5) of regulation 85A of these regulations, if at the expiration of the period of accouchement leave granted under this regulation, the Director-General is of the opinion that there is no suitable vacancy to which the female teacher can be appointed, he may grant her leave without pay for a further period not exceeding six months.

Reg. 119
amended by
G.G. 29/6/61,
p. 2065.

119. (1) A teacher who serves in a school and does not attend the school on its re-opening after the summer vacation forfeits his salary and other remuneration for that period of the vacation commencing on the first day of January and ending on the day of the re-opening of the school, unless the Minister in his absolute discretion for such special reasons as he thinks fit, directs otherwise.

(2) (a) A teacher who does not resume work on the termination of any period of school holidays, other than the summer vacation, forfeits his salary and other remuneration for that period unless he furnishes to the Director-General a medical certificate, given by a government medical officer, of his inability to resume work on account of ill health or such other evidence of his inability to resume work as the Minister considers sufficient.

(b) A medical certificate referred to in this regulation is one given by a government medical officer in this State, but a certificate given by a medical officer outside the State may be accepted by the Director-General in exceptional cases.

120. (1) On and after the first day of January, 1954, a teacher on the permanent teaching staff of the Department is eligible to be credited with sick leave on full pay and half pay in accordance with the following table:—

	Leave on Full Pay. Working Days.	Leave on Half Pay. Working Days.
On date of permanent appointment	5	2
On completion of six months' service on the permanent staff	5	3
On completion of 12 months' service on the permanent staff	10	5
On completion of each additional 12 months' service on the permanent staff	10	5

(2) (a) The sick leave so credited is cumulative.

(b) In determining the sick leave for which a teacher is eligible, his service as a monitor and as a student in a teacher's college counts as service on the permanent staff.

(3) For the purpose of determining the sick leave to which a teacher is entitled, all periods of sick leave on full pay and on half pay respectively granted to the teacher shall be deducted from the total periods for which he is eligible as ascertained under subregulations (1) and (2) of this regulation; but where a teacher was appointed to the permanent staff before the first day of January, 1954, the periods of sick leave on full pay and on half pay respectively granted to him prior to that day shall be ascertained as follows:—

(a) leave granted to him prior to the first day of January, 1954, shall be totalled in days inclusive of Saturdays, Sundays and public holidays under the headings of "leave on full pay," "leave on half pay" and "leave on third pay";

- (b) The total number of days, if any, of leave on third pay so ascertained shall then be multiplied by two-thirds and the result calculated to the nearest whole day added to the total number of days under the heading "leave on half pay";
- (c) The total number of days under the separate headings of "leave on full pay" and "leave on half pay" so determined shall then be multiplied by five-sevenths and the result under those respective headings is to be regarded as the periods of sick leave on full pay and half pay respectively granted during the teacher's service prior to the first day of January, 1954.

(4) Notwithstanding any provisions of subregulation (3) of this regulation—

- (a) where a teacher, who was appointed to the permanent staff prior to the first day of January, 1954, and on that day had less than six months' service, had to his credit on that day less than a basic sick leave entitlement of five working days of leave on full pay and two working days of leave on half pay after the deduction of the periods of leave granted to him prior to that day, his credit as on that day shall be increased to the number of working days of leave on full pay and the number of working days of leave on half pay constituting that basic sick leave entitlement;
- (b) where a teacher, who was appointed to the permanent staff prior to the first day of January, 1954, and on that day had not less than six months' service, had to his credit on that day less than a basic sick leave entitlement of ten working days of leave on full pay and five working days of leave on half pay after the deduction of the periods of leave granted to him prior to that day, his credit as on that day shall be increased to the number of working days of leave on full pay and the number of working days of leave on half pay constituting that basic sick leave entitlement;

but any credit or part of any credit in excess of the basic entitlement of leave under either heading of leave on full pay or leave on half pay shall be applied in reduction of any debit under the other heading or commuted to create the appropriate basic entitlement of leave under the other heading as on the first day of January, 1954.

121. (1) (a) On and after the first day of January, 1954, a teacher employed as a temporary teacher is eligible to be credited with sick leave on the basis of a cumulative credit of one working day on full pay and one-half working day on half pay for each period of four weeks of continuous service, but the maximum credit in respect of any one calendar year of service for each teacher so employed is ten working days on full pay and five working days on half pay.

Reg. 121
amended by
G.G. 31/5/66,
p. 1423; G.G.
12/11/68,
p. 3341.

(b) For the purposes of this regulation—

- (i) subject to subparagraph (iv) of this paragraph any period of leave without pay or of term or summer vacation is not to be regarded as part of continuous service but no such period shall be deemed to be a break in continuity of service;
- (ii) on and after the first day of January, 1954, if the services of a temporary teacher are temporarily not required by reason of departmental exigencies, the suspension of his services is not to be regarded as a break in continuity of his service, except as provided in subparagraph (iv) of this paragraph;

- (iii) where a break in the service of a temporary teacher occurs on personal grounds for a period and leave without pay is not granted to the teacher for that period, the break is to be regarded as a break in continuity of service;
- (iv) any break in service of twelve weeks' duration or longer, whether by reason of leave without pay, suspension of services for departmental exigencies or by reason of any other cause, constitutes a break in continuity of service, notwithstanding anything to the contrary in subparagraphs (i) and (ii) of this paragraph;
- (v) no break in the continuity of service occurs if a teacher resigns from the permanent staff but continues without a break, except for any break occasioned by term or summer vacations, as a temporary teacher in the employ of the Department and such teacher shall retain any sick leave credits accumulated while he was on the permanent staff.

(c) Upon any break in continuity of the service of a temporary teacher all his sick leave credits prior to the break shall be deemed to be cancelled.

(2) (a) For the purpose of determining the sick leave to which a temporary teacher, other than one who has had unbroken continuity of service from a date prior to the first day of January, 1954, is entitled, all periods of sick leave on full pay and on half pay respectively granted to the teacher must be deducted from the total periods for which he is eligible in accordance with subregulation (1) of this regulation.

(b) Where a temporary teacher has had unbroken continuity of service from a date prior to the first day of January, 1954, the periods of sick leave on full pay and half pay respectively granted to him prior to that day shall be ascertained in accordance with the provisions of subregulation (3) of regulation 120 of these regulations for ascertaining those periods with reference to a teacher on the permanent staff and the leave granted to him as so ascertained must be deducted from the respective periods for which he was eligible as on the first day of January, 1954. If after such deduction there is a period remaining under each or either heading of leave on full pay or leave on half pay the teacher shall be deemed to be eligible to that period of leave as on that day, but if after such deduction there is a debit, that debit shall be disregarded for the purpose of ascertaining his entitlement as from that day.

(3) A teacher who is employed part-time is eligible to be granted sick leave in accordance with the provisions of regulation 120 of these regulations, but any payment to be made to him during that sick leave shall be at the part-time rate at which the teacher is employed.

Reg. 121A
added by
G.G. 18/3/65,
p. 842.
Amended by
G.G. 31/5/66,
p. 1423;
G.G. 6/2/69,
p. 486-7.

121A. (1) On and after the first day of July, 1964, a teacher on the permanent or temporary staff is eligible to be credited with sick leave due to war caused illness in accordance with the following scales:—

	Leave on full pay. Working days.
(a) Up to and including 30th June, 1967—	
From date of appointment	10
After twelve months' service	10
After two years' service	10
After three years' service	10
After four years' service	10
After five years' service	10
(b) On and after 1st July, 1967—	
From date of appointment	15
After twelve months' service	15
After two years' service	15

(2) (a) The sick leave credited pursuant to paragraph (a) of subregulation (1) of this regulation may be accumulated to a maximum period of 60 working days but any leave used from this credit cannot be re-accumulated.

(b) The sick leave credited pursuant to paragraph (b) of subregulation (1) of this regulation may be accumulated to a maximum period of 45 working days but any leave used from this credit may be re-accumulated.

(c) Where a teacher has sick leave credited to him under both paragraphs (a) and (b) of this subregulation, he must use all the sick leave credited to him under paragraph (a) before being allowed to use any sick leave credited to him under paragraph (b).

(3) An application for sick leave pursuant to this regulation must be accompanied by a medical certificate and a statement from the Repatriation Department of the Commonwealth of Australia certifying that the illness is war caused.

(4) Any leave taken in accordance with this regulation shall not be debited against any leave entitlements due to a teacher in accordance with regulation 120 of these regulations.

122. (1) Where a public holiday occurs within any period of sick leave granted to a teacher on and from the first day of January, 1954, the public holiday shall be counted as a day's sick leave, but where a teacher after being absent on sick leave or accouchement leave resumes duty on a working day immediately following a public holiday, the leave shall be regarded as having expired on the working day immediately preceding that holiday.

Reg. 122.
Amended by
G.G. 12/11/68,
p. 3341.

(2) Subject to subregulation (1) of this regulation, sick leave granted on and from the first day of January, 1954, shall be computed in terms of working days.

123. (1) If a teacher on the permanent staff is on sick leave on full pay at the time of the commencement of a term vacation or of the summer vacation, that vacation is not to be debited as sick leave against him.

Reg. 123.
Amended by
G.G. 12/11/68,
p. 3341;
G.G. 17/12/69,
p. 4151-2.

(2) If a teacher is on sick leave with half pay or without pay or on accouchement leave at the time of the commencement of a term vacation, he must continue on half pay or without pay, as the case may be, for the duration of the vacation unless he resumes duty immediately after the vacation in which case he is entitled to full pay for the vacation.

(3) If a teacher is on sick leave with half pay or without pay at the time of the commencement of a summer vacation, he is entitled to be paid full pay for the duration of that vacation.

(4) Where a teacher has been on accouchement leave during a school year, that teacher is entitled to receive full pay only for the proportion of the summer vacation that equals the proportion that the part of the school year during which that teacher was not on accouchement leave bears to the whole of that school year.

124. (1) A teacher who is absent on long service leave, accouchement leave or leave without pay duly approved by the Director-General is not eligible for sick leave during the currency of such leave.

Reg. 124
amended by
G.G. 29/6/61,
p. 2065;
G.G. 12/11/68,
p. 3341.

(2) A teacher eligible only for sick leave on half pay who is granted sick leave on that basis and is entitled also to long service leave, may be granted his long service leave concurrently on the double basis of sick leave on half pay, and long service leave on half pay.

125. A teacher whose illness or injury has been caused by his own misconduct or by circumstances within his own control is not entitled to and shall not be granted leave with pay on account of that illness or injury.

126. (1) Where a teacher, after retiring on medical grounds, resumes duty as a teacher in the Department, he is entitled to the reinstatement of his sick leave credit, if any, as at the date of his retirement.

(2) Where a teacher, after resigning from the Department, is subsequently reappointed as a teacher in the Department, he shall be treated as a new entrant to the service as from the date of his reappointment.

Reg. 127
amended by
G.G. 31/5/66,
p. 1423.

127. A teacher who, having been employed on a temporary basis is appointed to the permanent staff as a teacher is entitled to be credited with the sick leave, if any, that he has to his credit as a temporary teacher.

Reg. 128
amended by
G.G. 29/6/61,
p. 2065.

128. The Director-General may review, and grant relief in any special case of hardship that results from the change to the cumulative system of sick leave provided in these regulations.

Reg. 129
amended by
G.G. 29/6/61,
p. 2065.

129. (1) A teacher who requires extended rest and is unable to attend to his duties, shall if required by the Director-General, obtain a medical certificate from a medical practitioner nominated by the Director-General.

(2) A teacher who, by reason of illness, is unable to attend to his duties but is not confined to his house, shall, if required by the Director-General, apply for and take his long service leave, unless a specialist or medical referee nominated by the Director-General certifies that the teacher cannot carry out his duties, though not confined to the house, and that illness is not due to any cause within the teacher's own control.

Reg. 130
substituted
by
G.G. 18/3/65,
pp. 843-4.

130. (1) The Minister may grant a teacher on the permanent staff—

- (i) who has 15 years' continuous service in the Department, long service leave for 26 weeks on full pay; and
- (ii) who has 10 years' continuous service in the Department, long service leave for 13 weeks on full pay;

but any leave granted under this subregulation shall be deemed not to include any part of the summer vacation.

(2) (a) Except as provided in subregulation (4) of this regulation—

- (i) long service leave on full pay, taken by a teacher in the first half of the school year, shall not extend beyond the second Friday in July; and
- (ii) long service leave on full pay, taken by a teacher in the second half of the school year shall not commence before the Monday following the second Friday in July.

(b) Leave shall normally be taken from the beginning of the school year to the second Friday in July, or from the Monday following the second Friday in July to the end of the school year, but subject to the exigencies of the Department longer periods of leave may be approved provided that the provisions of paragraph (a) of this subregulation are complied with.

(3) (a) Any long service leave due to a teacher in accordance with subregulation (1) of this regulation, but not taken because of the provisions of subregulation (2) of this regulation, shall remain credited to the teacher and shall be added to any further leave that may accrue to that teacher.

(b) Such leave shall be granted to a teacher for special circumstances approved by the Director-General or on the resignation of the teacher, or on retirement in addition to any entitlement referred to in regulation 131 of these regulations.

(4) Notwithstanding the provisions of subregulation (2) of this regulation, until the thirty-first day of December, 1968, teachers who have a long service leave credit of 26 weeks may take the full period of such leave under conditions pertaining as at the first day of July, 1964, but thereafter periods of leave for purposes of study abroad, overseas travel or other special circumstances involving dates other than those specified in subregulation (2) of this regulation may be taken only with the approval of the Director-General having regard to the individual circumstances.

(5) Teachers, may with the approval of the Director-General, take double their period of long service leave entitlement as leave on half pay.

*131. (1) On application made to the Director-General and with the approval of the Governor, a lump sum payment for the money equivalent of any long service leave entitlement for continuous service as prescribed in regulations 130 and 132 of these regulations and for any *pro rata* long service leave based on continuous service of a lesser period than that prescribed by those regulations and calculated according to subregulation (2) of this regulation, shall be made—

Reg. 131.
Substituted
by
G.G. 18/3/65,
p. 844-5.
Amended by
G.G. 19/8/65,
p. 2365;
G.G. 12/11/68,
p. 3342.

- (a) as a retiring allowance to a teacher who retires at or over the age of 60 years or who is retired on the grounds of ill health, but no such payment shall be made unless the teacher has completed not less than 12 months' continuous service before the date of his retirement; or
- (b) as a retiring allowance to a permanent teacher who, not having resigned, is retired for any other cause, but no such payment shall be made unless the teacher has completed not less than three years' continuous service before the date of his retirement; or
- (c) to the estate of an officer in the event of his death unless he is survived by a widow legally dependent on him, or some other person legally dependent on him who is approved by the Minister for the purpose, but no such payment shall be made unless the teacher has completed not less than 12 months' continuous service prior to the date of his death;
- (d) subject to the provisions of regulation 85 of these regulations, to a female teacher who, having been continuously employed for at least four years, resigns from the teaching staff for the purpose of marrying, marries within three months of resigning and produces her marriage certificate before any payment is made;
- (e) to a female teacher who, having been continuously employed for at least four years marries and, in accordance with the provisions of regulation 85A of these regulations, continues on the permanent staff but no payment shall be made until the teacher produces her marriage certificate; or
- (f) to a female teacher who, not having been continuously employed for four years at the time of her marriage, continues on the permanent staff and completes four years of continuous service and shall be calculated having regard for her salary rate as at the date on which she completes four years of continuous service.

* Reg. 131 (1) was amended by G.G. 22/10/70, p. 3264, but the amendment is not included in this reprint as it is still subject to disallowance by Parliament.

The amendment reads as follows:—

Regulation 131 of the principal regulations is amended by substituting for the word and figures "and 132" in line four of subregulation (1), the passage ", 132 and 133".

(2) *Pro rata* long service leave entitlements based on continuous service for periods other than those prescribed in regulation 130 of these regulations shall be calculated as follows:—

- (a) If the continuous service of the teacher does not exceed ten years, to payment for such proportion of 13 weeks as the length of continuous service bears to ten years.
- (b) If the continuous service of the teacher exceeds ten years but does not exceed fifteen years, to payment for 13 weeks for the first ten years and in addition, to payments for such proportion of 13 weeks as the length of continuous service in excess of ten years bears to five years.
- (c) (i) If the service of teachers referred to in paragraphs (a), (b) and (c) of subregulation (1) of this regulation exceeds fifteen years, to payment for 26 weeks for each completed fifteen years of service and for the remaining period to payment calculated in accordance with paragraph (a) or (b) of this subregulation, whichever of such paragraphs is applicable.
- (ii) If the service of teachers referred to in paragraph (d) of subregulation (1) of this regulation exceeds fifteen years, to full pay for 26 weeks only.

Reg. 132
amended by
G.G. 29/6/61,
p. 2065;
G.G. 3/12/63,
p. 3719;
G.G. 18/3/65,
p. 845;
G.G. 30/12/66,
p. 3467;
G.G. 23/4/69,
p. 1301;
G.G. 29/5/70;
P1448.

132. (1) Where a teacher is transferred to the Department from a position in a Western Australian Government Service carrying rights to long service leave, his accrued long service leave, if any, and accruing long service leave, if any, in that position shall be counted towards his long service leave entitlement as a teacher.

(1a) Subject to subregulations (1b) and (1c) of this regulation where—

- (a) a person is appointed to the Department as a teacher and that person was, prior to his being so appointed, employed in the service of the Commonwealth; and
- (b) that employment was continuous with his service as a teacher under these regulations,

that person shall be entitled in addition to any long service leave to which he becomes entitled under any other provisions of these regulations, to long service leave equivalent to the *pro rata* portion of long service leave to which the person would have been entitled up to the date of his appointment to the Department, calculated in accordance with the provisions that applied to his previous employment, but in calculating that period of *pro rata* long service leave, any long service leave taken or any benefit granted in lieu of any such long service leave during that employment shall be deducted from any long service leave to which he may become entitled under these regulations.

(1b) For the purposes of subregulation (1a) of this regulation the previous employment of an officer in the service of the Commonwealth shall be deemed to be continuous with his service as a teacher, if the period between the date when the person ceased that previous employment and the date of his commencing employment as a teacher does not exceed four weeks, or such further period as the Minister determines.

(1c) Nothing in subregulation (1a) of this regulation confers or shall be deemed to confer on any person previously employed by the Commonwealth—

- (a) any entitlement to a complete period of long service leave that accrued in his favour to the date on which he commenced employment as a teacher;
- (b) the right to proceed on any period of long service leave without the special approval of the Minister, until the officer has served a period of not less than three years continuous service as a teacher.

(2) Time spent by a teacher as a student at a teachers' college is not to be regarded as service in the Department or as a break in continuity of the teacher's service.

(3) [Deleted by G.G. 18/3/65, p. 845.]

(4) Where a person has served continuously in the Department for a period of which period a part was served as a monitor and a part as a teacher (as distinct from a monitor), his service as a monitor shall be counted only to the extent of half the number of completed weeks of that service when computing the continuous service of that person for the purposes of regulations 130 and 131 of these regulations.

(5) Long service leave on either full pay or half pay or leave without pay exceeding a continuous period of two weeks, shall not count as service towards a further period of long service leave, but shall not be deemed to break the continuity of service.

(6) (a) On and after the first day of January, 1960, a teacher who becomes eligible for long service leave for 26 weeks on full pay shall commence to take such leave within four years from the date upon which the leave became due.

(b) Where on the first day of January, 1960, a teacher is eligible for long service leave for 26 weeks on full pay, the teacher shall commence to take such leave before the first day of January, 1964, or within 15 years from the date upon which the leave became due, whichever of such dates is the earlier; Provided however that in the case of a teacher who on the fifth day of March, 1953, was eligible for long service leave for 26 weeks on full pay, such teacher shall be entitled to accumulate long service leave up to a period of 52 weeks on full pay.

(c) A teacher who pursuant to these regulations accumulates the long service leave for which he becomes eligible until such time as he is entitled to long service leave for 52 weeks on full pay, may at his option and at the convenience of the Department take the whole or one-half of such leave, but where the teacher takes one-half only of such leave, he shall commence to take the other one-half thereof within four years from the date on which he commenced the period of long service leave so taken by him: Provided that the service of a teacher referred to in this paragraph shall not be counted towards further long service leave entitlement until the teacher has reduced the long service leave to which he is entitled to a maximum entitlement of 26 weeks on full pay.

(d) Where a teacher fails to take, in accordance with the provisions of paragraphs (a), (b) and (c) of this subregulation and within the periods of time referred to in those paragraphs, any long service leave to which he is or becomes entitled by virtue of this regulation, the service of the teacher for the period from the date on which under any of those paragraphs he was required to take long service leave until the date on which he actually commences to take the long service leave, shall not be counted towards further long service leave entitlement.

(e) The Director-General shall in each year cause a notice to be inserted in *The Education Circular* requesting teachers who are entitled to long service leave and who desire to take such leave or a portion thereof to make within the time specified in the notice application in writing for such long service leave; but no teacher shall be entitled to take any long service leave until a period of not less than 12 months has expired from the date of such application unless the Director-General, having regard to special circumstances, in his discretion agrees to a shorter period.

133. (1) The Minister may grant to a temporary teacher—

(a) who has an aggregate of ten years' continuous service, completed within a calendar period of 11 years; or

Reg. 133
amended by
G.G. 31/5/66,
p. 1424;
G.G. 23/4/69,
p. 1301.

(b) who has an aggregate of 15 years' continuous service, completed within a total calendar period of 16 years; such long service leave as the Minister, in his discretion thinks fit.

(2) Where the services of a temporary teacher are temporarily not required by the Department because of departmental exigencies, the suspension for that reason of the teacher's services does not constitute a break in continuity of his service except as provided in subregulation (5) of this regulation.

(3) Where a temporary teacher is granted leave without pay, the leave does not—

(a) break his continuity of service except as provided in subregulation (5) of this regulation; or

(b) count as service;

for the purposes of subregulation (1) of this regulation.

(4) Notwithstanding the provisions of subregulation (3) of this regulation, where for reasons personal to a temporary teacher a break occurs in his service, that break is to be regarded as a break in continuity of service which has the effect of cancelling all previous service for the purposes of this regulation.

(5) Any break however caused (other than through term or summer vacations) of three months' duration or longer in the service of a temporary teacher shall for the purposes of this regulation be deemed to be a break in the continuity of his service.

(6) [*Revoked by G.G. 23/4/69, p. 1301.*]

Division 10.—Misconduct and Complaints.

Reg. 134
amended by
G.G. 29/6/61,
p. 2065 and
p. 2072.

134. (1) For the purpose of securing and enforcing the discipline of teachers in the Department, the Director-General may for misconduct, which expression includes breach of any departmental order lawfully given and absence from school without leave, or for breach of these regulations, or gross inefficiency—

(a) fine a teacher;

(b) transfer a teacher at his own expense;

(c) reduce a teacher to a lower class or grade;

(d) reduce a teacher from one position to another carrying a lower salary or remuneration; or

(e) suspend or dismiss a teacher.

(2) (a) The provisions of this regulation are subject to the right of appeal to the Government School Teachers' Tribunal conferred on a teacher by section 37AF of the Act.

(b) Loss of salary incurred by a teacher during or by reason of his suspension under subregulation (1) shall be regarded as a fine for the purpose of determining his right of appeal.

(3) Where a complaint is made against a teacher by a superior departmental officer, the Director-General may at his discretion instruct a Superintendent to investigate and report on that complaint.

(4) If in the opinion of the Director-General the complaint is proved, and the teacher is under suspension, the teachers' salary for the period of suspension is not payable to him unless otherwise ordered by the Director-General.

Reg. 135
amended by
G.G. 29/6/61,
p. 2065.

135. (1) (a) Where a complaint is made against a teacher by a parent of a pupil or by some other person, the Director-General shall cause a copy of the complaint as so made to be referred to the teacher for his remarks.

(b) After receipt of the teacher's remarks, the Director-General shall, if he considers the complaint worthy of investigation, inform the complainant that an investigation of the complaint will be made upon receipt by the Director-General of the complaint in writing on a departmental form and signed by the complainant before a Justice of the Peace and that upon the application of the complainant the appropriate departmental form shall be supplied to him.

(c) If the complaint so signed differs in substance from the original complaint referred to in paragraph (a) of this subregulation no further action shall be taken by the Director-General and the complainant shall be informed accordingly; but if the complaint so signed does not differ in substance from the original complaint, the Director-General may cause an inquiry to be held, and notice of that inquiry shall be given to the teacher against whom the complaint was made, and to the complainant, at least a week before the date fixed for the inquiry.

(2) If it appears to the Director-General that the complaint is of a nature which would admit of a settlement between the parties, without a formal inquiry, every assistance shall be given to the parties to reach a settlement.

(3) (a) At an inquiry referred to in this regulation, the officer holding, or presiding over, the inquiry may permit a member of the Parents and Citizens' Association or one other person, who is not a legal practitioner, to be present.

(b) The teacher against whom the complaint was made may, if he so desires, have a friend or an adviser present, and the complainant may, if he so desires, have a friend or an adviser present; but the friend or adviser shall not be a legal practitioner or a person employed by a legal practitioner.

(c) Except as provided in paragraphs (a) and (b) of this subregulation, no person, other than those whose attendance is necessary, shall be present at an inquiry.

136. An inquiry shall be confined only to matters relevant to the complaint notice of which shall be given to the teacher against whom the complaint was made.

Division 11.—Other Conditions of Service.

137. (1) Except with the express permission of the Minister, which permission may at any time be withdrawn, no teacher shall—

- (a) apply for any license or permit under any Federal or State law for the purpose of conducting, carrying on or engaging in any business, trade or occupation for gain or reward; or
- (b) accept or continue to hold an office in or under the Government or a paid office in or under any public or municipal corporation; or
- (c) accept or continue to hold or discharge the duties of or be employed in a paid office in connection with any banking, insurance, mining, mercantile, or other commercial business, whether the same be carried on by any corporation, company, firm or individual; or
- (d) engage in or undertake any such business whether as principal or agent; or
- (e) engage or continue in the private practice of any profession; or
- (f) accept or engage in any employment for reward other than in connection with the duties of his office or offices under the State or the Commonwealth.

(2) Nothing contained in this regulation shall be deemed to preclude an officer—

- (a) from becoming a member or shareholder only of any incorporated company or of any company or society of persons registered under any statute; or
- (b) from accepting and continuing to hold any office in any society founded under the law relating to friendly societies for the benefit of public servants only.

138. No teacher shall seek directly or indirectly the interest or influence of any person for the purpose of obtaining promotion, transfer or any other advantage in the Department.

139. A teacher shall not—

- (a) publicly comment upon the administration of any department of the State; or
- (b) use, for any purpose other than the discharge of his official duties, information gained by or conveyed to him through his connection with the Public Service.

PART V.—SPECIALIST AND ADVISORY SERVICES.

Division 1.—Establishment.

Reg. 140
substituted
by
G.G. 2/7/70,
p. 1888.

140.* (1) Staff may be appointed to the Guidance Branch as follows:—

- (a) Senior Guidance Officers;
- (b) Guidance Officers.

(2) In particular subject areas or in such other fields as the Director-General may determine, specialist staff may be appointed as follows:—

- (a) Principal Advisory Teachers;
- (b) Senior Advisory Teachers;
- (c) Senior Education Officers;
- (d) Advisory Teachers;
- (e) Education Officers;
- (f) Such other teachers or officers as the Director-General may determine.

(3) In order to be appointed to the position of Senior Guidance Officer, Senior Advisory Teacher, Senior Education Officer or Principal Advisory Teacher, a teacher shall be required to have the qualifications prescribed in regulation 185 of these regulations.

(4) Advisory teachers, Grade II and education officers, Grade II shall be appointed for a term of four years.

Division 2.—Conditions of Service.

Reg. 141
substituted
by
G.G. 2/7/70,
p. 1888.

141. The Director-General may, in such cases as he thinks fit, fix the annual holidays of officers referred to in items (c) and (e) of subregulation (2) of regulation 140 of these regulations to be four weeks per year and the working hours of such officers to be from 8.30 a.m. to 5 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.

Reg. 142
amended by
G.G. 11/8/64,
p. 2895;
G.G. 30/12/66,
p. 3406;
G.G. 2/7/70,
p. 1888.

142. (1) The annual leave of an artist or other officer referred to in item (f) of subregulation (2) of regulation 140 of these regulations, who is employed in the Publications Branch, shall be four weeks per year, and his working hours shall be from 8.30 a.m. to 5 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.

* Also see G.G. 5/2/71, p. 375.

(2) As from the first day of January, 1963, the annual leave of clerical officers in specialist services referred to in item (e) of that subregulation shall be three weeks per year and their working hours shall be from 8.30 a.m. to 5 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.

(3) The annual leave of a Youth Education Officer shall be four weeks per year, and every such officer may qualify for sick leave and long service leave in accordance with the conditions prescribed for teachers by these regulations.

Division 3.—Clerical Assistants in Schools.

143. (1) Clerical assistants may be employed in a school as the Director-General thinks fit.

Reg. 143
amended by
G.G. 29/6/61,
p. 2065;
G.G. 28/3/62,
p. 816;
G.G. 11/8/64,
p. 2895;
G.G. 12/11/68,
p. 3342;
G.G. 17/12/69,
p. 4151.

(2) A clerical assistant shall be so employed only during school terms and for one week immediately prior to the opening of the school after the summer vacation, unless the Director-General otherwise orders.

(3) A clerical assistant shall be so employed on a weekly basis, and be paid only for those weeks for which the assistant works and for such annual and sick leave as is granted with pay, in accordance with these regulations.

(4) (a) A clerical assistant working in accordance with the hours specified in subregulation (5) of this regulation is eligible for long service leave similar to Government wages employees as follows:—

- (i) three months after ten years' service;
- (ii) three months after a further ten years' service;
- (iii) thereafter three months after every seven years' service.

(b) A clerical assistant working less than the hours specified in subregulation (5) of this regulation is eligible for long service leave in accordance with the provisions of the Long Service Act, 1958.

(5) The working hours of a female clerical assistant employed in accordance with subregulation (1) of this regulation shall be from 8.45 a.m. to 4.15 p.m., on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.

(6) Annual leave which may be granted to a female clerical assistant, employed in accordance with subregulation (1) of this regulation, shall be taken during the summer vacation, and as from the first day of January, 1963 shall be granted on the basis of three weeks' leave for each completed school year of service.

(7) A clerical assistant is entitled to cumulative sick leave on full pay on the basis of two weeks' sick leave on full pay per year, but during the first twelve months' service a clerical assistant may be granted sick leave at the rate of one day's sick leave on full pay for each completed month of service, subject to a maximum of two weeks' sick leave for the year.

144. (1) If the Director-General thinks fit, male clerical assistants may be appointed to a Teachers' College and the West Australian Correspondence School.

Reg. 144
amended by
G.G. 29/6/61,
p. 2065;
G.G. 11/8/64,
p. 2895.

(2) (a) As from the first day of January, 1963 a male clerical assistant is entitled to annual leave at the rate of three weeks per year.

(b) The working hours of a male clerical assistant shall be from 8.30 a.m. to 5 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.

Reg. 145
amended by
G.G. 12/11/68,
p. 3342.

145. Subject to this Part, the salaries and remuneration of teachers and officers to whom this Part refers shall be as fixed under their respective headings by the Minister pursuant to the authority vested in him for classification of the teaching staff of the Department, and the fixing of the salaries and other remuneration to be paid to teachers and other officers.

PART VI.—DUTIES OF SUPERINTENDENTS.

Reg. 146
amended by
G.G. 29/8/63,
p. 2604;
G.G. 25/3/70;
p. 888.

146. (1) The duties and functions of a Superintendent include the following:—

- (a) To advise and assist teachers, and make themselves available when possible for consultation and discussion;
- (b) to evaluate the work of the school as an educational institution, and to indicate whether it is adequately meeting departmental requirements either as a whole or in particular fields of instruction; and
- (c) to report on the nature of the service of Departmental teachers as required by the Director-General.

(2) During any advisory visit a Superintendent may make such reports, either oral or written, as he deems necessary; but those reports are solely for the guidance and information of the teaching staff, and are not required to be forwarded to the Department.

Reg. 147
amended by
G.G. 25/3/70,
p. 888.

147. Every District Superintendent shall, if possible, pay at least two visits per year to each government school in his district.

Reg. 148
amended by
G.G. 16/12/65,
p. 4184;
G.G. 25/3/70,
p. 888.

148. (1) A report by a Superintendent shall be made annually on each government primary and secondary school.

(2) On completing the evaluation of a school, the Superintendent shall make out a report on the work of the school as a whole and as many of the individual classes as he considers necessary.

(3) The School Report shall be handed to the headmaster who shall forward it to the Department after he has ensured that an accurate copy has been made and is retained in the school.

(4) A teacher who wishes to appeal against the whole or any part of the report shall do so within seven days of its receipt.

(5) When a Superintendent considers it necessary to make an individual report as to a teacher, a copy of the report shall be handed to the teacher concerned and be retained by him.

Reg. 149
amended by
G.G. 25/3/70,
p. 888.

149. (1) In the course of making a report a Superintendent shall be free to employ whatever procedures he deems necessary to enable him to form an accurate estimate of the effectiveness of the teaching and to evaluate the work of the school in the broadest possible terms.

(2) A Superintendent should devote a considerable part of his visits to observing the conduct of the ordinary work of the school in order that he might become acquainted with its government and organisation and with the character of the training and instruction, and with a view to conducting whatever tests he considers necessary to assist him in making a fair evaluation.

(3) He should take into consideration the methods of government in the school and the training of the children in social co-operation and citizenship, and should also consider the condition of buildings, furniture and grounds and the part taken by the children in caring for them.

(4) He should take an interest in all institutions and agencies of an educational character connected with the school, such as the school library, savings bank, museum, gardens, clubs and sport, etc.

150. A Superintendent should confer with the headmaster and other members of the staff upon points that arise during his visit and each staff member should be given the opportunity to discuss with the Superintendent any professional or personal problems he may have.

Reg. 150 substituted by G.G. 25/3/70, p. 888.

151. Any teacher who has reason to complain of the manner in which a visit has been conducted by a Superintendent shall report the circumstances to the Department within forty-eight hours of the conclusion thereof.

Reg. 151 amended by G.G. 25/3/70, p. 888.

152. The Minister may from time to time appoint any person temporarily to perform the duties of a Superintendent at such remuneration as he may deem fit, and the person so appointed shall have all the powers of a Superintendent under these regulations.

Part VIA. [*Heading Deleted by G.G. 25/3/70, p. 888.*]

153. [*Revoked by G.G. 25/3/70, p. 888.*]

154. [*Revoked by G.G. 25/3/70, p. 888.*]

155. [*Revoked by G.G. 25/3/70, p. 888.*]

156. [*Revoked by G.G. 29/8/63, p. 2605.*]

157. [*Revoked by G.G. 16/6/64, p. 2431.*]

158. [*Revoked by G.G. 25/3/70, p. 888.*]

158A. [*Added by G. G. 29/8/63, p. 2605; Revoked by G.G. 25/3/70, p. 888.*]

PART VII.—PRIMARY SCHOOLS.

Division 1.—Establishment.

159. (1) Subject to subregulation (2) of this regulation, a full-time government primary school may be established in any locality where in the opinion of the Minister—

- (a) the permanence of settlement is sufficiently assured and there is a reasonable prospect of a continued average attendance of not less than ten children between the ages of six years and fourteen years; or
- (b) there is a reasonable prospect of an average attendance of eight children, a suitable school room is available, and there is no other government school within three miles of the locality; or
- (c) there is a reasonable prospect of an average attendance of eight children within twelve months, the school is in a remote area where settlement is in progress, and a suitable school room is made available by the parents.

(2) A primary school shall not be established in a locality referred to in paragraph (a) of subregulation (1) of this regulation, which locality is within three miles of an existing government primary school, if the average attendance of the proposed school is likely to be less than twenty pupils.

(3) (a) Where a school is established pursuant to paragraph (a) of subregulation (1) of this regulation, the Department shall provide the necessary buildings, furniture and equipment for that school.

(b) Where a school is established pursuant to paragraph (b) or paragraph (c) of subregulation (1) of this regulation, the Department shall provide the necessary furniture and equipment for that school.

(4) A primary school established in a locality referred to in paragraph (b) or paragraph (c) of subregulation (1) of this regulation—

- (a) shall have not less than 12 square feet of floor space for each pupil, a boarded floor, a fireplace and adequate lighting and ventilation;
- (b) shall be equipped with satisfactory sanitary arrangements and a suitable and adequate supply of drinking water; and
- (c) shall provide suitable accommodation for the teacher at a rental approved by the Department.

Reg. 160
substituted
by
G.G. 11/8/64,
p. 2896.

160. (1) A child who resides beyond the compulsory radius of a school may apply for admission to the Western Australian Correspondence School, and on such application may be admitted to that school without payment of a fee and be taught by correspondence as a full time student.

(2) A student, not being a child to whom subregulation (1) of this regulation applies, who is not in full time attendance at a school may apply for admission to the Western Australian Correspondence School for any course conducted by that school and on such application and upon payment of the prescribed fees may be enrolled in that school and be taught by correspondence.

(3) Every student enrolled in the Western Australian Correspondence School pursuant to subregulation (2) of this regulation shall pay fees in accordance with the scales set out in Schedule 5 to these regulations, and the full annual fee shall be paid in one payment upon enrolment.

(4) Notwithstanding the provisions of this regulation the Minister may, upon application made to him in any case, permit payment of the annual fee by such instalments and at such times as he may determine, and may in any case where in his opinion it is inequitable to require payment of the prescribed fees, waive payment of the whole or any part of those fees.

Reg. 161
amended by
G.G. 29/6/61
p. 2065.

161. The Director-General shall cause to be published in the *Gazette* notification of the establishment of every primary school established in accordance with this division.

Division 2.—Classification.

Reg. 162
substituted
by
G.G. 31/8/61,
p. 2591.

162. (1) Subject to the provisions of regulation 163 of these regulations and of subregulation (3) of this regulation, full-time primary schools are classified as follows:—

Class IA, being schools having an average attendance of over 600 pupils;

Class I, being schools having an average attendance of over 300 but not over 600 pupils;

Class II, being schools having an average attendance of over 120 but not over 300 pupils;

Class III, being schools having an average attendance of over 30 but not over 120 pupils;

Class IV, being schools having an average attendance of 30 or less than 30 pupils.

(2) A school may be declared a "special school"—

- (a) if it is a junior high school; or
- (b) if in the opinion of the Director-General, it carries other additional responsibilities.

(3) The classification of a special school, other than a junior high school, shall be determined by the Director-General in accordance with the particular circumstances of the school.

163. (1) The classification of a school shall be reviewed once every two years and the school may be raised to a higher, or reduced to a lower, class upon the figures for the year if the Director-General is satisfied that the alteration is likely to be permanent.

Reg. 163
amended by
G.G. 29/6/61,
p. 2065.

(2) An alteration of classification of a school may be made at any time other than that referred to in subregulation (1) of this regulation if the Director-General considers that special circumstances render the alteration necessary or advisable.

164. If a school does not maintain an average attendance of eight pupils, the Minister may, if he thinks fit, cause it to be closed.

165. (1) A Class I or Class II primary school which has an average daily attendance of over 150 pupils and which has an average attendance of over 25 pupils in the first, second and third years of secondary courses may be declared a junior high school if the Director-General thinks fit.

Reg. 165
amended by
G.G. 29/6/61,
p. 2065;
G.G. 31/8/61,
p. 2591;
G.G. 15/2/62,
p. 475.

(2) The Director-General may declare a school which has a residential wing for agricultural education to be an agricultural junior high school.

(3) Regulations applying to primary schools are applicable to junior high schools, but the appointment for the purpose of teaching secondary subjects of senior masters, senior mistresses, masters and mistresses may be made in accordance with regulations applying to secondary schools.

Division 3.—Age of Admission to Primary Schools.

166. (1) At the beginning of each school year any child who will attain the age of six years on or before the thirty-first day of December of that year may be admitted to a primary school, but a child who has attained the age of six years may be admitted at any time.

(2) Where the enrolment in a primary school does not exceed 10 pupils and the school is likely to close because of an insufficient number of pupils, a child who has attained the age of four years may be admitted to the school.

Division 4.—Staffing.

167. (1) Teaching staff shall be assigned to primary schools on the following basis:—

- (a) (i) In each primary school not being a junior high school or a junior primary school—one headmaster or headmistress;
- (ii) In each junior primary school—one headmistress;
- (iii) In each agricultural junior high school—one principal;
- (iv) In each junior high school—one headmaster.
- (b) (i) In each Class I, and Class IA primary school not being an infants' school or an agricultural junior high school—one deputy headmaster and one first mistress;
- (ii) In each Class I infants' and Class IA infants school—one deputy headmistress;
- (iii) In each agricultural junior high school—one deputy principal and one first mistress; and
- (c) Such masters or mistresses, as occasion requires, appointed in accordance with the Act and these regulations.

Reg. 167
amended by
G.G. 29/6/61,
p. 2065;
G.G. 31/8/61,
p. 2591;
G.G. 14/6/67,
p. 1604-5.

(2) In addition to the headmaster, teachers shall be assigned to a primary school unless the Director-General orders otherwise on the basis of one teacher for the first 30 children in average daily attendance and thereafter one additional teacher for each 45 children in average daily attendance; except that in classes above Grade 7 the basis shall be one teacher for every 40 pupils in average daily attendance.

(3) The headmaster of a school to which eight or more than eight teachers are appointed is not to be responsible for a class.

(4) (a) Subject to paragraphs (b) and (c) of this subregulation, the deputy headmaster or first mistress who has, as between them, the longer period of continuous service in the Department shall, when the occasion arises, act as relieving headmaster or headmistress.

(b) A teacher whose permanent appointment as deputy headmaster of a Class I primary school occurred on or before the 1st January, 1966, shall, when the occasion arises, act as relieving headmaster of a Class I primary school, and shall, when the occasion arises, act as relieving headmaster of a Class IA primary school if he obtains a permanent appointment as deputy headmaster of a Class IA primary school on or before the 1st January, 1972.

(c) A teacher whose permanent appointment as deputy headmaster of a Class IA primary school occurred on or before the 1st January, 1966, shall, when the occasion arises, act as relieving headmaster of a Class IA primary school.

Reg. 168
amended by
G.G. 15/2/62,
p.475.

168. (1) (a) Where there is no female teacher in a primary school available to teach sewing, a sewing mistress may be appointed.

(b) The appointment of a sewing mistress in accordance with paragraph (a) of this subregulation lapses on the appointment to the school of a female teacher who is competent to teach sewing.

(c) The wife of the headmaster of a primary school may be appointed as a sewing mistress in her husband's school.

(2) (a) A sewing mistress in a primary school is not to be employed for longer than three hours each week.

(b) A sewing mistress so employed is entitled to be paid a salary or remuneration only for the weeks during which she teaches, but is not entitled to any salary or remuneration during school vacations.

(c) A district allowance is not payable to a sewing mistress in a primary school, nor is her salary subject to variation.

Reg. 169
amended by
G.G. 31/8/61,
p. 2591;
G.G. 28/3/62,
p. 816;
G.G. 4/10/62,
pp. 3280-1;
G.G. 3/12/63,
p. 3719;
G.G. 14/6/67,
p. 1605.

169. (1) A teacher is not eligible for appointment as headmaster of—

(a) a Class IV school, unless he holds a Teachers' Certificate (Conditional) or a higher certificate;

(b) a Class III school, unless he holds a Teachers' Certificate or a higher certificate;

(c) a Class II school, unless he holds a Teachers' Higher Certificate, or a Teachers' Higher Certificate (Conditional);

(d) a Class I school, unless he holds a Teachers' Higher Certificate;

(e) a Class IA school, a Class I special school or a Class II special school, unless he holds a Teachers' Higher Certificate;

(f) a Class II Junior High School, unless in addition to the qualifications specified in paragraph (e) of this regulation he has either—

(i) obtained a University Degree or its equivalent; or

(ii) passed in mathematics and a physical science at the Leaving Certificate Examination of the Public Examinations Board of the University of Western Australia, or their equivalents approved by the Director-General;

(g) a Class I Junior High School, unless in addition to the qualifications specified in paragraph (e) of this regulation he has a University Degree or its equivalent or in the case of a teacher who on the 31st day of May, 1962, was the deputy principal of a secondary school, a University Degree or a Teachers' Higher Certificate.

(2) A female teacher shall not be appointed as headmistress of a Class I or Class II junior high school.

170. A teacher is not eligible for appointment as deputy headmaster or deputy principal, deputy headmistress or first mistress of a Class IA school, a Class I school or a Class 1 special school unless the teacher holds the Teachers' Certificate or a higher certificate, and whose service is satisfactory.

Reg. 170
amended by
G.G. 31/8/61,
p. 2591;
G.G. 28/3/62,
p. 816;
G.G. 25/3/70,
p. 888.

Division 5.—Hours of Instruction and Vacations.

171. (1) Primary schools shall in each year break up for the first term vacation on the second Friday in the month of May, for the second term vacation on the fourth Friday in the month of August, and for the summer vacation on the third Friday in the month of December.

Reg. 171
substituted
by
G.G. 12/5/65,
p. 1483;
amended by
G.G. 30/12/66,
p. 3468;
G.G. 21/5/68,
p. 1432.

(2) The vacations for primary schools shall consist of seven weeks as summer vacation, two weeks at the end of the first term and two weeks at the end of the second term.

(3) Notwithstanding subregulation (2) of this regulation, primary schools in the North West and Kimberley areas shall have eight weeks as a summer vacation, one week at the end of the first term and two weeks at the end of the second term unless those vacations are varied with the consent of the Director-General.

172. (1) Holidays allowed, other than vacations specified in regulation 171 of these regulations, shall be Good Friday, Easter Monday, Anzac Day (25th April), Labour Day (the first Monday in March), Foundation Day (the first Monday in June) and the Queen's Birthday (on the day proclaimed for the observance thereof).

Reg. 172
amended by
G.G. 29/6/61,
p. 2072;
G.G. 15/7/70,
p. 2114.

(2) (a) Special holidays not exceeding two days in any one year may be granted by the Director-General in respect of Agricultural Shows or important local functions held within the district where a school is situated, if it is likely that the show or function will be attended by a majority of the pupils of the school and in this connection schools within the South West Land Division may use one of the special holidays for the Perth Royal Show.

(b) Headmasters shall apply for a special holiday at least one month in advance by completing in duplicate the prescribed form and forwarding one copy to the Department and the other copy to the District Superintendent.

(c) Applications shall not be made for special holidays to suit the convenience of teachers, or for days which immediately precede or follow school vacations.

173. The Minister may by order change the dates fixed for any vacation.

174. In primary schools instruction shall be given for a total period of five hours and twenty-five minutes each day (inclusive of recess periods), and unless a variation is authorised by the Director-General, the instruction shall be given for three hours each morning and two hours and twenty-five minutes each afternoon.

Reg. 174
amended by
G.G. 29/6/61,
p. 2065.

175. (1) For children in Grade 1 the sessions shall be broken by recess periods not exceeding thirty minutes in the morning and not exceeding fifteen minutes in the afternoon.

(2) For primary classes other than Grade 1 the sessions shall be broken by a recess period of ten minutes in the morning and five minutes in the afternoon.

(3) Lunch time shall be at least one hour in duration but where special circumstances make it necessary, the lunch time shall be as the District Superintendent approves.

(4) The actual time for commencing and finishing instruction shall be determined by the headmaster and submitted to the District Superintendent for approval.

(5) Rolls shall be called, marked and closed thirty minutes after the beginning of the morning sessions, and fifteen minutes after the beginning of the afternoon session.

Division 6.—Instruction, Examination and Promotion of Pupils.

176. A teacher may give a child home lessons which would occupy a reasonable period of time each week, but formal written home lessons shall not be given to any child who is in Grade 1, 2, 3, 4 or 5 of a primary school.

177. (1) A teacher shall divide the programme of work prescribed for each grade into monthly assignments which shall be shown in the programme forms supplied by the Department.

(2) Each programme shall be kept in the classroom and be signed both by the headmaster and the class teacher.

178. (1) Subject to subregulation (2) of this regulation, half-yearly examinations shall be held by the headmaster of a school at the end of June and at the close of the school year in order to test the progress in each subject of each grade and of each pupil, and the results of and comments upon the examinations shall be entered in the teacher's half-yearly examination book.

(2) A headmaster who wishes to use some other form of examination may do so after first obtaining the approval of the District Superintendent.

179. (1) The headmaster of a school is responsible for the promotion and classification of the pupils in his school, and may promote a pupil at any time during the school year, and may classify pupils in different grades for different subjects.

(2) As a rule a child shall be expected to advance one grade each year.

PART VIII.—SECONDARY SCHOOLS.

Division 1.—Establishment and Classification.

Reg. 180
amended by
G.G. 29/6/61,
p. 2065;
G.G. 18/3/65,
p. 845.

180. (1) The Minister may establish a secondary school in any locality where there is a reasonable prospect of an average attendance of not less than 150 children in secondary classes years one, two and three.

(2) A school may be declared a "special school" if, in the opinion of the Director-General, it carries special additional responsibilities.

(3) [Deleted by G.G. 18/3/65, p. 845.]

181. [Revoked by G.G. 18/3/65, p. 845.]

Division 2.—Admission of Children.

Reg. 182
amended by
G.G. 29/6/61,
p. 2065;
G.G. 15/2/62,
p. 475.

182. A child who has completed Grade 7 in a primary school may be admitted to any government secondary school, except in those districts where boundaries have been defined by the Director-General, in which cases admission shall be granted only to children who live within the defined boundaries.

Reg. 183
amended by
G.G. 29/6/61,
p. 2065.

183. A child who has passed the University Junior Examination may be admitted to any senior high school in order to complete his full secondary school course, except in those districts where boundaries have been defined by the Director-General, in which cases admission shall be granted only to children who live within the defined boundaries.

Reg. 183A
added by
G.G. 25/3/70,
p. 889.

183A. (1) Students who remain at school beyond the leaving age shall attend school regularly and conform to the school's rules including those dealing with discipline.

(2) (a) Students between the leaving age and seventeen years of age on the 1st January may enrol in a secondary school;

(b) no student whose age is more than seventeen years on the 1st January may enrol in a secondary school unless the Director-General, at his sole discretion, approves; and

(c) all students who enrol at a secondary school in accordance with paragraphs (a) and (b) of this subregulation shall attend regularly and conform to the school's rules including those dealing with discipline.

(3) Students who are enrolled at a school in accordance with subregulations (1) and (2) of this regulation and who do not attend regularly or conform to the school's rules may be suspended by the principal in accordance with regulation 35 of these regulations.

Division 3.—Staffing.

184. Teaching staff in addition to the principal shall be assigned to secondary schools on the following basis:—

Reg. 184
amended by
G.G. 31/8/61,
p. 2592.

(a) In each co-educational school—one deputy principal and principal mistress.

(b) In each boys' or girls' school—one deputy principal.

(c) Such senior masters, senior mistresses, masters and mistresses as occasion requires, appointed in accordance with the Act and these regulations.

185.* (1) (a) Subject to subregulation (2) of this regulation, an applicant for the position of deputy principal, principal mistress, or principal of a secondary school, is required to have as minimum qualifications—

Reg. 185
amended by
G.G. 31/8/61,
p. 2592;
G.G. 4/10/62,
p. 3281;
G.G. 18/3/65,
p. 845;
G.G. 31/5/66,
p. 1424;
G.G. 12/11/68,
p. 3342;
G.G. 6/2/69,
p. 497;
G.G. 25/3/70,
p. 889;
G.G. 2/7/70,
p. 1888-9.

(i) a Teachers' Higher Certificate and a University Degree; or

(ii) a Teachers' Higher Certificate and an Associateship of the Perth Technical College, or its equivalent.

(b) In addition to the qualifications specified in paragraph (a) of this subregulation, appointees to the position of principal of a secondary school shall be required to have the following satisfactory service:—

(i) Seven years as a deputy principal of a secondary school of which at least three were spent in a school of over 600 students;

(ii) two years as the headmaster of a Class I Junior High School, except that a teacher who after such service is appointed as headmaster of Class I or Class IA primary school is not eligible to apply; or

(iii) two years as a senior lecturer in a teachers' college together with ten years' teaching experience at either or both the primary and secondary level.

(c) For appointment as principal of a secondary school, five years' service as a deputy principal of a secondary school of which at least two years were spent in a school of over 600 students and service as headmaster of a Class I Junior High School shall rate as equivalent in experience and status.

(2) Notwithstanding the provisions of paragraph (a) of subregulation (1) of this regulation, a principal, deputy principal, principal mistress of a secondary school, or a headmaster of a junior high school who holds a University Degree or the Teachers' Higher Certificate, is eligible to be appointed to other promotional positions.

(3) (a) An applicant for the position of senior master or senior mistress of a secondary school is required to have a University Degree or an Associateship of Technical Division, or its equivalent.

* Regulation 185 (3) (d) was amended by G.G. 22/10/70, p. 3258, but the amendment is not included in this reprint as it is still subject to disallowance by Parliament. The amendment reads as follows:—

Regulation 185 of the principal regulations is amended by deleting the words and figures "with 600 or less students" in lines four and five of paragraph (d).

(b) A teacher of art, home economics, manual arts, music or physical education who holds a diploma of the Technical Division in his teaching field, or its equivalent, is eligible to be appointed as a senior master or a senior mistress.

(c) For the purpose of paragraph (b) of this subregulation the following qualifications shall be accepted as equivalents:—

- (i) Diploma of Physical Education;
- (ii) L.Mus.A; and
- (iii) A.Mus.A, with the university unit of Musical Education I.

(d) *For the purpose of this subregulation a deputy headmaster and a first mistress of a junior high school shall be regarded as a senior master and a senior mistress respectively of a secondary school with 600 or less students.

Reg. 186
amended by
G.G. 29/6/61,
p. 2065.

186. A senior master or senior mistress of a school is responsible for the control and conduct of such of the activities of the school as are recommended from time to time by the Director of Secondary Education and approved by the Director-General.

Reg. 187
substituted
by
G.G. 11/8/64,
p. 2896-7.

187. (1) Senior masters and senior mistresses may be assigned to secondary schools as follows:—

If the school has in the first, second and third year classes an average attendance—

- (a) of less than 200 pupils, one may be assigned;
- (b) of not less than 200 but less than 400 pupils, two may be assigned;
- (c) of not less than 400 but less than 600 pupils, three may be assigned;
- (d) of not less than 600 but less than 800 pupils, four may be assigned;
- (e) of not less than 800 but less than 1,000 pupils, five may be assigned;
- (f) of not less than 1,000 but less than 1,200 pupils, six may be assigned;
- (g) of not less than 1,200 pupils, seven may be assigned.

(2) In addition to the senior masters and senior mistresses assigned under the provisions of subregulation (1) of this regulation, additional senior masters and senior mistresses may be assigned as follows:—

If the school has in the fourth and fifth year classes an average attendance—

- (a) of less than 50 pupils, one may be assigned;
- (b) of not less than 50 but less than 100 pupils, two may be assigned;
- (c) of not less than 100 but less than 150 pupils, three may be assigned;
- (d) of not less than 150 but less than 200 pupils, four may be assigned;
- (e) of not less than 200 pupils, five may be assigned.

(3) Notwithstanding the provisions of subregulations (1) and (2) of this regulation—

- (a) one senior master, who shall take up full-time residence in the residential wing and assist in the organisation and management of that wing, may be assigned to a school that has a residential agricultural wing; and

* See footnote on previous page.

- (b) the Director-General may, in such special circumstances as he thinks fit, appoint additional senior masters and senior mistresses to secondary schools.

188. Senior masters, senior mistresses, masters and mistresses may be temporarily appointed by the Department to undertake special administrative duties determined by the Director-General.

Reg. 188 substituted by G.G. 31/8/61, p. 2592.

189. [*Revoked by G.G. 12/10/67, p. 2877.*]

190. A teacher of manual arts in an agricultural high school shall, if required by the principal, work during hours other than the normal hours of a school, but—

Reg. 190 amended by G.G. 12/11/68, p. 3342.

- (a) the total hours of duty for a week shall not exceed the total hours of normal duty; and
- (b) for the purpose of calculating the hours of duty of such a teacher, one hour of duty after 5.30 p.m. shall be counted as one and one-half hours' normal duty.

191. [*Revoked by G.G. 4/10/62, p. 3281.*]

Division 4.—Hours of Instruction and Vacations.

192. (1) Instruction in secondary schools shall be given for a period of not less than five hours twenty minutes each day exclusive of recess periods.

Reg. 192 amended by G.G. 29/6/61, p. 2065.

(2) Daily routine and time table for such schools shall be such as are approved by the Director of Secondary Education.

193. (1) Secondary schools shall in each year break up for the first term vacation on the second Friday in the month of May, for the second term vacation on the fourth Friday in the month of August, and for the summer vacation on the third Friday in the month of December.

Reg. 193 substituted by G.G. 12/5/65, p. 1483. Amended by G.G. 19/8/65, p. 2365; G.G. 30/12/66, p. 3468; G.G. 21/5/68, p. 1432; G.G. 15/7/70, p. 2114.

(2) The vacations for secondary schools shall consist of seven weeks as summer vacation, two weeks at the end of the first term and two weeks at the end of the second term.

(3) Notwithstanding subregulation (2) of this regulation, secondary schools in the North West and Kimberley areas shall have eight weeks as a summer vacation, one week at the end of the first term and two weeks at the end of the second term unless those vacations are varied with the consent of the Director-General.

(4) Holidays allowed, other than vacations specified in subregulation (2) of this regulation shall be Good Friday, Easter Monday, Anzac Day (25th April), Labour Day (the first Monday in March), Foundation Day (the first Monday in June), and the Queen's Birthday (on the day proclaimed for the observance thereof).

(5) The Minister may by order change the dates fixed for any vacation.

(6) (a) Special holidays not exceeding two days in any one year may be granted by the Director-General in respect of Agricultural Shows or important local functions held within the district where a school is situated, if it is likely that the show or function will be attended by a majority of the pupils of the school and in this connection schools within the South West Land Division may use one of the special holidays for the Perth Royal Show.

(b) Principals shall apply for a special holiday at least one month in advance by completing in duplicate the prescribed form and forwarding one copy to the Department and the other copy to the District Superintendent.

(c) Applications shall not be made for special holidays to suit the convenience of teachers, or for days which immediately precede or follow school vacations.

PART IX.—TEACHERS' COLLEGES.

Division 1.—Teacher Training Advisory Council.

Reg. 194
amended by
G.G. 29/6/61,
p. 2065;
G.G. 16/6/64,
p. 2431;
G.G. 14/6/67,
p. 1605.

194. (1) A council to be known as the Teacher Training Advisory Council is constituted consisting of the Director-General, the Professor of Education at the University of Western Australia, the Director of Teacher Education, a Superintendent nominated by the Director-General, and a representative of the Teachers' Union nominated by that Union, and other departmental officers to be co-opted by the council as occasion requires.

(2) The function of the Council is to advise the Minister on matters relating to the organisation of teacher training.

Heading
amended by
G.G. 30/3/66,
p. 830.

Division 2.—Education Department Students.

Reg. 195
amended by
G.G. 16/12/65,
p. 4185.

195. (1) Applications for courses of training at a teachers' college shall be invited from time to time and selection of students for those courses shall be made by a Teacher Training Selection Board constituted and appointed pursuant to the provisions of regulation 204 of these regulations.

(2) Before being admitted to a teachers' college a selected student shall forward to the Director-General a certificate of health furnished by a Government Medical Officer.

Reg. 196
amended by
G.G. 15/2/61,
p. 446;
G.G. 31/8/61,
p. 2592;
G.G. 16/6/64,
p. 2431;
G.G. 12/5/65,
p. 1483;
G.G. 30/3/66,
p. 829;
G.G. 31/5/66,
p. 1424;
G.G. 14/6/67,
p. 1605;
G.G. 12/10/67,
p. 2877;
G.G. 21/5/68,
p. 1432;
G.G. 12/11/68,
p. 3342;
G.G. 6/2/69,
p. 487;
G.G. 17/4/70;
p. 1135;
G.G. 21/8/70;
p. 2657.

196. (1) Allowances to students at a teachers' college are payable in accordance with the appropriate scales as are respectively determined by the Minister pursuant to the authority vested in him under the Act.

(2) (a) For the purpose of these regulations a student at a teachers' college shall be deemed to be living at home if the home of the student's parents is so situated that, having regard to all relevant circumstances, including the availability of public transport and the distance of the home from the college, the student could reasonably be expected to travel daily between his home and the college.

(b) Notwithstanding the provisions of paragraph (a) of this subregulation, if special circumstances exist which, in the opinion of the Minister, make it desirable for a student to live away from home, the Minister may approve of the living away from home allowance being paid to the student.

(3) [*Revoked by G.G. 21/8/70, p. 2657.*]

(4) [*Revoked by G.G. 6/2/69, p. 487.*]

(5) [*Revoked by G.G. 17/4/70 p. 1135.*]

(6) [*Revoked by G.G. 21/8/70 p. 2657.*]

Reg. 197
amended by
G.G. 29/6/61,
p. 2065.

197. (1) Subject to subregulation (2) of this regulation, the provisions of regulations 115 and 116 of these regulations apply in respect of leave for students of a teachers' college.

(2) A student who absents himself from a teachers' college is liable to have any allowance payable to him under these regulations reduced in proportion to the period of his absence, unless the Director-General orders otherwise in which case his allowance is to be paid according to the tenor of the order.

Reg. 198
amended by
G.G. 29/6/61,
pp. 2065,
2073;
G.G. 16/6/64,
p. 2431;
G.G. 30/12/66,
p. 3468;
G.G. 14/6/67,
p. 1605;
G.G. 12/10/67,
p. 2877.

198. (1) Where he is of opinion that the circumstances of the case so warrant, the Minister may, on the recommendation of the Director-General, terminate the course of training of a student at a teachers' college.

(2) If the progress or conduct of a student at a teachers' college is, in the opinion of the Director of Teacher Education unsatisfactory, the Director may, subject to the provisions of regulation 199 of these regulations, recommend to the Director-General that the course of that student at the college be terminated.

(3) A student whose course has been terminated under this regulation may appeal to the Government School Teachers' Tribunal under the right of appeal conferred by section 37AF of the Act.

(4) [Revoked by G.G. 12/10/67, p. 2877.]

199. (1) (a) In this regulation "Board" means the "Teachers' College Course Termination Board" established and constituted pursuant to this regulation.

Reg. 199
amended by
G.G. 29/6/61,
p. 2065;
G.G. 16/6/64,
p. 2431;
G.G. 16/12/65
p. 4185;
G.G. 14/6/67,
p. 1605;
G.G. 23/4/69,
p. 1301.

(b) There shall be established for the purposes of this regulation a Board to be called the "Teachers' College Course Termination Board" which shall consist of—

- (i) the Director of Teacher Education who shall be Chairman;
- (ii) the Principal of the College attended by the student against whom a complaint is made pursuant to paragraph (c) of this subregulation;
- (iii) the Vice Principal of that College;
- (iv) the Women's Warden of that College; and
- (v) the Lecturer in charge of Practice at that College;

or any person nominated in writing by a member to be a deputy for that member.

(c) Where after consultation with the members of his staff the Principal of the College considers that because of idleness, disobedience, non-attendance, irregular or unpunctual attendance, unsuitability or lack of interest in his work on the part of a student, the course of training at the College of that student should be terminated, the Principal shall make a complaint as to the conduct of the student to the Board by notice in writing to the Chairman.

(d) Upon receiving a complaint as in paragraph (c) of this subregulation mentioned, the Chairman shall within twenty-one days of such receipt convene a meeting of the Board, and of such meeting give to the student whose conduct is the subject of the complaint, and to the guarantor of the student, seven days' notice in writing together with a written statement of the grounds of the complaint and notice of the liability to termination of the student's course of training.

(e) (i) At the hearing by the Board of the complaint, the student may if he so desires be present and may call witnesses and address the Board in his own behalf, but if the student elects not to be present the Board may nevertheless hear and determine the complaint in his absence.

(ii) Any member of the Board may at the hearing examine the student and cross-examine any witness called by him.

(f) The guarantor may be present at the hearing if he so desires, but shall not be permitted to take any active part thereat; but he may be called as a witness in which case he may be cross-examined by any members of the Board.

(g) The Board shall, in a book provided for that purpose, keep a true and faithful record of every meeting and the proceedings thereof and such record shall be signed by all the members of the Board present at the meeting.

(2) On the hearing of any complaint the Board may dismiss the complaint, or may make a recommendation that the course of training at the College of the student be terminated, but unless such recommendation be the unanimous decision of the members of the Board, the complaint shall be dismissed.

(3) A recommendation of the Board that the course of training at the College of a student be terminated shall be forwarded forthwith to the Director-General who, if he approves of the recommendation, shall submit the same to the Minister for his decision, but if the Director-General does not so approve, the recommendation shall lapse and be of no further effect.

(4) The decision of the Minister shall be notified in writing to the student and to his guarantor, and when that decision is that the student's course of training at the College be terminated, the reasons for such termination shall also be so notified.

Reg. 200
amended by
G.G. 28/3/62,
p. 816;
G.G. 23/7/62,
p. 1862;
G.G. 30/12/66,
p. 3468;
G.G. 21/8/70,
p. 2657.

200. (1) A student accepted for a course of training at a Teachers' College shall, before commencing the course, undertake by agreement with the Minister, that he will, on completion of that course of training, serve in one or more schools for a period to be determined in accordance with the provisions of subregulation (1a) of this regulation.

(1a) A student shall be required to serve—

- (a) for a period equal to the number of years spent in training under the agreement, where the student spends three years or more in training, with student allowances, at a Teachers' College; or
- (b) for a period equal to the number of years spent in training under the agreement plus one additional year, where the student spends less than three years in training, with student allowances, at a Teachers' College; or
- (c) for a period equal to one and one-half times the number of years spent in training with student allowances if the student, being a female, marries before the completion of her course of training but continues and completes that course without allowances, provided that the period of service shall not exceed three years.

(2) The agreement referred to in subregulation (1) of this regulation shall contain a guarantee to which the student and a person approved by the Minister are parties and shall in the case of a male student be in the Form No. 1A in Schedule 1 to these regulations and in the case of a female student be in the Form No. 2A in that Schedule, or where the course of training of the student will commence on or after the first day of January, 1971, shall in the case of a male student be in the Form No. 1 in that Schedule and in the case of a female student, in the Form No. 2 in that Schedule.

201. (1) The classification as a teacher of a person who completes a course of training at a Teachers' College shall be determined in relation to—

- (a) the record of his class work and college examinations;
- (b) the record of his teaching practice; and
- (c) his University qualifications, if any.

(2) The classification is provisional in the first instance and is not to be confirmed until the person obtains the requisite efficiency mark and is entitled to permanent classification in accordance with regulation 62 of these regulations.

(3) A person who satisfactorily completes a course of training at a Teachers' College becomes eligible for a provisional certification of the Teacher's Certificate, and on appointment as a teacher is entitled to be paid the appropriate grade of salary as fixed by the Minister pursuant to the authority vested in him for fixing the salaries and other remuneration of teachers.

202. A student selected for a course of training at and entering a teachers' college is subject to the college regulations as set out in the annual Teachers' College Calendar and in circulated amendments to the Calendar issued from time to time from the Department.

Division 2a.—Private Students.

Reg. 202A
added by
G.G. 30/3/66,
p. 830.

202A. (1) Students other than those referred to in Regulation 200 of these regulations, may be admitted to a teachers' college and, unless the Minister determines otherwise, shall be required to pay a tuition fee.

(2) (a) The tuition fee referred to in subregulation (1) of this regulation shall be four hundred dollars (\$400) per annum for all private students accepted for a course of training on or after the first day of January, 1966.

(b) The tuition fee for students accepted for a course of training prior to the first day of January, 1966, shall be one hundred and sixty dollars (\$160) per annum.

(3) Private students shall pay such fees as may be determined by the Director-General for membership of clubs and societies associated with the teachers' colleges.

(4) Private students are subject to the provisions of regulation 199, subregulation (1) of regulation 201, and regulation 202 of these regulations.

(5) Notwithstanding subregulation (2) of this regulation, the Minister may reduce or waive the fee for a private student in special circumstances of which he shall be the sole judge.

Division 3.—Teacher Training Bursaries.

203. (1) Bursaries (not exceeding 350 in number), each of an annual value of \$160 and tenable for two years at government secondary schools or approved secondary schools, shall be allotted each year to students intending to become teachers.

Reg. 203
amended by
G.G. 30/3/66,
p. 829.

(2) The bursaries are open to candidates who are domiciled in Western Australia.

204. (1) (a) Selection for a bursary shall be made by the Teacher Training Selection Board the members of which shall be appointed by the Director-General and shall comprise the Director of Teacher Education, the Director of Special Services, and a representative of the State School Teachers' Union of W.A. Incorporated nominated by that Union.

Reg. 204
amended by
G.G. 15/2/61,
p. 446;
G.G. 29/6/61,
p. 2065;
G.G. 16/6/64,
p. 2432;
G.G. 14/6/67,
p. 1605.

(b) Deputies may be appointed by the Director-General for members of the Board when necessary.

(2) In selecting candidates the Board shall consider the following:—

- (a) Personal interview;
- (b) Results in the Junior Certificate Examination of the University of Western Australia or its equivalent;
- (c) Performance in any other test approved by the Department.

(3) The minimum requirement for the award of a bursary is a Junior Certificate or its equivalent, a pass in English being essential.

(4) Each candidate for a bursary shall forward on the prescribed form, to the Director-General of Education, Education Department, Perth, not later than the thirtieth day of September in each year, the information asked for therein, together with two certificates of character.

(5) Before entering on a bursary a selected candidate shall forward a certificate of health furnished by a Government Medical Officer.

(6) The bursar and his parent shall be required to submit an undertaking that the bursar will complete the required courses in Secondary Education and Teacher Training.

(7) The bursar shall attend a government secondary school or an approved secondary school for two years before sitting for the Leaving Certificate Examination.

(8) The courses selected by a bursar in his preparation for the Leaving Certificate Examination shall be approved by the Director-General, who reserves the right to direct a bursar to take a course in any subject.

(9) [Deleted by G.G. 16/6/64, p. 2432.]

(10) Payment on account of a bursary shall be made at the end of each term and the continuance of the bursary, including the payments, is contingent on the receipt of satisfactory reports on the bursar's work from the principal of the school he is attending.

Division 4.—Staffing.

Reg. 205 substituted by G.G. 31/8/61, p. 2592; amended by G.G. 9/12/64, p. 3934; G.G. 21/5/68, p. 1432; G.G. 2/7/70, p. 1889; G.G. 21/8/70, p. 2657.

205. (1) The teaching staff of the Teacher Education Division may comprise principals, vice principals, wardens of women students, senior lecturers, lecturers, and such other officers as the Director-General may approve, and is hereby authorised to approve.

(2) (a) Senior lecturers without previous experience on a Teachers' College staff shall be appointed on the first occasion for a term of five years.

(b) Lecturers, Grade A shall be appointed on the first occasion for a term of five years.

(c) A senior lecturer with previous experience on a Teachers' College staff or a senior lecturer or lecturer, Grade A who is reappointed may be granted permanent status.

(3) [Deleted by G.G. 2/7/70, p. 1889.]

(4) Lecturers, Grade B, shall be appointed for four years and no teacher shall be appointed to a position of Lecturer, Grade B, at a teachers' college on more than two occasions.

[Reg. 205A added by G.G. 21/5/68, p. 1431. Revoked G.G. 2/7/70, p. 1889.]

PART X.—TECHNICAL INSTITUTIONS.

Division 1.—Establishment.

Reg. 206 substituted by G.G. 20/12/67, p. 3521.

206. The Minister may, on the recommendation of the Director-General, establish within the State such technical colleges, schools, centres and services as are, in the opinion of the Director-General, necessary for the technical education of persons.

[Original Reg. 207 revoked by G.G. 16/12/65, p. 4185.]

Reg. 207 added by G.G. 20/12/67, pp. 3521-2. Amended by G.G. 29/5/70, p. 1448.

207. (1) (a) The Director-General shall not make a recommendation for the establishment of a technical college under regulation 206 of these regulations unless he is of the opinion that there is a reasonable prospect of an average attendance at a college during a college year of more than 12,000 student hours per week being maintained.

(b) Notwithstanding the provisions of paragraph (a) of this sub-regulation, the Director-General may recommend the establishment of a technical college in a region where, in his opinion, special circumstances exist.

(2) (a) The Director-General shall not make a recommendation for the establishment of a technical school under regulation 206 of these regulations unless he is of the opinion that there is a reasonable prospect of an average attendance at a school during a school year of more than 3,000 student hours per week being maintained in day and evening classes combined.

(b) Technical schools shall be classified as follows:—

- (i) Grade 1 being technical schools in which in the opinion of the Director-General there is a reasonable prospect during a school year of an average attendance of more than 6,000 student hours per week being maintained in day and evening classes combined;

- (ii) Grade 2 being technical schools in which in the opinion of the Director-General there is a reasonable prospect during a school year of an average attendance of more than 3,000 but less than 6,000 student hours per week being maintained in day and evening classes combined.

(3) (a) The Director-General shall not make a recommendation for the establishment of a technical centre under regulation 206 of these regulations unless he is of the opinion that there is a reasonable prospect of classes being maintained according to the average weekly student hours as set out in paragraph (b) of this sub-regulation.

(b) Technical centres shall be classified as follows:—

- (i) *Class 1 Centre*—Over 3,000 average weekly student hours of instruction after 5 p.m.; or over 1,500 average weekly student hours of instruction but including 300 student hours of instruction before 5 p.m.;
- (ii) *Class 2 Centre*—1,500-3,000 average weekly student hours of instruction after 5 p.m.; or 750-1,500 average weekly student hours of instruction but including 200 student hours of instruction before 5 p.m.;
- (iii) *Class 3 Centre*—750-1,500 average weekly student hours of instruction after 5 p.m.; or 300-750 average weekly student hours of instruction but including 100 student hours of instruction before 5 p.m.;
- (iv) *Class 4 Centre*—300-750 average weekly student hours;
- (v) *Class 5 Centre*—100-300 average weekly student hours;
- (vi) *Class 6 Centre*—Up to 100 average weekly student hours.

(4) For the purpose of this regulation, the attendance for instruction at a technical college, school or centre of one student for one hour shall be regarded as representing one student hour.

(5) A technical service shall be classified as being equivalent to a technical college, school or centre as determined by the Director-General.

208. [*Revoked by G.G. 31/8/61, p. 2593.*]

209. (1) The subjects taught in the Technical Education Division of the Education Department shall be grouped as follows:—

Group IV.—First, second and third year secondary level subjects and subjects which, in the opinion of the Director-General, are equivalent to subjects of that level;

Group III.—Fourth and fifth year secondary level subjects and subjects which, in the opinion of the Director-General, are equivalent to subjects of that level;

Group II.—Early tertiary (post matriculation) level subjects and subjects which, in the opinion of the Director-General, are equivalent to subjects of that level;

Group I.—Advanced tertiary level subjects and subjects which, in the opinion of the Director-General, are equivalent to subjects of that level.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, subjects forming part of trade apprentice courses and taught by a senior trade instructor or trade instructor shall not be grouped.

[*Original Reg. 210 revoked by G.G. 16/12/65, p. 4185.*]

210. (1) The status of a technical college, school, centre or service shall be reviewed every two years and its class may be raised or reduced upon the figures for the preceding year if the Director-General is satisfied that the alteration is likely to be permanent.

Reg. 209 substituted by G.G. 31/8/61, p. 2593; amended by G.G. 16/12/65, p. 4185; G.G. 20/12/67, p. 3522; G.G. 11/10/68, p. 3093.

Reg. 210 added by G.G. 20/12/67, p. 3522.

(2) Alteration of the status of a technical college, school, centre or service at other periods may be made if the Director-General considers that special circumstances render it advisable.

211. [*Revoked by G.G. 20/12/67, p. 3523.*]

Reg. 212
substituted
by
G.G. 20/12/67,
p. 3523.

212. Where a technical centre is established, the Director-General may appoint a full-time officer or a part-time officer to be in charge of the centre.

Reg. 213
amended by
G.G. 30/3/66,
p. 831,
G.G. 20/12/67,
p. 3523.

213. Where the average weekly number of student hours in a particular centre during a school year exceeds the minimum number required for any classification above that in which the centre had been placed at the beginning of the year, the salary of the part-time officer in charge of that centre shall be adjusted at the end of the year to be in accordance with the salary provided for a part-time officer in charge of a centre classified in the class within which falls the average weekly number of student hours of the particular centre.

Division 2.—Admission and Fees.

Subdivision 1.—Admission.

Reg. 214
amended by
G.G. 29/6/61,
p. 2065;
G.G. 16/6/64,
p. 2432;
G.G. 18/3/65,
p. 845.

214. (1) An applicant who is resident either temporarily or permanently in Western Australia may be admitted to instruction in technical courses provided—

- (a) he is over the prescribed school leaving age; and
- (b) he has the educational and other qualifications for the course concerned as may be required by departmental instructions issued from time to time at the instance of the Director-General; and
- (c) (i) he is not in full-time attendance at any other educational institution; or
- (ii) he is in full-time attendance at an educational institution and has the written approval to enrol from the head of that institution if enrolling for class instruction, or from the Director of Technical Education if enrolling for correspondence instruction.

(2) Notwithstanding the provisions of paragraph (a) of sub-regulation (1) of this regulation, the Director-General may approve of the admission to technical classes of a student who has not attained the prescribed school leaving age.

Reg. 215
amended by
G.G. 16/6/64,
p. 2432.

215. An applicant may be admitted to correspondence instruction if he fulfils the requirements of regulation 214 of these regulations and—

- (a) is resident in Western Australia and unable to obtain tuition in existing technical classes because of distance from a technical school at which the desired course is available, lack of suitable transport to that school, sickness or infirmity, occupational disability, or any other reason approved by the Director of Technical Education; or
- (b) is resident outside Western Australia and there is no adequate provision for the relevant tuition in his own State or Territory.

216. An applicant who has not the educational requirements for entry to the desired course may be admitted provided that he takes such preliminary subjects as may be directed by the principal or officer in charge of the college, school, service or centre to which admission is sought.

217. A student may be refused admission—

- (a) if all classes in the subject in which he seeks instruction are already full;

- (b) if application is made after the first month of the school year; except that enrolment for correspondence instruction may be effected at any time of the year; or
- (c) if, in the opinion of the principal or officer in charge of the college, school, service or centre to which admission is sought, the student is not fitted for the work of the subject.

218. In the enrolment of students preference shall be given to those whose occupations indicate that the class work will be of particular value to them.

219. A student may be required to provide himself with such apparatus, equipment or materials as may be prescribed by the principal or officer in charge and approved by the Director of Technical Education.

Reg. 219
amended by
G.G. 12/10/67.
p. 2877.

220. (1) All correspondence lesson texts issued by the Technical Extension Service remain the property of the Education Department.

(2) Such lesson texts are supplied to students as required only for their course of studies, and shall be neither sold nor given away by any student.

(3) On demand the lesson texts shall be returned to the Service by the student at the termination of his enrolment.

(4) All reproduction rights of these courses either wholly or in part are reserved by the Department.

221. (1) Correspondence enrolment shall normally terminate at the end of the calendar year immediately following that in which the fee is paid, but extension of time for such enrolment may be granted because of illness or any other reason acceptable to the Principal of the Extension Service.

(2) The Principal of the Technical Extension Service may terminate the enrolment of any correspondence student on the grounds of inactivity or failure to profit by the instruction given, if he notifies the student in writing of his intention to do so and receives no reply within a period of thirty days thereafter giving satisfactory reasons for the student's inactivity or failure to profit by the instruction given.

(3) Any student may withdraw at any time from a course by notifying the Principal in writing of his intention so to do.

Subdivision 2.—Fees.

222. (1) (a) Unless these regulations provide otherwise, fees are payable in advance by students in accordance with the scales set out in Schedule 2 to these regulations and the full fee shall be paid in one payment except where on application made to him in any case the Minister determines otherwise.

Reg. 222
amended by
G.G. 15/2/61,
p. 446;
G.G. 7/2/63,
pp. 597-8;
G.G. 6/2/70,
p. 365.

(b) If a student does not intend to reside permanently in the Commonwealth of Australia after completion of the course of instruction for which he is an applicant for enrolment, the student must pay for that course, in addition to the tuition fees as set out in Schedule 2 to these regulations for students aged 21 years or over, an amount equivalent to fifty per centum of those tuition fees and, in the case of correspondence courses, such additional charges as the Minister may determine to cover postage and other administrative costs.

(2) Where, in these regulations, or in any departmental instruction, the age of a student is referred to with respect to the payment or liability for the payment of tuition fees for any class of technical instruction, the age so referred to means the age as on the first day of January in the year in which the enrolment of the student is made.

(3) [*Deleted by G.G. 7/2/63, p. 597.*]

Reg. 223
amended by
G.G. 29/6/61,
p. 2065;
G.G. 7/2/63,
p. 598;
G.G. 16/6/64,
p. 2432;
G.G. 14/6/67,
p. 1605;
G.G. 6/2/70,
p. 365.

223. (1) The following students are exempt from payment of all tuition fees:—

- (a) [*Deleted by G.G. 7/2/63, p. 598.*]
- (b) Returned servicemen pursuing such studies as have been approved by the Director of Technical Education;
- (c) Widows of servicemen whose deaths were war caused;
- (d) Children under the age of 21 years of ex-servicemen whose death or total incapacity has been accepted as war caused;
- (e) Persons in receipt of old age, invalid or widows pensions and the dependants of such persons;
- (f) Departmental teachers or trainee teachers pursuing courses under instructions from the Director-General or pursuing courses approved by the Director of Technical Education as being directly related to the teaching requirements of the Department;
- (g) Students enrolling for correspondence courses who are—
 - (i) inmates of State penal institutions; or
 - (ii) inmates of State controlled institutions and in necessitous circumstances.
- (h) Holders of Government Scholarships or bursaries in the Technical Education Division;
- (i) Students under the age of eighteen years undertaking an approved full time course of study in the Technical Education Division; and
- (j) Such other students or groups of students as the Minister may exempt after considering the circumstances of each case.

(2) For the purpose of this regulation "returned servicemen" or "ex-servicemen" means persons who served as members of the Naval, Military or Air Forces of any part of the Queen's realms and territories in time of war or as part of any overseas operational force and who have had at least six months' service and have been honourably discharged therefrom.

(3) The exemption granted to persons referred to in paragraph (b) of subregulation (1) of this regulation does not apply—

- (a) to any returned servicemen after the period of eight years from the date of his being so discharged from any of the armed forces; or
- (b) to a returned serviceman who is or has been entitled to benefits under any training scheme made available to returned servicemen under any Act of Parliament of the Commonwealth of Australia in respect of a particular period of service in the armed forces on account of which service he claims to be a returned serviceman for the purposes of the exemption.

(4) The exemption granted to persons referred to in paragraph (i) of subregulation (1) of this regulation does not apply to—

- (a) an apprentice registered with the Western Australian Industrial Commission; or
- (b) any student who does not intend to reside permanently in the Commonwealth of Australia after completion of the course of instruction for which he is an applicant for enrolment.

224. [*Revoked by G.G. 7/2/63, p. 598.*]

225. [*Revoked by G.G. 7/2/63, p. 598.*]

226. A person permitted to sit for an examination in a subject without attendance at classes, or to sit for a supplementary examination, shall pay the relevant examination fee.

227. A student eligible for entry to a class or classes without payment of fees (or without further payment of fees if currently enrolled in the division) shall be issued with an admission form as an authority for entry to classes, but in cases where fees are payable the student shall be issued with a numbered receipt form.

Division 3.—Hours of Instruction, Vacations, and Attendance.

228. (1) The teaching year shall normally consist of thirty-six weeks divided into terms of twelve weeks, thirteen weeks and eleven weeks respectively.

Reg. 228
substituted
by
G.G. 12/5/65,
p. 1483.
Amended by
G.G. 25/3/70,
p. 889.

(2) The term vacations shall consist of two weeks at the end of each of the first and second terms.

229. (1) The summer vacation for teachers in the Technical Division shall consist of eight weeks and the respective dates upon which vacations shall commence and terminate shall be as declared by the Minister who shall fix those dates at least three years in advance.

Reg. 229
substituted
by
G.G. 12/5/65,
p. 1484.

(2) Notwithstanding regulation 228 of these regulations, the Minister may reduce, extend or otherwise vary the vacation period for any college or school, where in his opinion the same is necessary either because of conditions peculiar to the industries served by the college or school or teaching department, or because of the nature of the training being given in that college or school or teaching department.

(3) Technical colleges and schools shall be closed on Public Service holidays.

230. (1) The weekly tour of duties for all full time members of the teaching staff shall be the equivalent of 30 hours at such times as required by the Director of Technical Education.

Reg. 230
amended by
G.G. 29/6/61,
p. 2065;
G.G. 16/6/64,
p. 2432.

(2) Each hour of class instruction which teachers are required to take as part of their normal duties and which falls after 5.30 p.m. on any day, or on Saturday morning, shall count as equivalent to one and one-half hours in the weekly total.

(3) (a) The allocation of duty hours for each teacher as between teaching and other duties shall be at the discretion of the Director of Technical Education within limits determined by the Director-General, with a maximum average of 24 duty hours per week over the year, but no additional part time payment shall be made on any excess above the allocated duty hours of a teacher up to half an hour per week.

(b) Part-time payments for periods in excess of the allocated duty hours of a teacher shall commence with the completion of the first half hour per week, and additional payments shall be in multiples of half an hour.

Division 4.—Examinations and Certificates.

231. (1) Subject to the approval of the principal or officer in charge an enrolled student may sit for the annual examinations of the Technical Division in the subjects for which he is enrolled, and may be required to make prior application on a prescribed form.

(2) A student may be required to have made 75 per cent. of the possible attendances for the year, or have completed 75 per cent. of the requirements of a correspondence course, in order to sit for the annual examinations concerned.

232. On the satisfactory completion of all lessons in a correspondence course and the passing of all tests set as part of that course, a student shall be issued with a Completion Certificate.

233. (1) A class certificate for the subject will be issued on application to the student who—

- (a) has made the prescribed attendances or completed the necessary correspondence lessons under subregulation (2) of regulation 231 of these regulations; and
- (b) has passed the prescribed annual examinations or has received an accredited pass on his year's work.

(2) No student shall be credited with a subject towards an Associateship, Diploma or Certificate within the division unless he has complied with requirements of paragraphs (a) and (b) of subregulation (1) of this regulation with respect to that subject, or has been granted an exemption from the subject on application.

234. A student is not entitled to be issued with an Associateship, Diploma or Certificate in respect of a course unless—

- (a) he has completed all the requirements for the course; and
- (b) he has made an application therefor on the prescribed form; and
- (c) he has paid the prescribed fee.

Division 5.—Day Classes for Registered Apprentices.

Reg. 235
amended by
G.G. 16/6/64,
p. 2432.

235. Day classes for registered apprentices may be established at the instance of the Director of Technical Education and shall be held at such times as may be necessary to comply with the appropriate industrial award or agreement.

Reg. 236
amended by
G.G. 16/6/64,
p. 2432.

236. (1) On receipt of advice from The Western Australian Industrial Commission of the registration of an apprentice, the Director of Technical Education shall give the employer of the apprentice particulars of the school, and the days on which and the times at which the apprentice is required to attend the school.

(2) The apprentice shall be enrolled by the principal or officer in charge in the classes most appropriate for his trade, regard being had also to his educational standard and year of apprenticeship.

237. A time book shall be provided for each classroom or workshop where day trade apprentice classes are held and the instructors of such classes shall see that each apprentice signs the time book on commencing and finishing classwork.

Reg. 238
amended by
G.G. 16/6/64,
p. 2432;
G.G. 12/10/67,
p. 2877.

238. (1) (a) The principal or officer in charge shall send a report to the employer of an apprentice who fails to attend on his appropriate class period, or who arrives after the commencement of classes, or leaves before the termination of classwork, or fails to apply himself diligently to his classwork.

(b) The report shall be despatched not later than the day following that on which the breach of discipline occurred.

(2) Where an apprentice attending day trade classes is summarily suspended under regulation 35 of these regulations during normal working hours, he should be instructed to return immediately to his place of employment, and the employer shall be advised of this action in accordance with the procedure laid down in Administrative Instructions.

(3) Class rolls and other apprentice records shall be available for inspection by the Industrial Registrar or by members of the appropriate advisory committee on application to the principal or officer in charge.

(4) The principal or officer in charge shall, at the request of the Industrial Registrar, supply the examiners appointed by The Western Australian Industrial Commission with a schedule showing the number of possible and actual attendances, and the annual examination results, for each apprentice.

(5) The Director of Technical Education shall forward to the employer at the end of the teaching year a report on the attendance and progress and the annual examination results of his apprentice and shall also provide the parent of the apprentice with a copy of the report.

Division 6.—Self Supporting Activities.

239. (1) Self supporting activities may be established and conducted for—

- (a) the purpose of giving instruction supplementary to that otherwise provided by the Technical Education Division of the Education Department; or
- (b) such other purposes as the Minister may from time to time determine.

(2) The activities to be conducted under these provisions are such as may be, from time to time, determined by trustees appointed under regulation 240 of these regulations.

240. (1) The control of the self supporting activities is vested in trustees who shall be known as Trustees of the Technical Education Division Self Supporting Activities.

Reg. 240
amended by
G.G. 16/6/64,
p. 2432;
G.G. 30/3/66,
p. 829;
G.G. 12/10/67,
p. 2877.

(2) There shall be five trustees appointed by the Minister of whom three shall be internal and two external, as follows:—

Internal:

- (a) the Director of Technical Education who shall act as chairman;
- (b) a principal of a technical college, school or service;
- (c) a nominee of the State School Teachers' Union of W.A. Incorporated;

External:

- (d) the Under Treasurer or a deputy nominated by him;
- (e) a nominee of the Minister.

(3) In the case of prolonged absence from duty of any trustee or of a deputy so nominated, the Minister may appoint a deputy for him.

(4) A fee at the rate of \$4.20 for each meeting attended by a trustee is payable to that trustee if he is not a permanent member of the Government Service, but the total amount payable to a trustee in any one year shall not exceed \$21.

241. (1) The trustee shall hold meetings at least once during each term and shall consider and make determinations or recommendations as required concerning existing and proposed activities, alterations in fees payable, remuneration of instructors and all other matters which may be deemed necessary for the efficient working of the classes.

(2) The organisation, administration and supervision of the classes shall be the responsibility of the internal trustees.

242. Subject to the approval of the Minister, the trustees shall have power—

- (a) to grant exemption from payment of fees in necessitous cases if the funds to the credit of a class so permit; and
- (b) to grant refunds of fees to any student where—
 - (i) classes have to be discontinued; or
 - (ii) the student is unable, by virtue of his employment or other cause, adjudged by the trustees to be beyond his control, to continue to take advantage of the classes; and
- (c) to write off fees due which the trustees are satisfied are non-collectable.

243. (1) An account shall be kept for each activity or group of activities in a form determined by the trustees and in accordance with the requirements of the Auditor General.

(2) (a) All fees received on behalf of the trustees shall be paid into the Technical Education Trust Fund Account at the Commonwealth Bank.

(b) This account shall be operated by such persons as may be authorised from time to time by the trustees.

(3) Each activity or group of activities shall be debited with the following charges, which shall be paid to Consolidated Revenue at the close of each term, viz., an administrative charge of five per cent. on all fees received and, where appropriate, a charge for depreciation and a charge also for light and power, or for light or power, as occasion requires, or other services provided by the Department in connection with the activity.

(4) (a) An account for each activity or group of activities shall be finalised at the end of each year and the balance transferred to a suspense account for the particular activity or group of activities.

(b) The financial results of each activity shall be reported to the trustees, who may transfer the surplus standing in a suspense account to the credit of an activity to a general suspense account which shall be used by the trustees to meet general administration costs, audit fees, insurance, printing, telephone charges, stationery, advertising, supplies of equipment and in any way which, in the opinion of the trustees, will increase the efficiency and scope of the self supporting activities generally.

(5) All equipment purchased by the trustees for the self supporting activities shall at the end of the session in which it is purchased be recorded on the stock sheets of the division and become the property of the Minister.

(6) The trustees of the self supporting classes have authority to invest such funds as they deem surplus to immediate requirements in such investments as trustees are by law authorised to invest trust funds in their hands.

Reg. 244
amended by
G.G. 29/6/61,
p. 2065.

244. The rates paid for the instruction of self supporting classes shall be those paid for instruction of departmental classes for work which is in the opinion of the Director-General of equivalent level.

Division 7.—Staffing.

Reg. 245
amended by
G.G. 31/8/61,
p. 2593;
G.G. 20/12/62,
p. 4060.

245. The members of the staff of the Technical Division of the Department, other than those employed under the Public Service Act, 1904 (as amended) are classified as follows:—

- (a) Permanent full time teaching staff;
- (b) Temporary and part time teachers;
- (c) Laboratory, maintenance and wages staff.

Reg. 246
amended by
G.G. 29/6/61,
p. 2065;
G.G. 20/12/62,
p. 4060;
G.G. 29/8/63,
p. 2605;
G.G. 16/12/65,
p. 4185.

246. (1) Vacancies or new offices in the permanent full time teaching staff shall be advertised and appointments filled as provided in regulation 101 and regulations 102A to 102D (both inclusive) of these regulations, but a vacancy or new office may also be advertised outside the teaching service where in any case the Director-General considers such advertisement necessary.

(2) Appointments to vacancies or new offices mentioned in categories (b) and (c) of regulation 245 of these regulations shall be made by the Director-General.

Reg. 247
amended by
G.G. 29/6/61,
p. 2065;
G.G. 31/8/61,
p. 2593;
G.G. 21/5/68,
p. 1433.

247. (1) The full-time teaching staff of the Technical Division shall comprise principals and deputy principals of technical institutions, heads of department, officers-in-charge, senior lecturers, senior trade instructors, senior counsellors, lecturers, trade instructors, counsellors and such other officers as the Director-General may approve, and is hereby authorised to approve, on the full-time teaching staff.

(2) The establishment of staff within a technical institution or department shall be as determined by the Director-General.

(3) (a) A head of a department may be appointed in a technical college, school or service, where, in the opinion of the Director-General, there is a reasonable prospect of an average attendance of more than 2,000 student hours per week or their equivalent in a subject or group of related subjects being maintained.

(b) Departments shall be classified as follows:—

Grade A—where there is a reasonable prospect of an average attendance of more than 300 weekly student hours above Group III level being maintained;

Grade B—all other departments.

(4) A senior lecturer or senior instructor may be appointed in a technical college, school, service or centre where, in the opinion of the Director-General, there is a reasonable prospect of an average attendance of more than 1,000 student hours per week or their equivalent in a subject or related group of subjects being maintained.

248. A teacher entering the Technical Division who is not a trained teacher shall be required to undertake the in-service course for the Teachers' Certificate (Technical).

Reg. 248
amended by
G.G. 20/12/62,
p. 4060.

249.* (1) No teacher shall be appointed senior trade instructor, senior lecturer, senior counsellor or head of department unless he has obtained the Teachers' Certificate (Technical) or its equivalent and a satisfactory report on teaching skill.

Reg. 249
amended by
G.G. 31/8/61,
pp. 2593-4;
G.G. 29/8/63,
pp. 2606-7;
G.G. 18/3/65,
p. 846;
G.G. 12/5/65,
p. 1484;
G.G. 12/10/67,
p. 2877;
G.G. 21/5/68,
p. 1433;
G.G. 16/5/69,
p. 1487.

(2) No teacher shall be appointed officer-in-charge (full-time), deputy-principal or principal unless he has obtained the academic requirements of the Teachers' Higher Certificate and has received a satisfactory report on teaching skill.

(3) Notwithstanding the provision of subregulation (2) of this regulation—

- (a) a head of department appointed prior to 31st December, 1969, officer-in-charge (full-time), deputy principal, or principal, is eligible to be appointed to other promotional positions provided he holds professional or higher technical qualifications which are at least equivalent to a diploma of the Technical Education Division;
- (b) a technical teacher who at the thirty-first day of December 1968, held or had held a position as senior trade instructor, senior lecturer or senior counsellor is eligible to be appointed to other promotional positions provided he holds professional or higher technical qualifications which are at least equivalent to a diploma of the Technical Education Division and has had on the thirty-first day of December, 1968, at least ten years' service with the Technical Education Division;
- (c) a senior trade instructor, senior lecturer or senior counsellor is eligible to be appointed to other equivalent promotional positions as senior trade instructor, senior lecturer or senior counsellor; and
- (d) any technical teacher, who has partially satisfied the conditions of the Teachers' Higher Certificate to the extent that he has only to complete either the Theory of Education requirements as set out in subparagraph (13) of paragraph 17.04 of the Administrative Instructions or one special subject area of the Teachers' Higher Certificate, and who has undertaken studies towards completing these requirements in at least one of the two years immediately prior to the year in which the application for promotion is made, shall be eligible until the thirty-first day of December, 1972, to apply for a promotional position provided he has not already gained a promotion under this provision.

* Also see G.G. 5/2/71, p. 375.

(4) (a) For appointment as principal of a technical school, service as the deputy principal of a technical college and service as the officer-in-charge of a technical centre Class 1, shall rate as equivalent in experience and status.

(b) For appointment as the deputy principal of a technical college or as the officer-in-charge of a technical centre Class 1, service as a deputy principal of a technical school Grade 1 or as an officer-in-charge of a technical centre Class 2 or as head of a department Grade A, shall rate as equivalent in experience and status.

(c) For appointment as the deputy principal of a technical school Grade 1, service as a deputy principal of a technical school Grade 2 or officer-in-charge technical centre Class 3 or head of department Grade B, shall rate as equivalent in experience and status.

250. (1) Technical teachers shall conduct their classes regularly and promptly at the hours shown on the time table and in accordance with the syllabus for the course concerned.

(2) (a) Each member of the staff is responsible for the proper conduct of his class or classes and for the safekeeping of the material and apparatus used in connection with his work.

(b) Such member shall at once report to the head of his department, the principal or the officer in charge any damage to school property, infringement of the regulations or any misconduct which may come to his notice.

(3) In the event of an accident occurring within a class or during class instruction, the teacher in charge of the class shall, immediately after first aid is rendered, report the accident to the principal or officer in charge, or in his absence to the senior officer available in the institution, and shall take such other steps as are necessary in the circumstances.

Reg. 251
amended by
G.G. 20/12/62,
p. 4060;
G.G. 16/6/64,
p.2432.

251. Before commencing the summer vacation each member of the teaching staff of the Technical Division shall complete his year's work to the satisfaction of the Director of Technical Education.

Reg. 252
amended by
G.G. 20/12/62,
p. 4060;
G.G. 16/6/64,
p. 2432.

252. (1) The duties of principals and officers in charge of the Technical Division include ensuring that the procedure relating to collection of fees, enrolment, banking, roll books and statistics as laid down in the Administrative Instructions of the Department are strictly observed.

(2) The following books and statements required by the Audit Department must be forwarded by principals and officers in charge to the Director of Technical Education as soon as possible after the cessation of class work at the end of the school year:—

- (a) Fee receipt book;
- (b) Admission book;
- (c) Daily return of fees book;
- (d) Bank pay-in book;
- (e) Class roll and corresponding list of classes held during the year.

Division 8.—Advisory Boards.

Reg. 253
amended by
G.G. 16/6/64,
p. 2432.

253. (1) The Minister may establish Professional Trade and other Advisory Committees to advise the Director of Technical Education, in respect to the following matters concerning a specified course or related courses of instruction conducted within the Technical Education Division:—

- (a) Syllabus of instruction;
- (b) Qualifications and professional standing of applicants for appointment to the teaching staff;

- (c) Application from members of the teaching staff to engage in consultative work; and
- (d) Such other matters relating to the efficiency of training in that course as may be brought forward by, or referred to, the members of the committee.

(2) At meetings of an advisory committee the majority of voting members shall form a quorum and in the event of an equality of votes, the chairman shall have a casting vote.

(3) Advisory committees shall meet at the times appointed by the chairman who may, when he deems it desirable, and who shall, upon receipt of a requisition signed by at least three voting members, call a meeting of the committee.

(4) The committees may, with the permission of the Director of Technical Education, visit a particular class at a specified time.

254. (1) An Advisory Committee, other than a Trade Advisory Committee, established pursuant to regulation 253 of these regulations, shall consist of the following voting members who shall be appointed by the Minister:—

Reg. 254
amended by
G.G. 16/6/64,
p. 2432;
G.G. 12/10/67,
p. 2877.

- (a) The Director of Technical Education, or a deputy appointed by the Minister, who shall be the Chairman of the Committee;
- (b) The principal of the appropriate technical college, school or service;
- (c) A person or persons nominated by an institute, association or board which is an appropriate institute, association or board having regard to the particular matters the Committee may have to advise upon; and
- (d) Any other person or persons who may be nominated by the Minister.

(2) Members mentioned in paragraphs (c) and (d) of subregulation (1) of this regulation shall hold office for two years but are eligible for re-appointment.

(3) The Committee or the Chairman of the Committee may invite other persons, including members of the teaching staff of the Technical Education Division, to attend any particular meeting of the Committee, but a person so invited shall act only in an advisory capacity to the Chairman and is not entitled to vote.

255. (1) (a) A Trade Advisory Committee established pursuant to regulation 253 of these regulations shall consist of the following members who shall be appointed by the Minister:—

Reg. 255
amended by
G.G. 29/6/61,
p. 2065;
G.G. 16/6/64,
p. 2432.

- (i) The Director of Technical Education, or a deputy appointed by the Minister, who shall be Chairman of the Committee;
- (ii) An equal number of representatives of appropriate employer and employee organisations; and
- (iii) Such other person or persons as the Minister nominates.

(b) The voting members of the Committee shall be only those referred to in subparagraph (ii) of paragraph (a) of this subregulation.

(2) Members referred to in subparagraphs (ii) and (iii) of paragraph (a) of subregulation (1) of this regulation shall hold office for two years but are eligible for re-appointment, and each member shall have a deputy appointed by the Minister for the same period, who may attend the meetings of the Committee and exercise the powers of the member for whom he is deputy if the member is unable to attend those meetings.

(3) The Director-General may appoint an officer of the Technical Education Division to act as Secretary of the Committee and Convenor of meetings.

(4) The Chairman, on the recommendation or approval of the Committee, may invite other persons, including members of the teaching staff of the Technical Education Division, to attend any meeting of the Committee, but a person so invited shall act only in an advisory capacity to the Chairman in connection only with the immediate business before the meeting and shall not be entitled or allowed to vote.

Reg. 256
amended by
G.G. 16/6/64,
p. 2432;
G.G. 12/10/67,
p. 2878.

256. (1) Technical Colleges, Schools or Centres Advisory Committees may be established by the Minister to foster technical education in the areas served by the colleges, schools or centres and to advise the Director of Technical Education concerning classes or courses conducted or to be conducted by the colleges, schools or centres having regard to the needs of the respective areas.

(2) In particular the Committees may make recommendations in respect to—

- (a) establishment of courses;
- (b) classes and attendance therein;
- (c) equipment; and
- (d) such other general matters of development as are necessary to ensure that the school meets the requirements of the area.

Reg. 257
amended by
G.G. 16/6/64,
p. 2432;
G.G. 12/10/67,
p. 2878.

257. (1) A Technical College, School or Centre Advisory Committee shall be composed of not more than 15 persons who shall be appointed for a period of two years but shall be eligible for reappointment.

(2) The Committee shall elect a Chairman from among its number at the first meeting of the biennial period.

(3) The principal or officer in charge of the college, school or centre concerned shall act as Secretary to the Committee and Convenor of meetings.

(4) The Director of Technical Education or his deputy may attend any meeting of the Committee but shall not be entitled to vote.

(5) The majority of voting members shall constitute a quorum and the Chairman, if not a departmental officer, may cast a deliberative vote.

(6) The Committee may at its time of meeting visit classes in the school and on prior arrangement with the principal visit the school at other times.

(7) The principal of the school or college shall, not less than 14 days before a meeting, forward notification of such meeting together with an agenda to all members of the School or College Advisory Committee, and shall within 14 days next following the meeting of the Committee forward a copy of the minutes together with such comments as he may deem necessary to the Director of Technical Education.

258. The members of any Advisory Committee, or any other advisory body to the Technical Education Division appointed by the Minister, shall be appointed in an honorary capacity and shall not be paid for attendance at meetings but the Minister may reimburse:—

- (a) The actual fares of any member; and
- (b) the actual loss of wages of any member who, in order to attend, is obliged to obtain leave without pay from his regular employment.

Reg. 259
amended by
G.G. 29/6/61,
p. 2065;
G.G. 16/6/64,
p. 2432;
G.G. 31/5/66,
p. 1424.

259. (1) A Technical Teacher Training Advisory Committee is constituted and established to advise the Director-General.

(2) The Committee shall consist of the following members:—

- (a) The Director of Technical Education who shall be chairman;
- (b) The Director of Teacher Training;

- (c) A Superintendent nominated by the Director-General;
 - (d) A representative, elected by a ballot conducted by the State School Teachers' Union of W.A. Incorporated, of the trade teacher members of that Union; and
 - (e) A representative, elected by a ballot conducted by the State School Teachers' Union of W.A. Incorporated, of the technical teacher members of that Union other than trade teachers.
- (3) The Committee shall have power to co-opt.
- (4) The Committee shall advise the Director-General on the organisation of training courses conducted for technical teachers.
- (5) (a) If a representative referred to in paragraphs (d) and (e) of subregulation (2) of this regulation is unable to attend a meeting of the Committee, a deputy representative elected by ballot conducted by the State School Teachers' Union of W.A. Incorporated pursuant to this subregulation may take the place of that representative.
- (b) The representatives in office on the first day of March, 1966, shall continue to hold office until the thirty-first day of May, 1968, but thereafter the representatives elected shall hold office for a period of three years from the date of election and shall be eligible for re-election.
- (c) Ballots for deputy representatives shall be conducted as soon as possible after the first day of April, 1966, and the deputy representatives so elected shall hold office until the thirty-first day of August, 1968, but thereafter a deputy representative shall hold office for a period of three years from the date of election and shall be eligible for re-election.
- (d) If the office of a representative or deputy representative becomes vacant before the expiration of the period for which he is entitled to hold that office the Union referred to in this subregulation shall conduct a further election to appoint a representative or deputy representative, as the case may require, who shall hold office only until the expiration of that period.
- (e) Every election shall be held at the time and in the manner provided by, and in other respects in accordance with, rules made by the Union for that purpose.

PART XI.—SCHOOLS FOR NATIVE CHILDREN.

260. Full-time government schools for native children may be established at Church Missions or at settlements controlled by the Department of Native Affairs where, in the opinion of the Minister, circumstances warrant their establishment.

261. Schools so established shall be designated "Special Native Schools," and shall be classified at the discretion of the Minister, taking all the circumstances into account but the provisions of regulation 162 of these regulations shall not apply.

262. (1) Members of the teaching staff of Special Native Schools shall be appointed from the teachers in the employ of the Department.

(2) Vacant positions shall be filled by the Minister, taking the particular circumstances into account and departing, if necessary, from the ordinary rules of priority.

(3) In the appointment of headmasters the provisions of regulation 169 of these regulations do not apply.

PART XIA.—SPECIAL SCHOOLS FOR HANDICAPPED CHILDREN.

Heading
Part XIA
substituted
by
G.G. 16/12/65,
p. 4185.

Reg. 262A
added by
G.G. 16/6/64,
p. 2432.

262A. (1) A full-time special Government school may be established in any locality where, in the opinion of the Minister, there is a reasonable likelihood of an average attendance of six children and a suitable school room is available.

(2) A school established pursuant to this regulation shall—

(a) have not less than 12 square feet of floor space for each pupil, a boarded floor, a fireplace, and adequate lighting and ventilation; and

(b) be equipped with satisfactory sanitary arrangements and a suitable and adequate supply of drinking water.

(3) Where a school is established pursuant to this regulation, the Department shall provide the necessary furniture and equipment for that school.

Reg. 262B
added by
G.G. 9/12/64,
p. 3934.
Amended by
G.G. 30/3/66,
p. 829.

262B. (1) As from the first day of January, 1964, where a regularly constituted group of persons provides a teacher for the instruction of a group of less than six children needing special education, the Minister may approve an allowance at the rate of one hundred and sixty dollars (\$160) per annum per pupil to be paid to the group.

(2) The eligibility of a child to be included in the group of children needing special education shall be determined by the Director-General.

(3) The Director-General must be satisfied that the person employed by the group as a teacher is a person capable of providing the proper training of the pupils under his control.

(4) The group of persons responsible for the formation and administration of such a group of children shall provide accommodation in accordance with the provisions of subregulation (2) of regulation 262A of these regulations.

Reg. 262C
added by
G.G. 16/12/65,
p. 4185.

262C. Full time special schools established under this Part shall be classified in accordance with regulations 162 and 163 of these regulations, provided that for the purposes of determining the average attendance each pupil shall count as two.

Reg. 262D
added by
G.G. 16/12/65,
p. 4185.

262D.—(1) A headmaster appointed to a special school established under this Part shall have his name retained on the promotion lists for primary schools, and service in the special school shall count as service towards his eligibility to have his name included in the promotion list for the next higher grade.

(2) Vacant positions shall be filled by the Director-General, taking the particular circumstances into account and departing, if necessary, from the ordinary rules of priority.

(3) The provisions of regulation 169 of these regulations shall apply to teachers appointed as headmasters of special schools.

(4) The headmaster of a school to which eight, or more than eight, teachers are appointed is not to be responsible for a class.

PART XII.—PARENTS AND CITIZENS' ASSOCIATIONS.

Reg. 263
substituted
by
G.G. 29/6/61,
p. 2073.
Amended by
G.G. 12/11/63,
p. 3342.

263. For the purpose of easy reference the provisions of sections 22, 23, 26 and 27 of the Act are reproduced as follows:—

22. (1) The parents or guardians of children attending any Government school, or group of schools, together with other persons being over the age of eighteen years who are interested in the welfare of such schools may, in the prescribed manner, form a "Parents and Citizens' Association," hereinafter referred to as an association.

(2) An association desirous of doing so may affiliate with the body known as The Western Australian Federation of Parents and Citizens' Associations upon such terms and conditions as shall from time to time be determined by that body.

23. The objects of an association shall be to promote the interests of the Government school or group of Government schools in relation to which it is formed, by endeavouring to bring about closer co-operation between the parents or guardians of the pupils attending at the school or the group, other citizens, the teachers at the school or the group, and those pupils and by providing facilities and amenities for the school or group, including buildings, swimming pools and any type of recreational or educational facilities and amenities, and generally to endeavour to foster community interest in educational matters.

26. (1) An association shall expend or invest all amounts received by it that are in excess of expenditure for the benefit of the children who are attending any Government school.

(2) All property of whatsoever estate, interest or kind purchased by an association for the use of a Government school whether purchased with or without any financial assistance from the Minister or the Education Department shall by force of this section be vested in the Minister for the purposes of this Act.

27. An association shall not exercise any authority over the teaching staff, or interfere in any way with the control or management of any Government school.

264. The Minister shall have the control through departmental officers of the internal management of schools, but subject thereto he may accept the assistance of Parents and Citizens' Associations.

Reg. 264
substituted
by
G.G. 29/6/61,
p. 2073.

265. An association has power to frame its own rules, but, before such rules come into force, they shall be approved by the Minister.

Reg. 265
substituted
by
G.G. 29/6/61,
p. 2073.

266. The annual subscription for membership of an association may be fixed by an association, but shall not exceed twenty-five cents per member.

Reg. 266
substituted
by
G.G. 29/6/61,
p. 2074;
amended by
G.G. 30/3/66,
p. 829.

267. (1) (a) When an association has been established its members shall, at their first meeting and at each annual general meeting to be convened thereafter for the purpose, elect from among their members a president, two vice presidents, a secretary, a treasurer and not less than five committee members.

Reg. 267
substituted
by
G.G. 29/6/61,
p. 2074.

(b) The headmaster shall be *ex officio* a member of the committee.

(2) The teachers of such Government schools or group of schools for which the association is formed shall, *ex officio*, be members of the association and may be elected to any office in the association.

(3) Only financial members and *ex officio* members of the association shall have the right to vote.

(4) A financial member shall be one whose subscription is not more than three months in arrears.

268. (1) Where the Director-General has required the headmaster of a school to have local control and supervision of a school bus service and an association has been formed at that school, the association shall elect a Bus Advisory Committee to act in an advisory capacity to the Department, and that Com-

Reg. 268
substituted
by
G.G. 12/11/68,
p. 3343.

mittee shall comprise the president and the secretary of the association, the headmaster of the school and one parent to represent each bus route under the local control and supervision of the headmaster.

(2) Where a school bus service serves more than one school in a centre, the parent elected to represent that service may have children at any one or more of the schools served, and the Director-General may, if he thinks fit, require a joint Bus Advisory Committee to be formed in such manner and in such form as the particular circumstances require.

Reg. 269
substituted
by
G.G. 29/6/61,
p. 2074.
Amended by
G.G. 29/8/63,
p. 2607.

269. (1) The shire clerk or engineer of, or any other person nominated for the purpose by, the council of a shire having within its municipal district any school at which a school bus route terminates shall be *ex officio* a member of the Bus Advisory Committee established under regulation 268 of these regulations.

(2) Where a municipal district that is a shire is divided into wards any member of the council of that shire elected for a ward into or through which a school bus route enters or passes, or into or through which it is proposed that a school bus shall enter or pass, shall be entitled to attend any meeting of the Bus Advisory Committee and take part in any discussion, or vote on any motion, in any way concerning or having relation to any school bus route which enters or passes through, or which it is proposed shall enter or pass through, the ward of that member.

Reg. 270
substituted
by
G.G. 29/6/61,
p. 2074.

270. The functions of a Bus Advisory Committee are—

(a) to consider—

- (i) applications to inaugurate, contract or subsidise bus services;
- (ii) applications for alterations, deviations, spurs, etc., on bus services;
- (iii) curtailments of services;
- (iv) other matters affecting the efficient running of bus services;

(b) to report to the Department in an advisory capacity the views and recommendations of the Committee on any of the matters mentioned in paragraph (a) of this regulation, and in the event of disagreement an indication should be given of the dissentient's views.

Reg. 271
substituted
by
G.G. 29/6/61,
p. 2074.

271. At each meeting of a Bus Advisory Committee there shall be present—

- (a) the president (or his deputy) who shall be chairman;
- (b) the secretary (or his nominee);
- (c) the headmaster (or his nominee); and
- (d) at least two-thirds of the members representing the various bus routes and including each member representing each particular bus route under discussion.

Reg. 272
substituted
by
G.G. 29/6/61,
p. 2075.

272. (1) The Department and the Federation if the association is affiliated with the Federation shall be advised of the names of office bearers and committee members and representatives of the Bus Advisory Committee as soon as possible after the election.

(2) In this regulation and in regulation 273 of these regulations, "Federation" means the body known as The Western Australian Federation of Parents and Citizens' Associations.

Reg. 273
substituted
by
G.G. 29/6/61,
p. 2075.

273. An audited statement of receipts and expenditure shall be presented at each annual general meeting of an association, and the association shall forward a copy of such statement to the Department as soon as possible after its adoption and also to the Federation, if the association is affiliated therewith.

274. The Department shall, through the headmaster, issue receipts for any donations of buildings, plant and equipment and shall ensure that necessary action is taken to have nonconsumable items recorded in the schools' inventories.

Reg. 274 substituted by G.G. 29/6/61, p. 2075.

275. Halls, sports ovals, tennis courts, public address systems and projectors, which have been provided for a school by its association shall be available for use by the association at times when they are not required by the school and when such use is approved by the headmaster on behalf of the Department.

Reg. 275 substituted by G.G. 29/6/61, p. 2075.

PART XIII.—STATE VISUAL EDUCATION.

276. A Committee, to be known as the "State Film Centre Advisory Committee", is constituted for the purpose of advising the Minister on matters in connection with the acquisition of non-theatrical, educational, technical and documentary films and their distribution amongst interested organisations throughout Western Australia, and to act as liaison between interested organisations in Western Australia and the Australian National Library in Canberra.

Reg. 276 substituted by G.G. 12/10/67, p. 2878.

277. The Committee constituted under regulation 276 of these regulations shall have not more than twelve members and shall consist of—

Reg. 277 amended by G.G. 12/10/67, p. 2878; G.G. 6/2/69, p. 487.

- (a) the Minister, *ex officio*, who shall be Chairman;
- (b) a person nominated by the Minister, or elected by the Committee from its members, as the Minister may determine, who shall be Vice-chairman;
- (c) a representative of each of the following bodies:—
 - The State Education Department;
 - The University of Western Australia;
 - The University Adult Education and Extension Committee;
 - The State School Teachers' Union of W.A. Incorporated;
 - The Western Australian Institute of Technology;
 - The Catholic Education Office;
 - The Association of Independent Schools of W.A.; and
 - The Parents and Citizens' Federation; and
- (d) a representative of any other organisation or body that the Minister, on the recommendation of the Committee, invites to nominate a representative.

278. The members of the Committee, with the exception of the Chairman, shall hold office for two years and are eligible for re-appointment.

279. (1) Any five members of the Committee shall form a quorum thereof.

Reg. 279 amended by G.G. 12/10/67, p. 2878.

(2) (a) At all meetings of the Committee the Chairman of the Committee shall preside, if present, and in his absence from any meeting the Vice-chairman shall preside.

(b) If both the Chairman and the Vice-chairman are absent from any meeting, the members of the Committee present shall elect one of their number to be Chairman of that meeting.

(3) Where the members present at a meeting of the Committee are not unanimous as to any matter, such matter shall be decided by the majority of votes, and the decision so arrived at shall be the decision of the Committee.

(4) The Chairman or the Vice-Chairman when presiding at any meeting of the Committee shall have a deliberative vote, and in case of an equality of votes, the question shall be resolved in the negative.

280. Any member, other than the Chairman, may resign from the Committee by notice in writing signed by him and given to the Minister.

Reg. 281
substituted
by
G.G. 12/10/67,
p. 2878.

281. The offices and library of the Committee shall be incorporated in those of the Audio-Visual Education Branch of the Education Department, and the Superintendent of Audio-Visual Education or his deputy shall act as executive officer for the Committee.

Heading
substituted
by
G.G. 9/2/61,
p. 359.
Amended by
G.G. 30/5/61,
p. 1384.

PART XIV.—GOVERNMENT SCHOOL TEACHERS' TRIBUNAL.

Division 1.—General.

282. In this Part of these regulations, unless the context requires otherwise—

“Minister” means the Minister for Education;

“the Act” means the Education Act, 1928, as amended;

“Tribunal” means the Government School Teachers' Tribunal established under the provisions of section 37 of the Act;

“Union” means the State School Teachers' Union of Western Australia (Incorporated).

Division 2.—Elections.

Reg. 283
substituted
by
G.G. 9/2/61,
p. 359.

283. An election of member and deputy member of the Tribunal shall be held as and whenever necessary, provided that the person elected shall be eligible to take his seat on the Tribunal after the seat on the Tribunal for which he has been elected becomes vacant by reason of the expiration of the term of office of the member or as the case may be, deputy member, still holding office at the time when that election is held.

Reg. 284
substituted
by
G.G. 9/2/61,
p. 359.

284. (1) The State Chief Electoral Officer, or when prevented from acting his substitute appointed under the Electoral Act, 1907, as amended, shall be the returning officer at any election held in accordance with this Part of these regulations.

(2) The returning officer may appoint such officers as he deems necessary to assist in the conduct of an election.

(3) (a) The returning officer shall be paid such fees as are prescribed by regulations made under the Electoral Act, 1907, as amended, for returning officers at parliamentary elections, and the officers employed by him shall, while engaged on the scrutiny and count of votes, be paid for their services the fees prescribed for similar duties by those regulations for presiding officers at parliamentary elections.

(b) Officers employed by the returning officer in the preparation and distribution of voting material shall be paid at the rate prescribed by regulations made under the Electoral Act, 1907, as amended, for presiding officers engaged on the scrutiny and count of votes.

Reg. 285
substituted
by
G.G. 9/2/61,
p. 360.

285. (1) (a) For the purpose of the election of a member and deputy member of the Tribunal the returning officer shall fix a day to be the nomination day for such election and shall cause notice thereof in Form No. 3 in Schedule 1 to these regulations to be published in the *Government Gazette*.

(b) The day fixed as nomination day under paragraph (a) of this subregulation shall be a day not less than fourteen days and not more than thirty days after the date of the publication of the notice in the *Government Gazette*.

(2) (a) For the purpose of every subsequent election of a member or deputy member of the Tribunal, the chairman of the Tribunal shall, not less than three months prior to the expiration of the term of office of the member or deputy member, and not later than fourteen days after the occurrence of an extraordinary vacancy in the office of a member or deputy member, as the case may be, direct the returning officer to fix a day to be the last day upon which nominations of candidates for election to the office of member or deputy member will be received.

(b) The returning officer shall cause notice of the vacancy and the day fixed as nomination day to be published in the *Government Gazette*.

(c) The day fixed as nomination day under this subregulation shall be a day not less than twenty-one days and not more than forty-five days after the date of the publication of the notice in the *Government Gazette*.

(3) If no nomination is received at the close of nominations the returning officer may, by notice in the *Government Gazette*, extend the time for receipt of nominations for a period not exceeding fourteen days after the date of the nomination day published in the *Gazette*.

(4) The day upon which each election referred to in this regulation shall be held shall be not less than twenty-one days and not more than forty-five days after the nomination day.

286. (1) A person is not eligible to be nominated as a candidate to be elected for appointment as a member or deputy member of the Tribunal unless at the time of the nomination he is a member of the Union and is duly nominated in accordance with this Part of these regulations.

Reg. 286
substituted
by
G.G. 9/2/61,
p. 360.

(2) A nomination may be in the Form No. 4 in Schedule 1 to these regulations, but has no effect unless it—

- (a) contains the full name of the candidate and the vacancy for which he is nominated;
- (b) is signed by at least two persons eligible to vote at the election for which the nomination is made;
- (c) is signed by the candidate consenting to act, if elected; and
- (d) is addressed to the Returning Officer, State Electoral Department, Perth, and is delivered or forwarded to him so as to reach him prior to the hour of twelve o'clock noon on the day fixed for the close of nominations.

287. Any candidate may by notice in writing signed by him and witnessed by a member of the Union, addressed to the returning officer and lodged with him not later than the hour of twelve o'clock noon on the day fixed for the close of nominations, withdraw his consent to his nomination and thereupon that candidate shall be considered as not having been nominated, and the returning officer shall omit the name of that candidate from the ballot paper.

Reg. 287
substituted
by
G.G. 9/2/61,
p. 361.

288. (1) Every person who fourteen days prior to the date fixed for the close of nominations is a financial member of the Union is qualified to vote at an election held pursuant to this Part of these regulations, and the secretary of the Union shall prepare and furnish the returning officer, so as to reach him not later than the hour of twelve o'clock noon on the day fixed for the close of nominations, with a list certified by the secretary as being true and correct of the names and official addresses of persons who fourteen days prior to that date were financial members of the Union.

Reg. 288
substituted
by
G.G. 9/2/61,
p. 361.

(2) For the purposes of this regulation a member shall be deemed financial if he has paid the subscriptions for which he is liable up to the end of the calendar year next preceding the year in which the election is held, or in the case of an election for an extraordinary vacancy if his subscription is not more than three months in arrear.

(3) An election is not invalidated by reason merely that ballot papers have been irregularly forwarded to persons who are not qualified to vote, or have not been sent to persons who are qualified to vote unless in the opinion of the Minister the irregularity or omission has affected the result of the election.

Reg. 289
substituted
by
G.G. 9/2/61,
p. 361.

289. Where one candidate only is duly nominated for any vacancy, that candidate shall be duly elected.

Reg. 290
substituted
by
G.G. 9/2/61,
p. 361.

290. (1) Where more than one candidate is duly nominated for any vacancy, the returning officer shall, as soon as possible after the close of nominations—

- (a) cause the full names of the candidates, the vacancies for which they have nominated, and the date and hour fixed for the close of the poll to be published in the *Government Gazette*;
- (b) cause ballot papers and counterfoils to be printed in accordance respectively with the Forms Nos. 5 and 6 in Schedule 1 to these regulations: and the ballot papers shall set out the full names of the candidates arranged in alphabetical order of their surnames;
- (c) send by post or otherwise to each person whose name appears in the list furnished by the secretary of the Union pursuant to subregulation (1) of regulation 288 of these regulations—
 - (i) one ballot paper in the Form No. 5 in Schedule 1 to these regulations initialled by the returning officer or a person authorised in that behalf by the returning officer;
 - (ii) one counterfoil in the Form No. 6 in Schedule 1 to these regulations;
 - (iii) one ballot paper envelope; and
 - (iv) one envelope addressed to the Returning officer.

(2) Each ballot paper, counterfoil, ballot paper envelope and addressed envelope shall be enclosed by the returning officer in a covering envelope which shall be fastened, addressed and forwarded to the person for whom it is intended.

Reg. 291
substituted
by
G.G. 9/2/61,
p. 362.

291. If a voter makes and transmits to the returning officer a statement in writing setting out his full name and his official address, and stating that he has not received his ballot paper, or that the ballot paper received by him has been destroyed and that he has not already voted the returning officer may issue a new ballot paper to that voter.

Reg. 292
substituted
by
G.G. 9/2/61,
p. 362.

292. (1) A person to whom a ballot paper and counterfoil is addressed, if desirous of voting, shall record his vote on the ballot paper issued to him in the manner following—

- (a) where there are only two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes;
- (b) where there are more than two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes as his first preference and shall give contingent votes for all the remaining candidates by placing the numerals "2", "3", and so on, opposite their names as the case requires, so as to indicate by such numerical sequence the order of his preference.

(2) A voter having marked his ballot paper in accordance with subregulation (1) of this regulation shall then—

- (a) enclose the ballot paper alone in the envelope marked "ballot paper" and fasten the envelope;

- (b) complete and sign the counterfoil in the presence of a witness who shall also sign the counterfoil; and
- (c) return the ballot paper envelope with the ballot paper contained therein and the completed counterfoil to the returning officer by post or otherwise in the envelope addressed to the returning officer so as to be received by him not later than the day and time appointed by the notice of election for the closing of the poll at such election.

293. (1) The returning officer shall place and keep in a locked and sealed ballot-box all envelopes purporting to contain ballot papers received by him up to the close of the poll.

Reg. 293
substituted
by
G.G. 9/2/61,
pp. 362-3.

(2) An envelope containing a ballot paper received after the close of the poll shall not be admitted to the scrutiny.

(3) As soon as practicable after the hour fixed for the close of the poll, the returning officer shall in the presence of a scrutineer proceed with the scrutiny and count the votes received, and ascertain and declare the result of the poll.

(4) Subject to these regulations, each election shall be conducted and the candidate to be elected ascertained in accordance with the provisions of the law for the time being regulating elections for the Legislative Assembly as far as they can with necessary adaptations be made applicable.

(5) Each candidate at an election shall be entitled to appoint in writing one scrutineer who shall be present when the envelopes containing ballot papers relating to the election are being opened at the commencement of the scrutiny and who may remain during the scrutiny.

(6) (a) Where the right of a person to vote is not established, or the counterfoil is not signed by the voter and by the witness, the returning officer shall replace the counterfoil and the envelope marked "ballot paper" in the outer envelope, endorse that envelope "rejected" and set it aside for safe keeping together with any other outer envelopes which have been rejected.

(b) A ballot paper shall be informal—

- (i) if it does not bear the initials or signature of the returning officer or a person authorised in that behalf by the returning officer;
- (ii) if the voter has not marked it in accordance with the directions set out therein; or
- (iii) if no mark is indicated on it.

294. (1) At any time before the gazettal of the results of the election as provided in regulation 295B of these regulations, the returning officer may, if he thinks fit, on the written request of any candidate setting forth the reasons for the request, or of his own motion, make a recount of the ballot papers.

Reg. 294
substituted
by
G.G. 9/2/61,
p. 363.

(2) If the returning officer refuses a request of a candidate to make a recount of the ballot papers, the candidate may within the period referred to in subregulation (1) of this regulation appeal in writing to the Minister to direct a recount, and the Minister may at his discretion either direct a recount or refuse to direct a recount, and where the Minister directs a recount the returning officer shall make a recount as soon as practicable after being notified of that direction.

294A. (1) Where a candidate is nominated for more than one vacancy at the same election, the count of votes shall proceed as provided by subregulation (4) of regulation 293 of these regulations for the higher vacancy until one candidate has received an absolute majority, whereupon he shall be declared elected.

Reg. 294A
added by
G.G. 15/7/70,
p. 2114.

(2) The candidate elected pursuant to subregulation (1) of this regulation shall be eliminated from the count for the lower vacancy for which he was nominated and in the count of votes for that vacancy the first preference votes of the candidate so eliminated shall be distributed according to the second preference marking shown thereon to the remainder of the candidates, and when added to their respective first preference votes shall constitute the first count for the lower vacancy.

(3) For the purpose of this regulation, the higher position shall be deemed to be that of member and the lower position that of deputy member.

Reg. 295
substituted
by
G.G. 9/2/61,
p. 363.

295. Any dispute arising out of the conduct of an election shall be referred by the returning officer to the Minister, and the decision of the Minister in that regard shall be final and conclusive.

Reg. 295A
added by
G.G. 9/2/61,
p. 363.

295A. If on any count two or more candidates have an equal number of votes, the returning officer shall decide by lot which candidate shall be declared defeated, and the other candidate shall thereupon be declared elected.

Reg. 295B
added by
G.G. 9/2/61,
p. 363.

295B. (1) The returning officer shall prepare a statement showing the result of each election and the name of the candidate elected and the office for which he is elected, and shall forward forthwith to the Minister and to the chairman of the Tribunal a copy of such statement duly certified by him, and shall cause the result of the election to be notified in the *Government Gazette*.

(2) On completion of the scrutiny and count of votes the returning officer shall enclose in one packet all used ballot papers, in another packet all counterfoils, and in a third packet all rejected votes, and shall seal up the several packets, endorse on each packet a description and number of the contents and the date of the poll, and sign the endorsements.

(3) The returning officer shall preserve and hold in custody the sealed packets referred to in subregulation (2) of this regulation together with all other documents used at or in connection with the election until that election may no longer be questioned, when the sealed packets and documents shall be destroyed.

Division 3.—Appeals.

Reg. 295C
added by
G.G. 30/5/61,
pp. 1384-5.

295C. (1) An appeal or application to the Tribunal pursuant to section 37AF of the Act shall be made by notice in writing signed by the appellant or applicant addressed to the Tribunal and shall be in the Form No. 7 in Schedule 1 to these regulations.

(2) The notice mentioned in subregulation (1) of this regulation shall clearly and concisely set forth in the case of an appeal the grounds of appeal and in the case of an application the reasons for making the application.

(3) The party giving the notice shall lodge the same with the Secretary to the Tribunal and shall deliver with the notice three copies thereof for use by the Tribunal and a sufficient number of additional copies for service upon all other known interested parties to the appeal or application, provided that in the case of an appeal made under paragraph (d) of subsection (3) of section 37AE of the Act only two copies of the notice shall be required.

Reg. 295D
added by
G.G. 30/5/61,
p. 1385.
Amended by
G.G. 29/6/61,
p. 2075,
G.G. 29/8/63,
p. 2605;
G.G. 25/3/70,
p. 889.

295D. (1) An appeal or application to the Tribunal pursuant to section 37AF of the Act shall be made—

- (a) in the case of an appeal mentioned in paragraph (a) of subsection (3) of section 37AE of the Act, or in subparagraph (i) of paragraph (g) of that subsection, within one month after the publication of the determination by the Minister in the *Government Gazette*;

- (b) in the case of an appeal mentioned in paragraph (d) of subsection (3) of section 37AE of the Act, within fourteen days after the date of the giving of the notice referred to in subregulation (3) of regulation 101 of these regulations;
- (c) [*Deleted by G.G. 25/3/70, p. 889.*]
- (d) in the case of an appeal mentioned in paragraph (f), or subparagraph (iii) of paragraph (g), or paragraph (h), of subsection (3) of section 37AE of the Act, within one month from the date of the decision or imposition of the penalty or punishment, as the case may be;
- (e) in the case of an appeal mentioned in paragraph (i) of subsection (3) of section 37AE of the Act, within fourteen days from the termination of the course of training by the Minister;
- (f) in the case of an appeal mentioned in paragraph (j) of subsection (3) of section 37AE of the Act, within one month from notification of the rental payable;
- (g) in the case of an appeal or application in respect of any other matter which the Tribunal has jurisdiction to examine into, hear and determine under section 37AE of the Act, at any time.

(2) A teacher who holds a position in a remote locality or is temporarily absent from his school shall be deemed to have lodged his appeal within the time prescribed by this regulation if, within that time, he notifies the Secretary to the Tribunal by telegram of his intention to appeal and lodges his appeal on the prescribed form with the Secretary of the Tribunal within seven clear days after the expiration of that time.

295E. The Tribunal, upon application made to it setting out special circumstances, may at its absolute discretion extend the prescribed time for lodging an appeal or application if the Tribunal considers an extension warranted in the particular case.

Reg. 295E
added by
G.G. 30/5/61,
p. 1386.

295F. The Tribunal may allow an appellant or applicant to amend at any time the particulars of grounds of appeal or reasons for application set forth in his notice of appeal or application upon such terms (if any) as to the Tribunal shall appear just.

Reg. 295F
added by
G.G. 30/5/61,
p. 1386.

295G. The Tribunal may adjourn the hearing of any appeal or application.

Reg. 295G
added by
G.G. 30/5/61,
p. 1386.

295H. If an appellant or applicant desires to abandon an appeal or application, he shall notify the Secretary to the Tribunal in writing or by telegram at least three clear days before the date fixed for the hearing of the appeal or application.

Reg. 295H
added by
G.G. 30/5/61,
p. 1386.

295I. (1) Notice of the hearing of an appeal or application shall be in accordance with the Form No. 8 in Schedule 1 to these regulations, and shall be given by the Secretary to the Tribunal to all parties having an interest therein.

Reg. 295I
added by
G.G. 30/5/61,
p. 1386.

(2) The date fixed for the hearing of an appeal or application shall be not less than seven days after the date of service of the notice of hearing.

295J.* The service of any notice or other document required by the Act or by these regulations to be served may be effected by any method prescribed in section 31 of the Interpretation Act, 1918 (as amended), but where service is to be effected by posting during the Summer Vacation, the notice or document to be so served on a teacher or student shall be posted as a letter addressed to him at the address of that teacher or student notified by him to the Department.

Reg. 295J
added by
G.G. 30/5/61,
p. 1386.

295K. (1) A summons to witness issued at the instance of the Tribunal, or with the approval of the Tribunal at the instance of any party to an appeal or application, shall be in the Form No. 9 in Schedule 1 to these regulations and shall be signed by the Secretary to the Tribunal.

Reg. 295K
added by
G.G. 30/5/61,
p. 1386.

* Now see G.G. 5/2/71, p. 375.

(2) The provisions of sections 74, 75, 76, 77 and 78 of the Justices Act, 1902 (as amended), shall otherwise apply to witnesses so summoned.

Reg. 295L
added by
G.G. 30/5/61,
p. 1386.
Amended by
G.G. 16/12/65,
p. 4186;
G.G. 25/3/70,
p. 889.

295L. (1) An appeal pursuant to the power conferred on the Tribunal by paragraph (d) of subsection (3) of section 37AE of the Act may be made on the grounds of—

- (a) superior efficiency to that of the teacher promoted; or
- (b) equal efficiency and seniority to the teacher promoted.

(2) For the purpose of this regulation, "efficiency" means that for each position to be filled, the special qualifications and aptitude and experience each relevant to that position must be considered together with the diligence and good conduct of the teacher and the status of the position held by the teacher at the time of the application, but any service in an acting capacity shall be disregarded.

(3) For the purposes of this regulation a teacher's service for the purpose of calculating his seniority shall be deemed to have commenced on the first day of January in any year if the teacher's full time service with the Department commenced on or before the thirtieth day of March in that year.

Reg. 295M
added by
G.G. 29/8/63,
p. 2605.
Substituted
by
G.G. 25/3/70,
p. 890.

295M. As from the date of the gazettal of this regulation, efficiency assessments and their mark equivalents will cease to exist and no teacher will be considered to have an efficiency mark and no efficiency marks shall be used in seeking or making appointments, conducting appeals or in any circumstances whatsoever.

PART XV.—SCHOLARSHIPS.

Division 1.—Government University Exhibitions.

Reg. 296
amended by
G.G. 29/8/63,
p. 2605;
G.G. 16/12/65,
p. 4186;
G.G. 17/12/69,
p. 4151.

296. Thirty exhibitions, which are to be awarded annually on the results of the Leaving examination, shall be open for competition to any candidate who is under the age of nineteen years on the thirty-first day of December in the year in which the candidate sits for the Leaving examination, but the candidate's parents must be permanent residents of Australia.

Reg. 297
amended by
G.G. 30/3/66,
p. 829.

297. Of the exhibitions referred to in regulation 296 of these regulations—

- (a) twenty are to be known as General Exhibitions each of which has a value of eighty dollars; and
- (b) ten are to be known as Special Subject Exhibitions each of which has a value of forty dollars.

Reg. 298
amended by
G.G. 29/8/61,
p. 2065;
G.G. 29/8/63,
p. 2605;
G.G. 19/8/65,
p. 2365;
G.G. 16/12/65,
p. 4186;
G.G. 31/5/66,
p. 1424.

298. (1) No candidate is entitled to, or shall be awarded, an exhibition unless the candidate has qualified for matriculation in the November examination.

(2) Every candidate for a Government University exhibition shall signify on his entry form for the Leaving examination that he is a candidate for such an exhibition.

(3) An exhibition is awarded on condition—

- (a) that the successful candidate becomes enrolled as an undergraduate of an Australian University as soon as the rules and regulations of that University permit; and
- (b) that he enters on a full course of study leading to a degree.

(4) Subject to regulation 301 of these regulations a candidate who qualifies for an award of one or more than one exhibition shall, upon proof that he has so enrolled as an undergraduate and has entered on a full course of study leading to a degree, be entitled to receive from the Department the amount which is equal to the value of the exhibition or the aggregate value of the exhibitions, as the case may be.

299. (1) General Exhibitions shall be awarded to candidates who obtain the highest aggregate marks in any three matriculation level subjects.

Reg. 299
amended by
G.G. 29/8/63,
p. 2606; G.G.
16/12/65,
p. 4186;
G.G. 17/12/69,
p. 4151.

(2) The marks referred to in subregulation (1) of this regulation shall be the standardised marks determined for each subject by the Public Examinations Board.

300. (1) A Special Subject Exhibition shall be awarded to the candidate who is placed first in order of merit in accordance with the provisions of subregulation (2) of this regulation in the matriculation level examination in any of the following subjects:—

Reg. 300
amended by
G.G. 29/8/63,
p. 2606;
G.G. 16/12/65,
p. 4186;
G.G. 17/12/69,
p. 4151.

- (a) English Literature:
- (b) Mathematics:
- (c) Physics:
- (d) Chemistry:
- (e) Biology:
- (f) Geography:
- (g) History:
- (h) French:
- (i) German: and
- (j) Economics.

(2) In each of the subjects referred to in subregulation (1) of this regulation the worked papers of the three candidates gaining the highest marks shall be referred to the Chief Examiner of that subject, and he shall place those candidates in order of merit.

301. A candidate may gain more than one exhibition, but is not entitled to an aggregate value of exhibitions exceeding one hundred and twenty dollars.

Reg. 301
amended by
G.G. 30/3/66,
p. 829.

302. The parent or guardian of a successful candidate shall make and furnish to the Director-General a statutory declaration that his child or ward, as the case may be, is a permanent resident of Australia, and was under the age of nineteen years on the thirty-first day of December in the year when the examination at which he gained an exhibition was held.

Reg. 302.
Substituted
by
G.G. 31/5/66,
p. 1424.
Amended
by G.G.
17/12/69,
p. 4151.

Division 2.—Financial Assistance for Students Enrolled with the Technical Education Division.

303. (1) Students enrolled in classes conducted by the Technical Education Division who are in need of financial assistance to pursue their courses may be granted financial assistance for that purpose.

Reg. 303.
Substituted
by
G.G. 21/5/68,
p. 1433.

(2) Applications must be made on the prescribed form to the Director of Technical Education and should reach him not later than 21st January of each year.

(3) Notwithstanding subregulation (2) of this regulation, in exceptional circumstances, applications for assistance may be made at other times during the year.

304. (1) The Minister may appoint a committee to consider and make recommendations regarding applications for financial assistance.

Reg. 304.
Substituted
by
G.G. 21/5/68,
p. 1433.

(2) In making its recommendations, the committee shall consider an applicant's need for financial assistance to enable him to proceed with his course of studies and such reports as it requires concerning the applicant's educational attainments, previous progress and his aptitude for the course of study to be undertaken.

(3) The committee may recommend cancellation, reduction or increase of the financial assistance awarded in accordance with regulation 303 of these regulations if it considers that a student's financial circumstances or his progress in his course of studies warrants such action.

- Reg. 305.
Substituted
by
G.G. 21/5/68,
p. 1434.
305. The committee constituted under Regulation 304 of these regulations shall consist of—
- (a) the Director of Technical Education, or his deputy, who shall act as chairman of the committee;
 - (b) the principal of a technical college or school; and
 - (c) a representative of the Treasury Department.
- Reg. 306.
Substituted
by
G.G. 21/5/68,
p. 1434.
306. Students in receipt of financial assistance recommended in accordance with regulation 304 of these regulations shall be exempted from tuition and examination fees.
307. [*Revoked by G.G. 21/5/68, p. 1433.*]
308. [*Revoked by G.G. 21/5/68, p. 1433.*]

Division 3.—Scholarships Tenable at Schools Providing
Secondary Education.

- Reg. 309
amended by
G.G. 29/6/61,
p. 2065.
309. (1) Scholarships may be awarded to pupils who are undertaking courses in secondary education, and the number of such scholarships to be awarded each year and the distribution of those scholarships shall be determined by the Minister.
- (2) A scholarship awarded under subregulation (1) of this regulation shall be tenable at a government school, or at a non-government school approved by the Director-General, and shall entitle the pupil to whom it is awarded to receive such assistance as the Minister may determine.
- (3) The selection of pupils to whom scholarships are to be awarded shall be based on the attainments, intelligence and aptitude of the applicants for such scholarships and shall be in accordance with administrative directions issued from time to time by the Director-General.
- Reg. 310
amended by
G.G. 29/6/61,
p. 2065.
310. (1) Applications for scholarships shall be submitted on the prescribed form and shall reach the Department within the time fixed for the lodgment of such applications.
- (2) An applicant for a scholarship shall submit all information and particulars required by the prescribed form of application and all such other information as the Director-General may from time to time determine and require.
- Reg. 311
amended by
G.G. 29/6/61,
p. 2065.
311. (1) A pupil to whom a scholarship is awarded under this Division of these regulations shall—
- (a) undertake a full time course of secondary education;
 - (b) at the end of each year obtain from the authorities of the school and forward to the Department, a report as to his conduct, progress and attendance at such school during the year.
- (2) Where the Director-General is of opinion that the conduct, progress or attendance of the pupil as disclosed by the report referred to in this regulation has been unsatisfactory, he may at his discretion cancel the scholarship awarded to that pupil.

SCHEDULE 1.
 Form No. 1, Reg. 200 (2). MALE STUDENT
 Western Australia.
 EDUCATION DEPARTMENT
 AGREEMENT FOR A COURSE OF TRAINING AT TEACHERS' COLLEGE.

Schedule 1.
 Substituted
 by
 G.G. 28/3/62,
 pp. 816-22.
 Amended by
 G.G. 23/7/62,
 pp. 1862-7;
 G.G. 30/12/66,
 p. 3469-70;
 G.G. 14/6/67,
 p. 1605;
 G.G. 21/8/70,
 pp. 2658-62.

AGREEMENT under seal made this day of, 19.....,
 BETWEEN

- (a)
- (b) of
 (hereinafter called "the Student") of the first part;
- (c)
- (d) of
- the (e) of the Student (hereinafter
 called "the Guarantor") of the second part;

AND

The MINISTER FOR EDUCATION (hereinafter called "the Minister") of the third part:

Whereas the Minister has agreed to admit the Student to a course of Teacher Training subject to the regulations governing Teacher Training for the time being in force.

Now the Minister hereby agrees with the Student and the Guarantor—

1. To admit the Student into the said course of Teacher Training, and if after a period of twelve calendar months from the commencement of his course of training (which period is hereinafter referred to as "the probationary period"), it appears to the Minister that the Student is worthy of further training, to provide instruction for him for the term of including the probationary period.

And the Student and the Guarantor hereby jointly and severally agree with the Minister—

2. That the Student shall as soon as the Minister may require enter the said Teacher Training course for the purposes aforesaid and remain therein for such course and of such duration as the Director of Teacher Education approves.

3. That if, after the Student commences the course of Teacher Training, that course is terminated either by the Minister or by the Student then, subject to clause 4 of this agreement, the Student and the Guarantor shall immediately forfeit and pay to the Minister, as ascertained damages and not by way of penalty for breach or failure—

- (a) the sum of all allowances received by the Student during his course of Teacher Training; and
- (b) if the Student has been granted a bursary, the sum of all allowances received by him by reason of the grant of that bursary.

4. That notwithstanding clause 3 of this agreement—

- (a) no claim will be made by the Minister for repayment of the allowances referred to in that clause, or any part of those allowances, in the event of the death of the Student during the term of his course of Teacher Training, or in the event of the Minister terminating that course because of the Student being incapacitated from teaching by reason of disease or injury;

- (b) the liability for the repayment of allowances received as a bursar shall be reduced by one twenty-fourth part of the total of those allowances for each complete calendar month spent by the Student in his course of Teacher Training, including the probationary period;
- (c) if the course of Teacher Training of the Student is terminated during the probationary period by reason of his being judged by the Director-General of Education to be unsuitable for training as a teacher, no claim will be made by the Minister for repayment of allowances or any part thereof received by the Student as a bursar or during his course of Teacher Training.

5. That if within six calendar months after the expiration of the time of the Student's training in the said course, the Minister finds employment for him as a teacher in any school or schools in this State, under the control of the Minister, then the Student shall and will teach in such school or schools under the direction of the Minister for the period of _____ years, at the remuneration and in the manner for the time being provided in that behalf by the regulations made by the Minister under the Education Act, 1928, and its amendments.

6. That if from any cause other than death, disease or injury incapacitating him from teaching, the Student, after employment has been found for him by the Minister as mentioned in clause 5 of this agreement, fails to enter upon his duties as teacher, or leaves, or on account of misconduct is required to leave, the service of the Minister before the expiration of the time for which he is liable or required to serve as mentioned in clause 5 hereof, the Student and the Guarantor shall immediately forfeit and pay to the Minister, as ascertained damages and not by way of penalty for such breach or failure, a sum of money calculated as follows:—

The sum of all allowances received by the Student from the date of entering upon his Teacher Training course shall be divided by the number of weeks for which the Student was bound to teach. The resultant quotient shall be payable for each week of default.

7. The Student agrees to pay such fees as may be determined by the Director-General of Education for membership of Clubs and Societies associated with Teachers' College.

8. That if at the end of the course, in the opinion of the Director of Teacher Education, the Student is not competent to take up an appointment as a teacher, he may be informed that the Minister does not intend to offer him any appointment, whereupon this agreement shall determine and be of no force and effect and the determination of this agreement shall not give rise to any claim for damages, compensation or expenses or otherwise by or in respect to any of the parties thereto.

9. In and for the purposes of this agreement the term "allowances" shall refer to those allowances payable to a Student living at home.

Signed, sealed and delivered by the abovenamed (a)..... in the presence of (f).....	} } } } (g)
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Signed, sealed and delivered by the
abovenamed (c).....
.....
in the presence of (f).....
.....
..... }(h)

Signed, sealed and delivered for and on
behalf of the abovenamed Minister
for Education (i).....
.....
in the presence of (i).....
..... }(i)

This agreement form should be filled in as indicated below:—

- (a) Full name of Student.
- (b) Address of Student.
- (c) Full name of Guarantor.
- (d) Address of Guarantor.
- (e) Relationship of Guarantor.
- (f) Signature of Witness.
- (g) Signature of Student.
- (h) Signature of Guarantor.
- (i) Leave Blank.

Form No. 1A Reg. 200 (2).

MALE STUDENT.

Western Australia.

Education Department.

AGREEMENT FOR A COURSE OF TRAINING AT A TEACHERS' COLLEGE.

AGREEMENT under seal made this.....day of
....., 19.....

Between

- (a)
- (b) of
(hereinafter called "the Student") of the first part;
- (c)
- (d) of.....
the (e)..... of the Student
(hereinafter called "the Guarantor") of the second part;
and the Minister for Education (hereinafter called "the
Minister") of the third part;

Whereas the Minister has agreed to admit the Student to a course of Teacher Training subject to the regulations governing Teacher Training for the time being in force.

Now the Minister hereby agrees with the Student and the Guarantor—

1. To admit the Student into the said course of Teacher Training, and if after a period of twelve calendar months from the commencement of his course of training (which period is hereinafter referred to as "the probationary period"), it appears to the Minister that the Student is worthy of further training, to provide instruction for him for the term of two years, including the probationary period.

And the Student and the Guarantor hereby jointly and severally agree with the Minister—

2. That the Student shall as soon as the Minister may require enter the said Teacher Training course for the purposes aforesaid and remain therein for the period aforesaid.

3. That if, after the Student commences the course of Teacher Training, that course is terminated either by the Minister or by the Student then, subject to clause 4 of this agreement, the Student and the Guarantor shall immediately forfeit and pay to the Minister, as ascertained damages and not by way of penalty for breach or failure—

- (a) the sum of all allowances received by the Student during his course of Teacher Training; and
- (b) if the Student has been granted a bursary, the sum of all allowances received by him by reason of the grant of that bursary.

4. That notwithstanding clause 3 of this agreement—

- (a) no claim will be made by the Minister for repayment of the allowances referred to in that clause, or any part of those allowances, in the event of the death of the Student during the term of his course of Teacher Training, or in the event of the Minister terminating that course because of the Student being incapacitated from teaching by reason of disease or injury;
- (b) the liability for the repayment of allowances received as a bursar shall be reduced by one twenty-fourth part of the total of those allowances for each complete calendar month spent by the Student in his course of Teacher Training, including the probationary period;
- (c) if the course of Teacher Training of the Student is terminated during the probationary period by reason of his being judged by the Director-General of Education to be unsuitable for training as a teacher, no claim will be made by the Minister for repayment of allowances or any part thereof received by the Student as a bursar or during his course of Teacher Training.

5. That if within six calendar months after the expiration of the time of the Student's training in the said course, the Minister finds employment for him as a teacher in any school or schools in this State, under the control of the Minister, then the Student shall and will teach in such school or schools under the direction of the Minister for the period of three years, at the remuneration and in the manner for the time being provided in that behalf by the regulations made by the Minister under the Education Act, 1928, and its amendments.

6. That if from any cause other than death, disease or injury incapacitating him from teaching, the Student, after employment has been found for him by the Minister as mentioned in clause 5 of this agreement, fails to enter upon his duties as teacher, or leaves, or on account of misconduct is required to leave, the service of the Minister before the expiration of the time for which he is liable or required to serve as mentioned in clause 5 hereof, the Student and the Guarantor shall immediately forfeit and pay to the Minister as ascertained damages and not by way of penalty for such breach or failure, a sum of money calculated as follows:—

The sum of all allowances received by the Student from the date of entering upon his Teacher Training course shall be divided by the number of weeks for which the Student was bound to teach. The resultant quotient shall be payable for each week of default.

7. The Student agrees to pay such fees as may be determined by the Director-General of Education for membership of Clubs and Societies associated with Teachers' College.

8. That if at the end of the course, in the opinion of the Director of Teacher Education, the Student is not competent to take up an appointment as a teacher, he may be informed that the Minister does not intend to offer him any appointment, whereupon this agreement shall determine and be of no force and effect and the determination of this agreement shall not give rise to any claim for damages, compensation or expenses or otherwise by or in respect to any of the parties thereto.

9. In and for the purposes of this agreement the term "allowances" shall refer to those allowances payable to a Student living at home.

Signed, sealed and delivered by the above-named (a).....	} (g)
in the presence of (f).....		
Signed, sealed and delivered by the above-named (c).....	} (h)
in the presence of (f).....		
Signed, sealed and delivered for and on behalf of the abovenamed Minister for Education (i).....	} (i)
in the presence of (i).....		

This agreement form should be filled in as indicated below:—

- (a) Full name of Student.
- (b) Address of Student.
- (c) Full name of Guarantor.
- (d) Address of Guarantor.
- (e) Relationship of Guarantor.
- (f) Signature of Witness.
- (g) Signature of Student.
- (h) Signature of Guarantor.
- (i) Leave blank.

Form No. 2, Reg. 200 (2).

FEMALE STUDENT.

Western Australia.

EDUCATION DEPARTMENT.

AGREEMENT FOR A COURSE OF TRAINING AT
TEACHERS' COLLEGE.

AGREEMENT under seal made this day of 19.....

Between

- (a)
- (b) of.....
(hereinafter called "the Student") of the first part;
- (c)
- (d) of.....
the (e).....of the Student
(hereinafter called "the Guarantor") of the second part;

and

the Minister for Education (hereinafter called "the
Minister") of the third part:

Whereas the Minister has agreed to admit the Student to a course of Teacher Training subject to the regulations governing Teacher Training for the time being in force.

Now the Minister hereby agrees with the Student and the Guarantor—

1. To admit the Student into the said course of Teacher Training, and if after a period of twelve calendar months from the commencement of her course of training (which period is hereinafter referred to as "the probationary period"), it appears to the Minister that the Student is worthy of further training, to provide instruction for her for the term of years, including the probationary period.

And the Student and the Guarantor hereby jointly and severally agree with the Minister—

(2) That the Student shall, as soon as the Minister may require enter the said Teacher Training course for the purposes aforesaid and remain therein for such course and of such duration as the Director of Teacher Education approves:

Provided that if after entering the said Teacher Training course the Student marries, the Student shall have the choice of continuing the course or of having her course terminated from the date of her marriage.

3. That if, after the Student commences the course of Teacher Training, that course is terminated either by the Minister or by the Student then, subject to clause 4 of this agreement, the Student and the Guarantor shall immediately forfeit and pay to the Minister, as ascertained damages and not by way of penalty for breach or failure—

- (a) the sum of all allowances received by the Student during her course of Teacher Training; and
- (b) if the Student has been granted a bursary, the sum of all allowances received by her by reason of the grant of that bursary.

4. That notwithstanding clause 3 of this agreement—

- (a) no claim will be made by the Minister for repayment of the allowances referred to in that clause, or any part of those allowances, in the event of the death of the Student during the term of her course of Teacher Training, or in the event of the Minister terminating that course because of the Student being incapacitated from teaching by reason of disease or injury;
- (b) the liability for the repayment of allowances received as a bursar shall be reduced by one twenty-fourth part of the total of those allowances for each complete calendar month spent by the Student in her course of Teacher Training, including the probationary period;
- (c) if the course of Teacher Training of the Student is terminated during the probationary period by reason of her being judged by the Director-General of Education to be unsuitable for training as a teacher, no claim will be made by the Minister for repayment of allowances or any part thereof received by the Student as a bursar or during her course of Teacher Training;
- (d) if the course of Teacher Training of the Student is terminated by reason of the Student marrying, no claim will be made by the Minister for repayment of more than one-half of the allowances received by the Student as a bursar or during her course of Teacher Training;
- (e) from the date that the Student becomes the natural mother of a child, no further claim shall be made by the Minister for repayment of the allowances mentioned in paragraph (d) of this clause provided that legal evidence of the birth of the child is submitted to the Minister.

5. That if within six calendar months after the expiration of the time of the Student's training in the said course the Minister finds employment for her as a teacher, in any school or schools in the State, under the control of the Minister, then the Student shall and will teach in such school or schools under the direction of the Minister for the period of three years, at the remuneration and in the manner for the time being provided in that behalf by the regulations made by the Minister under the Education Act, 1928, and its amendments except that if the Student marries during the Teacher Training course and elects to continue and complete the said course after marriage, the student shall and will teach in such school or schools under the direction of the Minister for a period determined in relation to the period for which she received allowances.

6. That if from any cause other than death, disease or injury incapacitating her from teaching, or marriage as referred to in clause 7 of this agreement, the Student, after employment has been found for her by the Minister as mentioned in clause 5 of this agreement, fails to enter upon her duties as teacher, or leaves, or on account of misconduct is required to leave, the service of the Minister before the expiration of the time for which she is liable or required to serve as mentioned in clause 5 hereof, the Student and the Guarantor shall immediately forfeit and pay to the Minister, as ascertained damages and not by way of penalty for such breach or failure, a sum of money calculated as follows:—

The sum of all allowances received by the Student from the date of entering upon her Teacher Training course shall be divided by the number of weeks excluding school vacations for which the Student was bound to teach. The resultant quotient shall be payable for each week of default.

7. That if the Student marries before the expiration of the time for which she is liable or required to serve as mentioned in clause 5 of this agreement—

- (a) the Minister will continue to employ her without interruption to her service until such time as she shall have served the period of time mentioned in clause 5 of this agreement and after the expiration of this time her employment will lapse;
- (b) if the Student after employment has been found for her by the Minister as mentioned in clause 5 of this agreement, fails to enter upon her duties as a teacher or leaves the service of the Minister before the expiration of the time for which she is liable or required to serve as mentioned in clause 5 hereof the Student and the Guarantor shall immediately forfeit and pay to the Minister as ascertained damages and not by way of penalty for such breach or failure a sum of money calculated as follows:—

The sum of all the allowances received by the Student from the date of entering upon her Teacher Training course shall be divided by the number of school weeks for which the Student was bound to teach. One-half of the resultant quotient shall be payable for each school week of default and shall be paid monthly until the expiration of the time she is required to serve as mentioned in clause 5 of this agreement, subject to paragraphs (c), (d) and (e) of this clause;

- (c) If the Student is re-employed in the Department during the time she is liable or required to serve as mentioned in clause 5 of this agreement, she may count any full-time service as service towards repayment of allowances received by her while undergoing a Teacher Training course and the monthly payments mentioned in paragraph (b) of this clause shall be suspended while she is so employed;
- (d) from the date that the Student becomes the natural mother of a child no further claims shall be made by the Minister for repayment of the weekly amounts mentioned in paragraph (b) of this clause provided that legal evidence of the birth of the child is submitted to the Minister;
- (e) if the period of service required under clause 5 of this agreement is more than three years and the Student marries, the amount of damages due to the Minister shall be calculated on the basis that the service as stipulated in the said clause 5 was three years;
- (f) if at the expiration of the time the Student is liable or required to serve as mentioned in clause 5 of this agreement, or at the cancellation of her obligations as mentioned in paragraph (d) of this clause, the Student and her Guarantor have defaulted in any of the monthly payments the total money still owing shall be payable immediately in full.

8. The Student agrees to pay such fees as may be determined by the Director-General of Education for membership of Clubs and Societies associated with Teachers' College.

9. That if at the end of the course, in the opinion of the Director of Teacher Education, the Student is not competent to take up an appointment as a teacher, she may be informed that the Minister does not intend to offer her any appointment, whereupon this agreement shall determine and be of no force and effect and the determination of this agreement shall not give rise to any claim for damages, compensation or expenses or otherwise by or in respect to any of the parties thereto.

10. In and for the purposes of this agreement the term "allowances" shall refer to those allowances payable to a Student living at home.

Signed, sealed and delivered by the above-named (a) } (g)
in the presence of (f) }

Signed, sealed and delivered by the above-named (c) } (h)
in the presence of (f) }

Signed, sealed and delivered for and on behalf of the abovenamed Minister for Education (i) } (i)
in the presence of (i) }

This agreement form should be filled in as indicated below:—

- (a) Full name of Student.
- (b) Address of Student.
- (c) Full name of Guarantor.
- (d) Address of Guarantor.
- (e) Relationship of Guarantor.
- (f) Signature of Witness.
- (g) Signature of Student.
- (h) Signature of Guarantor.
- (i) Leave blank.



Form No. 2A Reg. 200 (2).

FEMALE STUDENT

Western Australia.

Education Department.

AGREEMENT FOR A COURSE OF TRAINING AT TEACHERS'
COLLEGE.AGREEMENT under seal made this day of
....., 19.....

Between

- (a)
- (b) of
(hereinafter called "the Student") of the first part;
- (c)
- (d) of
- the (e) of the Student (hereinafter called "the Guarantor") of the second part; and the Minister for Education (hereinafter called "the Minister") of the third part:

Whereas the Minister has agreed to admit the Student to a course of Teacher Training subject to the regulations governing Teacher Training for the time being in force.

Now the Minister hereby agrees with the Student and the Guarantor—

1. To admit the Student into the said course of Teacher Training, and if after a period of twelve calendar months from the commencement of her course of training (which period is hereinafter referred to as "the probationary period"), it appears to the Minister that the Student is worthy of further training, to provide instruction for her for the term of two years, including the probationary period.

And the Student and the Guarantor hereby jointly and severally agree with the Minister—

2. That the Student shall, as soon as the Minister may require, enter the said Teacher Training course for the purposes aforesaid and remain therein for the period aforesaid:

Provided that if after entering the said Teacher Training course the Student marries, the Student shall have the choice of continuing the course without allowances and without the payment of tuition fees or of having her course terminated from the date of her marriage.

3. That if, after the Student commences the course of Teacher Training, that course is terminated either by the Minister or by the Student then, subject to clause 4 of this agreement, the Student and the Guarantor shall immediately forfeit and pay to the Minister, as ascertained damages and not by way of penalty for breach or failure—

- (a) the sum of all allowances received by the Student during her course of Teacher Training; and
- (b) if the Student has been granted a bursary, the sum of all allowances received by her by reason of the grant of that bursary.

4. That notwithstanding clause 3 of this agreement—

- (a) no claim will be made by the Minister for repayment of the allowances referred to in that clause, or any part of those allowances, in the event of the death

of the Student during the term of her course of Teacher Training, or in the event of the Minister terminating that course because of the Student being incapacitated from teaching by reason of disease or injury;

- (b) the liability for the repayment of allowances received as a bursar shall be reduced by one twenty-fourth part of the total of those allowances for each complete calendar month spent by the Student in her course of Teacher Training, including the probationary period;
- (c) if the course of Teacher Training of the Student is terminated during the probationary period by reason of her being judged by the Director-General of Education to be unsuitable for training as a teacher, no claim will be made by the Minister for repayment of allowances or any part thereof received by the Student as a bursar or during her course of Teacher Training;
- (d) if the course of Teacher Training of the Student is terminated by reason of the Student marrying, no claim will be made by the Minister for repayment of more than one-half of the allowances received by the Student as a bursar or during her course of Teacher Training;
- (e) from the date that the student becomes the natural mother of a child, no further claim shall be made by the Minister for repayment of the allowances mentioned in paragraph (d) of this clause provided that legal evidence of the birth of the child is submitted to the Minister.

5. That if within six calendar months after the expiration of the time of the Student's training in the said course, the Minister finds employment for her as a teacher, in any school or schools in the State, under the control of the Minister, then the Student shall and will teach in such school or schools under the direction of the Minister for the period of three years, at the remuneration and in the manner for the time being provided in that behalf by the regulations made by the Minister under the Education Act, 1928, and its amendments except that if the student marries during the Teacher Training course and elects to continue and complete the said course after marriage the student shall and will teach in such school or schools under the direction of the Minister for a period determined in relation to the period for which she received allowances.

6. That if from any cause other than death, disease or injury incapacitating her from teaching, or marriage as referred to in clause 7 of this agreement, the Student, after employment has been found for her by the Minister as mentioned in clause 5 of this agreement, fails to enter upon her duties as teacher, or leaves, or on account of misconduct is required to leave, the service of the Minister before the expiration of the time for which she is liable or required to serve as mentioned in clause 5 hereof, the Student and the Guarantor shall immediately forfeit and pay to the Minister, as ascertained damages and not by way of penalty for such breach or failure, a sum of money calculated as follows:—

The sum of all allowances received by the Student from the date of entering upon her Teacher Training course shall be divided by the number of weeks excluding school vacations for which the Student was bound to teach. The resultant quotient shall be payable for each week of default.

7. That if the student marries before the expiration of the time for which she is liable or required to serve as mentioned in clause 5, of this agreement—

- (a) the Minister will continue to employ her without interruption to her service until such time as she shall have served the period of time mentioned in clause 5 of this agreement and after the expiration of this time her employment will lapse;
- (b) if the Student after employment has been found for her by the Minister as mentioned in clause 5 of this agreement, fails to enter upon her duties as a teacher or leaves the service of the Minister before the expiration of the time for which she is liable or required to serve as mentioned in clause 5 hereof the Student and the Guarantor shall immediately forfeit and pay to the Minister as ascertained damages and not by way of penalty for such breach or failure a sum of money calculated as follows.—

The sum of all the allowances received by the Student from the date of entering upon her Teacher Training Course shall be divided by the number of school weeks for which the Student was bound to teach. One half of the resultant quotient shall be payable for each school week of default and shall be paid monthly until the expiration of the time she is required to serve as mentioned in clause 5 of this agreement, subject to paragraphs (c), (d) and (e) of this clause;

- (c) if the Student is re-employed in the Department during the time she is liable or required to serve as mentioned in clause 5 of this agreement, she may count any full-time service as service towards repayment of allowances received by her while undergoing a Teacher Training course and the monthly payments mentioned in paragraph (b) of this clause shall be suspended while she is so employed;
- (d) from the date that the Student becomes the natural mother of a child no further claims shall be made by the Minister for repayment of the weekly amounts mentioned in paragraph (b) of this clause provided that legal evidence of the birth of the child is submitted to the Minister;
- (e) if the period of service required under clause 5 of this agreement is more than three years and the Student marries, the amount of damages due to the Minister shall be calculated on the basis that the service as stipulated in the said clause 5 was three years;
- (f) if at the expiration of the time the Student is liable or required to serve as mentioned in clause 5 of this agreement, or at the cancellation of her obligations as mentioned in paragraph (d) of this clause, the Student and her Guarantor have defaulted in any of the monthly payments the total money still owing shall be payable immediately in full.

8. The Student agrees to pay such fees as may be determined by the Director-General of Education for membership of Clubs and Societies associated with Teachers' College.

9. That if at the end of the course, in the opinion of the Director of Teacher Education, the Student is not competent to take up an appointment as a teacher, she may be informed that the Minister does not intend to offer her any appointment, whereupon this agreement shall determine and be of no force and effect and the determination of this agreement

shall not give rise to any claim for damages, compensation or expenses or otherwise by or in respect to any of the parties thereto.

10. In and for the purposes of this agreement the term "allowances" shall refer to those allowances payable to a Student living at home.

Signed, sealed and delivered by the abovenamed (a).....	} (g)
in the presence of (f).....		
Signed, sealed and delivered by the abovenamed (c).....	} (h)
in the presence of (f).....		
Signed, sealed and delivered for and on behalf of the abovementioned Minister for Education (i).....	} (i)
in the presence of (i).....		

This agreement form should be filled in as indicated below:—

- (a) Full name of Student.
- (b) Address of Student.
- (c) Full name of Guarantor.
- (d) Address of Guarantor.
- (e) Relationship of Guarantor.
- (f) Signature of Witness.
- (g) Signature of Student.
- (h) Signature of Guarantor.
- (i) Leave Blank.

Form 3. Reg. 285 (1).

Western Australia.

Education Act, 1928 (as amended).

NOTICE OF ELECTION.
(Regulation 285.)

NOTICE is hereby given that an election of a member and/or deputy member of the Government School Teachers' Tribunal under subsection (7) of section 37 of the Education Act, 1928 (as amended), will take place at the office of the Chief Electoral Officer, Perth, on the.....day of....., 19....., closing at.....o'clock in the.....noon on such date.

Nominations of candidates shall be made in accordance with the Education Act Regulations and must be received by the Chief Electoral Officer at his office not later than.....o'clock in the.....noon on the.....day of..... 19.....

.....
Returning Officer.



Form 4. Reg. 286 (2).

Western Australia.

Education Act, 1928 (as amended).

NOMINATION FORM.

(Regulation 286.)

WE, the undersigned members of the State School Teachers' Union of Western Australia (Incorporated), entitled to vote at the election of a representative of the members of that Union do hereby nominate

(a).....

(b).....

for election as a.....

(here insert member or deputy member)

of the Government School Teachers' Tribunal.

Dated this.....day of.....19.....

School or Branch to which Appointed.	Signatures of Nominators.
.....
.....
.....

(To be signed by at least two persons eligible to vote at the election for which the nomination is made.)

I (a).....

of (b).....the person nominated hereby consent to the above nomination and to act if elected in the capacity abovementioned.

.....day of.....19.....

Signature.....

Received the above nomination this.....day of

.....19.....at.....o'clock in the

.....noon.

.....

Chief Electoral Officer,
Returning Officer.

(a) Name in full of nominee in block letters.

(b) School or Branch of Department to which appointed.

Form 5. Reg. 290 (1).
Western Australia.
Education Act, 1928 (as amended).

BALLOT PAPER.
(Regulation 290.)

Election of a Candidate as a Member (or Deputy Member) of the
Government School Teachers' Tribunal.

Date of Close of Poll.....

.....
Initials of Returning Officer.

DIRECTIONS FOR VOTING.

(1) Where there are only two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes. Where there are more than two candidates the voter shall mark the ballot paper by placing the numeral "1" opposite the name of the candidate for whom he votes as his first preference and he shall give contingent votes for all the remaining candidates by placing the numerals "2", "3" and so on, opposite their names as the case requires, so as to indicate by such numerical sequence the order of his preference.

(2) The voter shall then—

- (a) enclose the ballot paper alone in the envelope marked "ballot paper" and fasten the envelope;
- (b) complete and sign the counterfoil in the presence of a witness who shall also sign the counterfoil;
- (c) return the ballot paper envelope with the ballot paper contained therein and the completed counterfoil to the returning officer by post or otherwise in the envelope addressed to the returning officer so as to be received by him not later than the day and time appointed by the notice of election for the closing of the poll.

Full Names of Candidates
(in alphabetical order of surnames).

.....

.....

.....

.....

Form 6. Reg. 290 (1).
Western Australia.
Education Act, 1928 (as amended).

COUNTERFOIL.
(Regulation 290.)

Election of a Candidate as a Member (or Deputy Member) of the
Government School Teachers' Tribunal.

Date of Close of the Poll.....

Name in full of Voter.....

School or Branch.....

Usual Signature of Voter.....

Witness to Signature.....

Address of Witness.....

Form 7. Reg. 295C.
Western Australia.
Education Act, 1928 (as amended).

NOTICE of—

- (A) APPEAL.
- (B) APPLICATION FOR A DETERMINATION.
- (C) APPLICATION FOR A REVIEW.
(Regulation 295C.)

Take notice that (here give full name or title of Appellant/s or Applicant/s)

hereby—

- (A) appeal against
- (B) make application for a determination of
- (C) make application for a review of

the following:—(here state subject matter of decision or determination appealed against, or dispute to be determined, or of matter to be reviewed, as the case may be):—

on the grounds or for the reasons which follow (here set forth clearly and concisely the grounds of appeal or reasons for the application):—

Dated at this day of 19.....

Signature of Appellant/s.....

or Applicant/s.....

To The Government School Teachers Tribunal, Perth.

NOTE.—(a) Where a party to any appeal or application seeks permission to be represented by a legal practitioner, such party shall make written application in that behalf to the Tribunal at the same time as that party lodges Notice of Appeal or Application or when the matter is referred to the Tribunal. and as soon as practicable thereafter shall serve a copy of the application on every other party to the appeal, application or matter.

(b) Where a party to any appeal or application desires to summon a witness or witnesses, such party shall seek the approval of the Tribunal to the issue of the requisite summons/summonses. The issue of a summons to witness is not necessary where a party can secure the voluntary attendance of a witness.

(c) The grounds of appeal available to an appellant pursuant to the powers conferred on the Tribunal by paragraph (d) of subsection (3) of section 37AE of the Act (Promotions) have been prescribed as follows:—

- (1) Superior efficiency to that of the teacher promoted; or
- (2) equal efficiency and seniority to the teacher promoted.

(d) Notice of Appeal—Copies Required:—

- (1) Promotions—two copies.
- (2) Other Appeals—three copies for Tribunal's use plus copies for all other known interested parties.

Form 8. Reg. 295I.

Western Australia.

Education Act, 1928 (as amended).

NOTICE OF HEARING OF APPEAL OR APPLICATION.
(Regulation 295I.)

Take notice that the—

- (A) appeal against
- (B) application for a determination of
- (C) application for a review of

the following:—

.....

will be heard by the Government School Teachers' Tribunal sitting at.....Perth, on the.....day of.....19....., at.....o'clock in the.....noon.

Dated at Perth the.....day of.....19.....

To.....
.....
.....
.....

.....
Secretary to the Tribunal.

NOTE.—In Promotions Appeals parties to an appeal are requested to have available at the hearing copies of the statement of the facts they intend to rely upon for all other parties to the appeal and for members of the Tribunal.



Form 9. Reg. 295K.

Western Australia.

Education Act, 1928 (as amended).

SUMMONS OF A WITNESS.

(Regulation 295K.)

To.....
of

in the State of Western Australia.

Whereas an Appeal/Application was on this.....
day of.....19....., lodged with the undersigned
seeking

These are therefore to require you to appear before the Govern-
ment School Teachers' Tribunal at.....Perth, in the
said State on the.....day of.....19.....,
at.....o'clock in the.....noon and so from day to day until
such appeal/application is determined, to give evidence in the said
appeal/application on behalf of the.....
(and there to have and produce.....

and all other papers and documents relating to the said appeal/
application which may be in your custody, possession or power). In
default of your attendance you will be liable to the penalty provided
under section 75 of the Justices Act, 1902 (as amended).

Given under my hand at Perth in the said State this.....
day of.....19.....

.....
Secretary to Government School
Teachers' Tribunal.

ENDORSEMENT OF SERVICE.

On the.....day of.....19..... at
.....I served the within-named
.....with the within summons by
delivering a duplicate of it to him personally (or by leaving a dup-
licate of it for him with.....at.....
his last known place of abode).

(Signature).....

(Date).....

Schedule 2.
Substituted
by
G.G. 6/2/70,
pp. 366-7.
Amended by
G.G. 17/4/70,
p. 1135.

SCHEDULE 2.

FEES—TECHNICAL EDUCATION DIVISION.

1.—GENERAL TUITION FEES.

Fees to be charged to students in the Technical Education Division other than in self-supporting courses shall be as follows:—

(1) Apprentices—

Apprentices registered with the Western Australian Industrial Commission—

- (a) for normal day release or block release apprentice classes or related correspondence courses (per annum) \$15.00
- (b) For other instruction—fees as prescribed in items 2 and 3.

(2) Class Instruction—

(a) Fees calculated on the total hours of instruction as follows:—

- (i) Students aged 21 years or over—for each 3 hours of class instruction or part thereof 50 cents
Maximum fee payable per annum \$60.00
- (ii) Students aged 18 years or over but under 21 years of age—for each 4½ hours of class instruction or part thereof 50 cents
Maximum fee payable per annum \$40.00
- (iii) Students under 18 years of age—for each 9 hours of class instruction or part thereof 50 cents
Maximum fee payable per annum \$16.00

(b) (i) In the case of a student admitted to a class after the commencement of a course, fees as set out in paragraph (a) above calculated on the total remaining hours of instruction.

(ii) Notwithstanding the provisions of subparagraph (i) above, a student admitted to a class at any time during the first one-third part of a course shall pay the full fee prescribed for that course and for the purposes of this subparagraph a one-third part shall mean one-third of the total hours of instruction.

(c) For the purposes of calculating the fees set out in this item, a full-year course shall be deemed to run for 36 weeks.

(d) The minimum fee chargeable for class instruction shall be \$1 per annum.

(3) Correspondence Instruction—

The fees for correspondence students shall be such fees as determined by the Minister to conform with the general level of fees for class instruction.

2.—OTHER FEES.

- (a) Fee for late entry to examinations \$3.00
- (b) Supplementary examinations or examination without attendance at classes—per subject \$3.00
- (c) Preparation of Awards of Diplomas and Certificates—per award \$1.00
- (d) Fee for special deferred examination—per subject \$10.00
- (e) Examination fee for approved external candidates—per subject \$6.00
- (f) Fee for re-marking of examination results—per subject \$3.00
- (g) Fee for a report on examinations (including re-mark)—per subject \$8.00

SCHEDULE 3.

[Revoked by G.G. 19/12/69, p. 4195.]

SCHEDULE 4.

[Revoked by G.G. 12/11/68, p. 3343.]

SCHEDULE 5.

FEES—WESTERN AUSTRALIAN CORRESPONDENCE
SCHOOL.

Fees to be charged to students of the Western Australian Correspondence School who are not in full time attendance at school shall be as follows:—

1. GENERAL TUITION FEES.

	Annual Per Subject Per Grade \$
(1) Students Resident in Western Australia— Post Primary Subjects (First, Second and Third year High School).	
Students under 18 years of age	3.00
Students aged 18 years or over but under 21 years of age	6.00
Students aged 21 years or over	9.00
(2) Students Resident Outside Western Australia— Post Primary Subjects—\$18 (Australian) per subject per annum, with a maximum of \$90 (Australian) per annum.	
Primary Subjects—\$60 (Australian) per annum.	
Postage—A deposit of \$20 (Australian) must be paid to cover costs of postage. A refund of any part of the deposit not used will be made at the completion of the course.	

2. AGE.

The age of a student shall be determined in accordance with subregulation (2) of regulation 222 of these regulations.

SCHEDULE 6.*

SUBSIDIES TO SCHOOLS.

The scale of assistance available to schools under regulation 57A of these regulations shall be as follows:—

Part I—Assistance to Government and Non-Government Schools.

1. Visual education equipment:
\$ for \$.
2. Library books:
\$ for \$ up to the following maximum assistance:—
 - (a) Secondary schools—
\$0.60 per student or \$160, whichever is the greater, per annum.
 - (b) Primary-Secondary schools—
With over 150 secondary students in average attendance, or a total of 300 students or more in average attendance of whom at least 25 are secondary students—\$0.60 per secondary student and \$0.40 per primary student or \$160, whichever is the greater, per annum.

Schedule 5
added by
G.G. 11/8/64,
p. 2897;
amended by
G.G. 30/3/66,
p. 829;
G.G. 12/10/67,
p. 2878;
G.G. 15/7/70,
p. 2114.

Schedule 6
added by
G.G. 18/3/65,
p. 847;
amended by
G.G. 16/12/65,
p. 4187;
G.G. 30/3/66,
p. 831;
G.G. 30/12/66,
p. 3474;
G.G. 12/10/67,
p. 2878;
G.G. 21/5/68,
p. 1434;
G.G. 12/11/68,
p. 3343-4;
G.G. 6/2/69,
p. 487;
G.G. 17/12/69,
p. 4151;
G.G. 25/3/70,
p. 890;
G.G. 15/7/70,
pp. 2114-5.

* Now see G.G. 5/2/71, p.p. 375-6.

With over 150 but less than 300 in average attendance of whom at least 25 are secondary students—\$140 per annum.

With less than 25 secondary students—as for primary schools.

(c) Primary schools—

With over 250 pupils in average attendance—\$0.40 per pupil per annum.

With over 120 but not over 250 pupils in average attendance—\$100 per annum.

With 120 pupils in average attendance—\$30 per annum.

3. Radio and sound amplifying equipment:

\$ for \$ up to a maximum subsidy of \$500 depending on the size of the school.

4. Pianos:

\$ for \$ up to a maximum subsidy of \$400.

5. Physical education equipment:

(a) Secondary schools—

With over 600 students \$160 per annum.

With 600 or less students \$100 per annum.

(b) Primary-Secondary schools—

With over 150 students in average attendance of whom at least 25 are secondary students \$60 per annum.

With less than 25 secondary students — as for primary schools.

(c) Primary schools—

With over 300 pupils in average attendance \$60 per annum.

All other schools \$40 per annum.

6. Duplicators: \$ for \$ to supply one duplicator to each school as follows: —

(a) Secondary schools \$160

(b) Primary-secondary schools—

With over 150 students in average attendance of whom at least 25 are secondary students \$120

(c) Primary schools—

With over 300 pupils in average attendance \$120

All other schools \$80

Provided the annual expenditure on this item for non-Government schools shall not exceed \$4,000.

7. Brass and pipe band instruments:

\$ for \$ to a maximum of \$200 per year for three years.

8. Record playing equipment (secondary schools only):

\$ for \$ to a maximum of \$100 for equipment for use in music rooms.

9. Television sets:

\$ for \$ to a maximum of \$200 per set for the cost of the set and antennae, to the following limits —

Senior high schools and high schools—maximum of two sets per school.

Junior high schools and primary schools—maximum of one set per school.

10. Tape recorders purchased after 1st January, 1966:

\$ for \$ to a maximum of \$100.

11. Swimming pools:

25 per cent. of the total cost with a maximum subsidy of \$2,000.

12. Approved teaching aids:

\$ for \$ up to a maximum of \$50 annually.

Part II—Assistance to Government Schools Only.

1. Buildings and related projects:

A subsidy of thirty-three and one-third per cent. of the total cost up to a maximum subsidy of \$4,000.

2. Ground improvements in primary schools:

(a) Bringing water to the surface, where in the opinion of the Public Works Department the proposal is economically sound—\$ for \$ for the first \$3,000 of the total cost of the project; 100 per centum of any cost in excess of that amount.

(b) Reticulation of grounds—
\$ for \$ up to a maximum subsidy of \$400.

(c) Clearing, levelling, grassing and paving playing areas—
\$ for \$ up to a maximum subsidy of \$1,500.

Provided that the annual expenditure by the Department on sub-items (b) and (c) shall not exceed \$20,000.

3. Refrigerators:

For use in home economics centres in secondary schools and junior high schools—\$150.

4. [*Revoked by G.G. 21/5/68, P. 1434.*]

5. Advance assistance to new schools:

Headmasters of new schools may apply within twelve months of the opening of the school for assistance to purchase items in this Schedule within the following limits:—

Enrolment at School	\$
1- 35	100
36- 70	200
71-130	300
131-200	400
201-300	500
301 and over	600

PART III—Assistance to Non-Government Schools only:

1. Repairs to subsidised equipment:

\$ for \$ on repairs to visual education equipment, radio and sound amplifying equipment, pianos, duplicators and television sets.