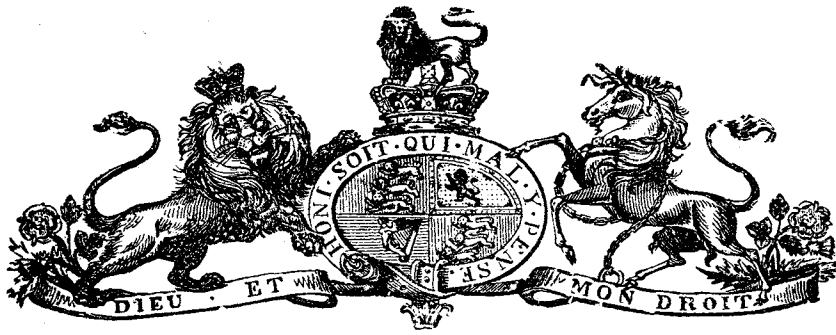


T A S M A N I A.

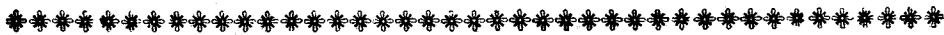


1898.

ANNO SEXAGESIMO-SECUNDO

VICTORIÆ REGINÆ,

No. 37.



AN ACT to amend "The Education Act, A.D. 1885." [29 October, 1898.]

WHEREAS it is desirable to amend "The Education Act, 1885:" PREAMBLE. Be it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The Education Act, 1898." Short title.

2 In this Act the expression "the said Act" shall mean "The Education Act, 1885." Interpretation.

3 Section Twenty-one of the said Act is hereby repealed, and the following is hereby enacted, and may be cited in lieu thereof:— Repeal.

"21—(1) The parents of children of not less than Seven years nor more than ~~thirteen~~ ^{fourteen} years of age shall cause such children (unless just cause of exemption be shown as hereinafter provided) to attend school on each day in every week in each year while the school is open. Any of the following reasons shall be held to be a just cause of exemption:—

Amended by 3 Geo 7th 44

- I. That the child is being regularly and efficiently instructed in some other manner:
II. That the child has been prevented from attending school by sickness, danger of infection, temporary or permanent infirmity, or any unavoidable cause:
III. That the parent needs the assistance of the child at home, or in providing for the support of the family, during some

Children of school age to be instructed.

Education Amendment.

A.D. 1898.

portion of any week ; but the absence of any child from school shall not from this cause in any such week exceed Two school-days :

“ IV. That there is no school which the child can attend within a radius of Two miles, or such greater distance as may from time to time be fixed by the Board of Advice for the District, measured from the residence of such child : *by*

“ V. That the child has been educated up to the compulsory standard of education : Provided that this cause of exemption shall only apply to the case of a child who has attained the age of ~~Eleven~~ *Eleven* years :

“ VI. That the child has been exempted from attendance by the Board of Advice for the District, and that the period of such exemption has not expired.

“(2.) For the purposes of this Act, attendance at school for Four hours in any One day or for Two hours before noon on any Two days, or for Two hours after noon on any Two days, shall respectively be deemed to be one school-day's attendance.”

Amendment of
Sect. 6 of
49 Vict. No. 15.

4 The words “the Consolidated Revenue Fund” in the Fourteenth line of Section Six of the said Act are hereby repealed, and the following words are inserted in lieu thereof:—“A fund which, in addition to moneys provided by Parliament from time to time, shall be devoted by the Minister to the building of schools or the purchasing or acquiring of land for school purposes.”

Order for pay-
ment of Fees
enforced by
distress only.

5 Notwithstanding anything to the contrary contained in any Act, any Order made for the recovery of any Fees under the said Act shall be enforced by distress only, and not by imprisonment.

Substitution for
Sect. 17 of
49 Vict. No. 15.

6 Section Seventeen of the said Act is hereby repealed, and in lieu thereof the following shall be deemed to be and may be cited as Section Seventeen of the said Act:—

Maximum
number to attend
schools.

“**17**—(1.) It shall be lawful for the Minister to determine from time to time what shall be the maximum number of children allowed to attend any school.

“(2.) Whenever the number of children for whom the right to attend any school is claimed shall exceed the maximum number so determined, the prior right of attendance shall in the first place belong to the children whose homes are nearer to such school than to any other school; but no child of the age of Ten years who shall have been in attendance for Two years at a school shall be compelled to leave such school.

“(3.) Where there is no other school within a distance of Five miles, no child shall be refused admission to or be entitled to claim exemption from attendance at any school by reason of the attendance of children at such school temporarily exceeding the said maximum.”

Amendment of
Sect. 24 of
49 Vict. No. 15.

7—(1.) Sub-section I. of Section Twenty-four of the said Act is hereby repealed, and in lieu thereof the following shall be deemed to be and may be cited as Sub-section I. of Section Twenty-four of the said Act:—

“ I. To allow the school buildings to be used for other than school purposes after the children are dismissed from school, or on days when no school is held therein, subject to the terms and conditions prescribed by the Regulations made under

Education Amendment.

this Act, the Board being held responsible for the safe keeping of the school furniture and appliances and for the proper cleansing of the schoolroom; and such fees as may be received for the use of any school buildings under this Section may be disposed of in such manner as the Minister shall from time to time direct.”

A.D. 1898.

8 For the purpose of ascertaining the extent to which the provisions of the said Act are being complied with, it shall be lawful for the Minister of Education or for any Board of Advice to cause to be left with the parent or other person having the custody of any child or children resident within any district a notice in such form as may be prescribed, and such parent or other person shall fill up and supply in such form the information therein applied for within the time appointed therein.

Minister or Board of Advice may require information as to attendance of children at school.

Any person neglecting or refusing to supply such information, or wrongfully filling in such form, shall on conviction forfeit and pay a sum not exceeding One Pound, to be enforced by distress only, and not by imprisonment.

9 The proprietor, principal head master, or principal teacher of every school for the education of children, not being a State School or *Sunday* School, shall record in a permanent register, to be supplied by the Education Department, the daily attendance of each child who attends his school, and such record shall be open to the inspection of any Officer authorised by the Minister of Education to inspect such records; and any such proprietor, principal head master, or principal teacher who neglects to keep such record, or refuses to permit such Officer to inspect such record, shall be guilty of an offence against the said Act, and may be proceeded against by any person authorised by the Minister, and on conviction, before any Two Justices of the Peace, shall forfeit and pay a sum not exceeding Five Pounds, to be enforced by distress only, and not by imprisonment.

Proprietor, principal head master, or principal teacher of school, to keep record of daily attendance.

10 In all proceedings for the recovery of School Fees under Section Fourteen of the said Act, the attendance of any teacher for the purpose of proving such Fees to be due and owing shall not be necessary, but the production of a Certificate purporting to be under the hand of such teacher, stating the number of attendances, the amount of fees due therefor, and that such amount is still unpaid, shall be deemed *prima facie* evidence of the facts therein contained and of the signature of such teacher.

Certificate of teacher as to amount of Fees due to be *prima facie* evidence.

Any teacher wilfully making any false statement in such Certificate shall be deemed guilty of perjury.

11 This Act and the said Act shall be read and construed together as one Act.

Acts to be read together.

