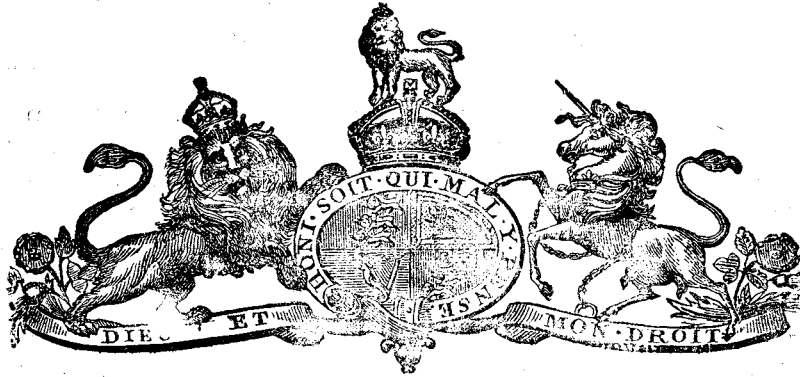


T A S M A N I A.

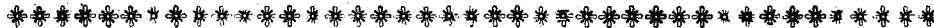


1906.

ANNO SEXTO

EDWARDI VII. REGIS,

No. 15.



AN ACT to provide for the Registration of ^{A.D.} 1906.
Teachers and Schools. [25 October, 1906.]

BE it 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 Registration of Teachers and Schools Act, 1906," and shall come into operation on the First day of *January*, One thousand nine hundred and seven.

Short title and commencement.
Cf. 5 Ed. VII.
No. 2013, s. 1
(Vic.).

2 In this Act "school" means an assembly of Three or more children at appointed times for the purpose of their being instructed by a teacher in all or any of the undermentioned subjects, namely—

Interpretation.
"School."
Cf. *ibid.*, s. 2.

- Reading,
- Writing,
- Arithmetic,
- Grammar,
- Geography,
- English or other Language,
- Mathematics,

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but does not include the University of *Tasmania* or any college affiliated therewith, or any assembly of children all of whom are members of not more than Two families, or any State school or any school aided by the State, or any school in any part of *Tasmania* declared by the Governor to be a sparsely populated district for the purposes of this Act.

Registration Board.
Cf. *ibid.*, s. 3.

3—(1.) The Governor shall appoint a Board consisting of Eight members, under the style of "The Teachers and Schools Registration Board," in this Act termed "the Board." No member of the Board shall receive any payment for his services as such member.

Tenure of members.

(2.) No person shall be appointed a member of the Board for more than Three years, but, subject to this Act, any person appointed a member of the Board shall, upon the expiration of the period for which he was so appointed, be eligible for re-appointment.

Constitution.

(3.) Of the persons so appointed—

Two shall be appointed as representatives of the Education Department;

Four shall be appointed as representatives of schools other than State schools;

One shall be nominated by the Council of the University of *Tasmania*;

And One shall be appointed as a representative of State-aided technical schools.

Removal.

(4.) The Governor may from time to time remove the President or any member of the Board and fill any vacancy or vacancies occurring from time to time.

Vacancies.

(5.) During any vacancy in the Board the continuing members may act as if no vacancy existed.

President.

(6.) A member of the Board shall be elected by the other members thereof to be President.

Quorum.

(7.) A quorum of the Board shall consist of not less than Four members thereof.

Who to preside.

(8.) At any meeting of the Board the President, or in his absence any member elected to act as Chairman of such meeting, shall preside and have a second or casting vote.

Absence from Board meetings to be a disqualification.

(9.) Any member of the Board who shall be absent from Four consecutive meetings of such Board without leave of absence being granted him by the Board shall forfeit his seat thereon, and his seat shall be declared vacant accordingly.

Registrar.

(10.) The Board may, subject to the approval of the Governor, appoint any person to be Registrar, and, subject to such approval, may at any time remove the Registrar.

First meeting.

(11.) The First meeting of the Board shall be convened by the responsible Minister of the Crown controlling Education.

Register of teachers.
First Schedule.

4—(1.) The Board shall make and keep—

i. A register of teachers in the form or to the effect of the First Schedule to this Act: and

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11. A register of schools in the form or to the effect of the Second Schedule to this Act. A.D. 1906.

(2.) Additional qualifications of any teacher and additions and revisions of any register may be made from time to time by the Board. Register of schools. Second Schedule. Cf. *ibid.*, s. 4.

(3.) Copies of the said registers shall, in the month of *January* in each year, be published in the *Government Gazette*; and a copy of either such register so published shall be *prima facie* evidence in all courts of law and in all legal proceedings that the schools and teachers therein specified respectively are registered according to the provisions of this Act; and the absence of the name of any person or of any school from such printed list for the time being shall be evidence, until the contrary is made to appear, that such person is not a registered teacher or that such school is not registered, as the case may be.

(4.) In any court of law or in any legal proceeding a certificate that any person is or is not a registered teacher, or that any school is or is not registered, shall, if signed by the President and Registrar of the Board, be *prima facie* evidence of the fact therein stated. Evidence of certificate.

5—(1.) After a date to be notified by the Board in the *Government Gazette* every school shall be registered with the Registrar either as a sub-primary, or as a primary, or as a secondary, or as a public school, or as a school with any Two or Three of such departments, and the proprietor or head teacher of any such school who neglects within Three months of the date of such notification so to register his school shall, if he carries on or teaches such school whilst the same is unregistered, be guilty of a contravention of this Act. Registration of schools. Cf. *ibid.*, s. 5.

(2.) In the case of a school opened after the abovementioned date, if the proprietor or head teacher neglects to register his school within Three months of the date of such opening, he shall, if he carries on or teaches such school whilst the same is unregistered, be guilty of a contravention of this Act.

(3.) "Public school" in this Section means any secondary school vested in trustees.

6—(1.) Every person who at the passing of this Act is or ever has been employed as a head teacher, assistant teacher, or student teacher, in any school, and every person who at the passing of this Act is or has been employed as a teacher in private practice in a *bond fide* manner for a period of not less than Three consecutive months, may be registered as a teacher, and on proof by statutory declaration that he is or was so employed as aforesaid, he shall be registered accordingly without further or other proof as to his qualification. Right of registration of teachers at passing of Act. Cf. *ibid.*, s. 6.

(2.) Any person failing so to apply to be registered within Six months from the date of the commencement of this Act shall, unless within Twelve months from the date of the passing of this Act he can prove to the satisfaction of the Board that he was absent from the State during such period of Six months or within such Six months was unavoidably prevented from so applying under circumstances satisfactory to the Board, forfeit his right to be registered, except under the conditions hereinafter prescribed for applicants for registration.

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Registration of teachers after specified date.
Cf. *ibid.*, s. 7.

Information to be supplied to Board.
Cf. *ibid.*, s. 8.

Power to cancel registration of teachers on conviction of felony, &c.
Cf. *ibid.*, s. 9.

Powers conferred on Board in conducting investigation.
Cf. *ibid.*, s. 10.

Appeal.

Unregistered teacher not to recover in court of law.
Cf. *ibid.*, s. 11.

Unregistered person not to teach in a school.
Cf. *ibid.*, s. 13.

7 Subject to the provisions of Sub-section (2.) of the next preceding Section, after the First day of *July*, One thousand nine hundred and seven, no person shall be registered as a teacher unless he produces evidence which shall satisfy the Board of his fitness to teach.

8 Every person applying for registration shall give sufficient information to enable the Board to determine whether he is to be registered as a sub-primary, primary, secondary, or as a public school teacher, or teacher of special subject or subjects, and whether the school, if any, where he is or was employed is or was a sub-primary, primary, or secondary, or public school, within the meaning or for the purposes of this Act.

9 The Board, with the consent of the Governor, may at any time remove from any register the name of any teacher who, after he has had an opportunity of being heard, is proved to the satisfaction of the Board to have been convicted of felony or of misdemeanour or to have been guilty of conduct unbefitting a teacher.

10 For the purpose of conducting any investigation or enquiry deemed necessary in the administration of this Act, the President or Chairman of the Board and every member of the Board shall have all such powers, rights, and privileges, as by Section One of the Act of the Parliament of *Tasmania*, 52 *Victoria*, No. 26, are conferred upon the President or Chairman of a Commission appointed by the Governor to make an enquiry, and upon every member of the Commission; and Sections One and Two of the lastmentioned Act shall, with the necessary alterations, apply accordingly and be read with this Act.

11 Any person who shall feel aggrieved by any determination or decision whatsoever, either with reference to the refusal of registration or the removal of his name from the register, may appeal by summons to a Judge of the Supreme Court; but no such appeal shall be entertained unless it be made within Two months next after the notice to such person of the making of such determination, decision, or refusal of registration, or the removal of his name from the register, nor unless Ten days' notice in writing of such appeal, stating the nature and grounds thereof, be given to the Board against whose determination or decision the appeal is to be made. Such notice may be served upon the Registrar.

12 No person who is not a registered teacher shall, after the expiration of Six months from the First meeting of the Board, have the right to sue in any court of law for services rendered as teacher in any school.

13 Subject to the provisions of Sections Five and Six of this Act, it shall not be lawful for any person after a date to be notified by the Board in the *Government Gazette* to conduct or teach or be employed as a teacher in any school, unless such school and such person respectively shall have been registered under this Act.

*Registration of Teachers and Schools***14** If any person—

- i. Wilfully makes or causes to be made any falsification in any matter relating to any register : or
- ii. By false representation procures himself to be registered under this Act, or not being so registered, fraudulently represents himself as being so registered—

he shall be guilty of a misdemeanour, and shall, on conviction, be liable to a penalty of not more than One hundred Pounds, or to imprisonment for any term not exceeding Twelve months.

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False
representation a
misdemeanour.
Cf. *ibid.*, s. 14.

15—(1.) The Board may, with the approval of the Governor, make Regulations—

- i. Determining the courses of study and training, and the examinations entitling persons to be registered as teachers :
- ii. Regulating the granting by the Board of certificates of registration of teachers or of schools and the form of such certificates :
- iii. Providing for the keeping of the registers and mode of registering and making additions or revisions :
- iv. Defining what schools shall for the purposes of this Act respectively be sub-primary schools, primary schools, or secondary schools, or public schools (as the case may be) .
- v. Regarding the admission of teachers from other countries :
- vi. Regulating the procedure of the Board: and
- vii. Generally for carrying this Act into effect.

Power to make
Regulations.
Cf. *ibid.*, s. 16.

(2.) All such Regulations, when approved by the Governor, shall be published in the *Government Gazette*, and after publication therein shall have the force of law and be judicially noticed ; and copies of all such Regulations shall be laid before both Houses of Parliament within Fourteen days after the same shall have been approved, if Parliament be then sitting, and if not, then within Ten days after the next meeting of Parliament for the despatch of business.

Publication in
Gazette.

16—(1.) For the purpose of ascertaining whether any building in which a school is held is provided with proper access, drainage, light, ventilation, and sanitary conveniences, and means for extinction of fire, or is in disrepair, the Local Authority under “The Public Health Act, 1903,” or any person appointed by it, may at any time, with or without previous notice, enter any such building and the premises appurtenant thereto.

Inspection of
school buildings
and premises, &c.
Cf. *ibid.*, s. 15.

(2.) If, in the opinion of such Local Authority, such building and premises are not so provided as aforesaid, or are in disrepair, such Local Authority may give the proprietor or head teacher notice in writing, requiring him to provide proper access, drainage, light, ventilation, and sanitary conveniences, and means of extinction of fire, or to repair the same (as the case may be) ; and if within One month, or such further time as such Local Authority may direct, such notice is not complied with to their satisfaction, it shall, until otherwise ordered by such Local Authority, be unlawful for a school to be held in such

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building or premises, and any person who teaches a school therein shall be guilty of a contravention of this Act.

(3.) If, in the opinion of such Local Authority, the case requires immediate attention, they may make and carry out such orders as they deem best, and recover the expenses so incurred before a court of competent jurisdiction.

Penalty for
contravention.
Cf. *ibid.*, s. 17.

17 Every person who, after Six months from the commencement of this Act, is guilty of a contravention of any of the provisions of this Act, shall be liable on conviction in a summary way before a Police Magistrate or any Two or more Justices of the Peace, to a penalty not exceeding Ten Pounds, which may be recovered by the Registrar or by any person appointed by the Board for the purpose, and may be applied by the Board for defraying the expenses of carrying out this Act.

Fees.
Cf. *ibid.*, s. 18.

18—(1.) With each application for the registration of a school or of a teacher, or of the additional qualifications of a teacher already registered, there shall be deposited with the Registrar a fee of Two Shillings and Sixpence for the registration of a sub-primary or primary school, or teacher, or teacher of a special subject, or of Five Shillings for the registration of a secondary or public school or school teacher.

(2.) If any application for registration be refused by the Board such fee shall be returned to the applicant, otherwise such fee shall be applied by the Board for defraying the expenses of carrying out this Act.

SCHEDULES.**FIRST SCHEDULE.****REGISTER OF TEACHERS.**

Section 4.

No.	Name of Person Registered	Address.	Whether Proprietor, Head Teacher, or Teacher, or Teacher of Special Subject or Subjects.	Address of School wherein engaged or has been engaged.	Whether a Sub-Primary, or Primary, or Secondary, or Public School.	Qualifications of Person Registered (indicating whether by virtue of employment before passing of Act or of literary or other attainment, or of both).

*Registration of Teachers and Schools.***SECOND SCHEDULE.**

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REGISTER OF SCHOOLS.

Section 4.

No.	Proprietor or Head Teacher.		Address of School-house in which School is held.	Whether School is Sub-Primary, or Primary, or Secondary, or Public, or with any two or three such Departments.	Number of Persons employed therein as Teachers.	Number of Rooms in School-house.
	Name.	Address.				

