

**Purpose**

Amendment of the Education Regulations to clarify administration and governance arrangements for schools and correct a number of drafting errors and omissions.

**Summary of key provisions**

The key features of the proposed new regulations are:

1. More flexible and workable financial administration for school representative bodies and school management and multi-school management councils, and additional clarification for pre-existing legal and administrative arrangements including:
  - managing strategic and financial risks associated with school governing bodies entering into agreements or giving indemnities or guarantees, by moving three provisions from regulation 29 to administrative directions. The flexibility and fine-tuning offered by administrative directions allows distinction to be made between minor and significant risk, with a focus on regulation of the latter
  - providing for more workable financial controls by removing the requirement in regulation 34 for approval of the Chief Executive for all signatories to bank accounts of school representative bodies and replace with departmental guidelines on this matter. Chief Executive approval of signatories will still be required for school management and multi-school management councils
  - providing legal certainty by making explicit that school councils or school management or group school management councils in existence immediately before the commencement of the current *Education Act* continue in existence as school representative bodies or school management or multi-school management councils under the *Act*.
2. For non-government schools the amendments will insert two provisions which existed in the repealed Education Regulations and were omitted in error from the current Regulations including:
  - the type of student information that governing bodies of non-government schools are required to record (clause 6)
  - the type of information that the Registrar of non-government schools is required to be contained in the register of non-government schools (clause 7).
3. Clauses 3 and 9 resolve numbering errors and a minor drafting error.

**Legislative Authority**

Section 185 of the *Education Act*.