

STATUTORY RULES 2020

S.R. No. XXX/2020

Education and Training Reform Act 2006

**Education and Training Reform Amendment
Regulations 2020**

The Governor in Council makes the following Regulations:

Dated:

Responsible Minister:

JAMES MERLINO
Minister for Education

ANDREW ROBINSON
Acting Clerk of the Executive Council

1 Objective

The objective of these Regulations is to amend the Education and Training Reform Regulations 2017—

- (a) to prescribe minimum standards for the registration of school boarding premises; and
- (b) to prescribe the procedures and requirements for the registration of school boarding premises.

2 Authorising provisions

These Regulations are made under sections 5.10.1 and 5.10.2 of, and Schedule 5 to, the **Education and Training Reform Act 2006**.

3 Commencement

These Regulations come into operation on 18 June 2021.

4 Principal Regulations

In these Regulations, the Education and Training Reform Regulations 2017¹ are called the Principal Regulations.

5 Objectives

(1) After regulation 1(a) of the Principal Regulations **insert—**

“(ab) to regulate the operation of school boarding premises, including prescribing the minimum standards for the registration of a Government or non-government school boarding premises; and”;

(2) After regulation 1(b) of the Principal Regulations **insert—**

“(ba) to prescribe procedures and requirements for the registration of school boarding premises; and”;

(3) After regulation 1(c) of the Principal Regulations **insert—**

“(ca) to provide for a student engagement policy at each Government school boarding premises; and”.

6 Definitions

(1) In regulation 5 of the Principal Regulations—

(a) after paragraph (b) of the definition of *governing body* **insert—**

“(ba) in relation to a Government school boarding premises, the school council

constituted in relation to the Government school at which the students boarding at the school boarding premises are enrolled or attending; or

(bb) in relation to a non-government school boarding premises, the person or body responsible for the governance or management of the provider of school boarding services at the premises;”;

(b) in paragraph (b) of the definition of *notifiable disclosure event* after “Schedule 4” insert “or clause 7(5) of Schedule 4A”;

(c) for the definition of *philosophy substitute*—
“*philosophy* in relation to a school or school boarding premises, includes the vision, mission and objective of the school or school boarding premises;”;

(d) for the definition of *prohibited agreement or arrangement substitute*—
“*prohibited agreement or arrangement* has the meaning given by regulation 7A;”;

(e) for the definition of *responsible person substitute*—

“*responsible person* means—

(a) in relation to a school—

(i) if the proprietor is an individual, that person; or

- (ii) if the proprietor is a body, that body and any person who is concerned in, or takes part in, the management of the body; or
 - (iii) each person with responsibility in the school governance structure for managing the school or its finances, including each member of the governing body of the school; or
 - (iv) the principal of the school; or
 - (v) any other person who by the person's conduct assumes a position of authority over the governance or management of the school;
- (b) in relation to a school boarding premises:
- (i) if the provider of school boarding services at the premises is an individual, that person; or
 - (ii) if the provider of school boarding services at the premises is a body corporate, that body corporate and any person who is concerned in, or takes part in, the management of the body corporate; or
 - (iii) each person with responsibility in the governance structure of the provider of school boarding services at the premises for managing the provider or its finances, including

each member of the governing body
of the provider; or

- (iv) any other person who by the
person's conduct assumes a position
of authority over the governance or
management of the provider of
school boarding services at the
premises;”;

- (f) for the definition of **staff substitute**—

“**staff** means —

- (a) in relation to a Government school, the
principal, teachers and other staff;

- (b) in relation to a Government school
boarding premises, the staff employed by the
provider of the school boarding services at the
premises and other staff;”;

- (g) after the definition of **student** insert—

“**student engagement policy**” means—

- (a) in relation to a Government school, a
policy setting out the expectations and
aspirations of the school in relation to
student behaviour including discipline, and
strategies to address unsatisfactory school
attendance and bullying;

- (b) in relation to a Government school
boarding premises, a policy setting out the
expectations and aspirations of the

provider of school boarding services at the premises in relation to student behaviour, including discipline and strategies to address bullying;.”

7 Definition of *not for profit school*

For regulation 7(3)(a) and (b) of the Principal Regulations **substitute**—

- “(a) uses money (other than government funding) or property of the school—
 - (i) to conduct an early learning centre that is a feeder for enrolments to the school; or
 - (ii) to provide school boarding services at a school boarding premises at which students who are enrolled or attending the school are boarding and where those services are not provided for the purposes of profit or gain; or
- (b) provides money (other than government funding) or property of the school to—
 - (i) a person or entity to conduct an early learning centre that is a feeder for enrolments to the school; or
 - (ii) a person to provide school boarding services at a school boarding premises to students who are enrolled or attending the school and where those services are not provided for the purposes of profit or gain.”.

8 New regulation 7A inserted

After regulation 7 of the Principal Regulations **insert**—

“7A Definition of *prohibited agreement or arrangement*

- (1) For the purposes of these Regulations, a ***prohibited agreement or arrangement*** means an agreement or arrangement—
- (a) made between 2 or more of the following parties—
 - (i) the governing body of a school;
 - (ii) the proprietor of the school;
 - (iii) another person or entity; and
 - (b) where the purpose of the agreement or arrangement—
 - (i) is to pay or divert any profit or gain made in the conduct of the school to the proprietor or any other person or entity; or
 - (ii) that involves a payment by the governing body of the school or the proprietor of the school (as the case requires) to another person or entity which—
 - (A) is excessive compared to the reasonable market value of the charges, fees, rates or costs currently prevailing in the community for payment for that purpose (other than a payment made in good faith for that purpose); or

- (B) involves a gift, loan or similar payment for a purpose unconnected to the conduct of the school (other than payments made to a bank in connection with the conduct of the school); or
- (ii) is otherwise not a payment made in good faith for the benefit of the school, or reasonably required for the conduct of the school.

Notes

- 1 Payments under paragraph (b)(i) may include excessive fees or remuneration or other expenses paid to members of the school's governing body, or excessive rents, fees, or other charges paid to any other person or entity.
 - 2 Payments under paragraph (b)(ii) may include loans, guarantees, or indemnities payable for the recipient's own use or benefit; for example, a payment to benefit an enterprise conducted by the payment recipient where that enterprise is unconnected to the conduct of the school.
 - 3 Payments under paragraph (b)(iii) may include "sham" arrangements that have the effect of transferring payments from the school to the recipient for the recipient's own purpose or benefit, and which deliver no benefit or service to the school. “
- (2) Despite subregulation (1), a prohibited agreement or arrangement does not include an agreement or arrangement under which the proprietor of a school provides money (other than government funding) or property of the school to—
- (a) a person or entity to conduct an early learning centre that is a feeder for enrolments to the school; or

- (b) a person to provide school boarding services at a school boarding premises to students who are enrolled or attending that school, and where those services are not provided for the purposes of profit or gain.”.

9 Student engagement policy

- (1) In regulation 23(1) of the Principal Regulations **omit** “including in relation to student behaviour”.
- (2) In regulation 23(2) of the Principal Regulations, for “parents” **substitute** “parents of students”.

10 New Part 3A inserted

After Part 3 of the Principal Regulations **insert**—

“Part 3A – Government school boarding premises

26A Student engagement policy

- (1) A provider of school boarding services at a Government school boarding premises must develop a policy for student engagement for the students boarding at the premises.
- (2) The provider must develop the policy in consultation with, and have regard to the rights and responsibilities of, students boarding at the premises, parents of students and staff of the provider in developing the policy.

26B Corporal punishment not permitted

A member of staff of the provider of school boarding services at a Government school boarding premises must not administer corporal punishment to any student who is boarding at the premises.

26C Restraint from danger

A member of staff of the provider of school boarding services at a Government school boarding premises may take any reasonable action that is immediately required to restrain a student boarding at the premises from acts or behaviour that are dangerous to the member of staff, the student, or any other person.

26D Implementation of student engagement policy

- (1) The provider of school boarding services at a Government school boarding premises—
 - (a) is responsible for implementing the student engagement policy of the school boarding premises; and
 - (b) is responsible for determining the nature and extent of the consequences imposed on students boarding at the premises for failure to comply with that policy.
- (2) The provider of school boarding services at a Government school boarding premises must ensure that—
 - (a) any consequences that may be imposed on students boarding at the premises in accordance with the student engagement policy are reasonable; and
 - (b) the student engagement policy is brought to the attention of the students boarding at the premises, their parents and staff of the provider.

- (3) The provider of school boarding services at a Government school boarding premises must ensure that the student engagement policy is consistent with—
- (a) these Regulations; and
 - (b) any guidelines issued by the Minister under section 4.3.8Z of the Act relating to student engagement.”.

11 Amendment to heading to Division 1 of Part 5

In the heading to Division 1 of Part 5 of the Principal Regulations, after “**registration**” insert “**of schools**”.

12 Information required in reports to Authority

In regulation 71(1)(a)(i) of the Principal Regulations omit “set out in Schedule 4 of these Regulations”.

13 New Part 5A inserted

After Part 5 of the Principal Regulations insert—

“Part 5A – Registration of school boarding premises

Division 1—Minimum standards for registration of school boarding premises

71A Minimum standards for registration

Subject to this Division, for the purposes of section 4.3.8C(1)(b) of the Act, the prescribed minimum standards for registration of school boarding premises are set out in Schedule 4A.

71B Exemption from school boarding premises governance standard

- (1) The Authority may exempt a person from a requirement in clause 7(5)(b) or (f) of Schedule 4A if the Authority is of the opinion that it would not be appropriate to exclude that person from being involved in the conduct of the school boarding premises.
- (2) For the purposes of subregulation (1), the Authority must have regard to the following matters—
 - (a) the nature and gravity of the particular offence or misconduct, and its relevance to conducting a school boarding premises;
 - (b) the period of time since the person committed the offence or engaged in the misconduct;
 - (c) the punishment imposed for the offence or misconduct;
 - (d) whether or not the offence has been decriminalised or the standards of conduct have materially changed since the person engaged in the conduct that constituted the offence or misconduct;
 - (e) the person's behaviour since the person committed the offence or engaged in the misconduct;
 - (f) any information given by the person to the Authority concerning the person's conduct in relation to the registration of the school boarding premises;

- (g) any other matter that the Authority considers relevant.
- (3) A person to whom an exemption under subregulation (1) applies is exempt from the requirements in clause 7(5)(b) or (f) of Schedule 4A in accordance with the terms of that exemption (if any).

Division 2—Application for registration of a school boarding premises

71C Timing of application for registration

- (1) Subject to subregulation (3), for the purposes of section 4.3.8B(3) of the Act, an application for registration of a school boarding premises must be made to the Authority in writing and no later than—
 - (a) 30 June in the year before the year in which the school boarding premises is intended to commence operation; or
 - (b) a later date in the year referred to in paragraph (a) determined by the Authority.
- (2) The Authority must publish a notice in the Government Gazette of any later date determined by the Authority under subregulation (1)(b) at least 4 weeks before 30 June in the year in which the date applies.

- (3) The Authority may accept an application submitted after the date specified in subregulation (1) if it is satisfied that it is necessary to do so because of the special circumstances of the case.

Note

Section 6.1.44(1) of the Act provides that a premises that was being conducted as a school boarding premises immediately before the commencement of the **Education and Training Reform Amendment (Regulation of Student Accommodation) Act 2020** is taken to be a registered school boarding premises for the purposes of the Act.

71D Particulars and information in application for registration

- (1) For the purposes of section 4.3.8B(3) of the Act, an application to the Authority for registration of a school boarding premises must—
- (a) subject to subregulation (2), contain all of the particulars and information listed in Schedule 5A; and
 - (b) subject to subregulation (2) must be accompanied by any documentation referred to in Schedule 4A; and
 - (c) be signed—
 - (i) in the case of a Government school boarding premises, by the Secretary;
or

(i) in any other case, by the person who proposes to establish and conduct the school boarding premises and provide school boarding services at the premises.

(2) If any of the particulars, information or documentation set out in clauses 4, 5, 10(c), 12, and 13(a) of Schedule 5A are not known or available at the time the application is made, the particulars, information or documentation must be provided by the applicant as soon as the particulars, information or documentation are known or become available or before the school boarding premises is registered (whichever occurs first).

71E Authority to be notified of changes to application information

Before a school boarding premises is registered, an applicant must notify the Authority of any change to the particulars or information or any accompanying documentation under regulation 71D(1) provided in relation to the application for registration within 14 days after the relevant change.

Division 3—Application to amend registration of a school boarding premises

71F Application to amend registration

The following persons may apply to the Authority for an amendment to the registration of a registered school boarding premises—

- (a) in the case of a Government school boarding premises, the Secretary;
- (b) in the case of a non-government school boarding premises, the provider of school boarding services at the premises.

71G Timing of application to amend registration

- (1) Subject to subregulation (3), an application under this Division must be made to the Authority no later than—
 - (a) 30 June in the year before the year in which the Secretary or provider of school boarding services (as the case may be) intends to implement the change to the school boarding premises that is the subject of the application to amend the registration; or
 - (b) a later date in the year referred to in paragraph (a) determined by the Authority.
- (2) The Authority must publish a notice in the Government Gazette of any later date determined under subregulation (1)(b) at least 4 weeks before 30 June in the year in which the date applies.
- (3) The Authority may accept an application submitted after the date specified in subregulation (1) if it is satisfied that it is necessary to do so because of the special circumstances of the case.

71H Particulars and information in application to amend registration

An application under this Division must—

- (a) be in writing; and
- (b) include any particulars or information, and be accompanied by any documentation, which the Authority reasonably requires for the purpose of assessing the application; and
- (c) be signed—
 - (i) in the case of a Government school boarding premises, by the Secretary; or
 - (ii) in any other case, by or on behalf of the provider of school boarding services at the premises.

71I Authority to notify applicant of decision

The Authority must notify an applicant of the Authority's decision in respect of an application under this Division as soon as practicable after making the decision.

Division 4—Reports to the Authority

71J Information required in reports to Authority

- (1) For the purposes of section 4.3.8V(1) of the Act, the provider of school boarding services at a registered school boarding premises, or a person or body authorised by the Authority under section 4.3.8V(2) of the Act, must provide to the Authority a report containing the following—

- (a) information to show that, and enable the Authority to assess whether, the provider has ensured that the premises and services—
 - (i) continue to comply with each of the prescribed minimum standards for registration of school boarding premises; and
 - (ii) comply with any other requirements of the Act or these Regulations;
 - (b) information to advise the Authority of any changes in the details contained in the State Register relating to the school boarding premises;
 - (c) at the request of the Authority, a copy of the information made available under clause 9 of Schedule 4A.
- (2) For the purposes of section 4.3.8V(1) of the Act, the provider of school boarding services at a registered school boarding premises or a person or body authorised by the Authority under section 4.3.8V(2) of the Act must provide a report to the Authority—
- (a) in writing, unless the Authority and the reporter otherwise agree; and
 - (b) within a reasonable time specified in the request for the report by the Authority.”.

14 Schedule 4 amended

(1) For clause 5 of Schedule 4 to the Principal Regulations **substitute**—

“The proprietor of a registered school must ensure that the requirements of the **Working with Children Act 2005** are complied with in respect of all staff at the school.”.

(2) In clause 17(3)(b) of Schedule 4 to the Principal Regulations, for “school” **substitute** “school; or”;

(3) After clause 17(3)(b) of Schedule 4 to the Principal Regulations **insert**—

“(c) uses to conduct a school boarding premises including providing school boarding services at the premises to students enrolled at or attending the registered school, and where those services are not provided for the purposes of profit or gain; or

(d) provides to the provider of school boarding services at a school boarding premises to provide those services to students enrolled at or attending the registered school, and where those services are not provided for the purposes of profit or gain.”.

15 New Schedule 4A inserted

After Schedule 4A of the Principal Regulations **insert**—

“Schedule 4A—Minimum standards for registration of school boarding premises

Regulations 5, 71A, 71B, 71D and 71J

1 Compliance with Working with Children Act 2005

The provider of school boarding services at a registered school boarding premises must ensure that the requirements of the **Working with Children Act 2005** are complied with in respect of all staff at the registered school boarding premises.

2 Acceptance policy

- (1) The provider of school boarding services at a registered school boarding premises must have a clearly defined acceptance policy that complies with all applicable State and Commonwealth laws.
- (2) The provider of school boarding services at a registered school boarding premises established by a particular religious denomination or by a group of religious denominations may have an acceptance policy that gives preference to adherents of that religious denomination or denominations or their children.

3 Register of students

The provider of school boarding services at a registered school boarding premises must maintain a register of students that contains the

following information in relation to each student boarding at the premises —

- (a) the student’s name, age, date of birth and residential address;
- (b) the name and contact details of any parent or guardian of the student;
- (c) any information relating to the health or wellbeing of the student that the provider should be aware of, including any health issues;

Example

Examples of health issues include diabetes, asthma and mental health conditions.

- (d) the date of acceptance of the student to board at the premises;
- (e) the date that the student ceases to be accepted to board at the premises (if applicable);
- (e) the registered school at which the student is enrolled or attending;

4 Record of location of students

For the purposes of section 4.3.8X of the Act, the provider of school boarding services at a registered school boarding premises must—

- (a) maintain the record required to be kept under that section at specified times throughout the day and night; and
- (b) include in the record any reason given or apparent for the absence of any student from the school boarding premises.

5 Care, safety and welfare of students

The provider of school boarding services at a registered school boarding premises must ensure that—

- (a) the care, safety and welfare of all students boarding at the premises is in accordance with any applicable State and Commonwealth laws; and
- (b) all staff employed by the provider are advised of their obligations under those laws.

6 Buildings, facilities and grounds

A registered school boarding premises' buildings, facilities and grounds must comply with any laws that apply to the registered school boarding premises including local laws and building, planning and occupational health and safety laws.

7 Governance

- (1) The provider of school boarding services at a registered school boarding premises must structure the governance of a registered school boarding premises to enable—
 - (a) the effective development of the strategic direction of the school boarding premises; and
 - (b) the effective management of the finances of the provider; and
 - (c) the provider to fulfil its legal obligations.

- (2) In a non-Government school boarding premises, every responsible person must be a fit and proper person.
- (3) The provider of school boarding services at a registered school boarding premises must notify the Authority in writing within 30 days after the following—
 - (a) any change to the name or contact details of the provider;
 - (b) any other material change to particulars or information required to be provided to the Authority under these Regulations (other than the particulars or information required by subclause (4)).
- (4) The provider of school boarding services at a registered non-government school boarding premises must notify the Authority in writing within 30 days after the following information—
 - (a) any change to the name or contact details of each person who is concerned in, or takes part in, the management of the provider;
 - (b) any change to the religious or other affiliation or association of the school boarding premises, including with a registered school;
 - (c) the occurrence of a notifiable disclosure event.

Note

A *notifiable disclosure event* is defined in regulation 5.

(5) In this clause—

fit and proper person means a responsible person who—

- (a) is able to carry out the person's responsibilities in relation to the conduct of a registered school boarding premises in compliance with the laws of Victoria, the Commonwealth, another State or a Territory relating to the provision of school boarding services; and
- (b) has not been found guilty of an offence which is, or which would if committed in Victoria be, an indictable offence; and
- (c) has not been—
 - (i) in the case of an individual, insolvent under administration; or
 - (ii) in the case of a body corporate, an externally-administered body corporate; and
- (d) is not a represented person; and
- (e) if the person is given an assessment notice under the **Working with Children Act 2005** in relation to the school boarding premises, complies with—
 - (i) all requirements under that Act that apply to the person as a holder of an assessment notice; and

- (ii) all requirements under that Act that apply to the person if the assessment notice is revoked or suspended; and
- (f) has not been the subject of, or associated with, an adverse finding or the subject of action taken by a court, tribunal, commission of inquiry, professional disciplinary body or regulatory authority (in Victoria or elsewhere) if the adverse finding or the action relates to—
 - (i) dishonest, misleading or deceptive conduct; or
 - (ii) non-compliance with a legal obligation relating to the provision of school boarding services; or
 - (iii) a breach of duty (including a duty of disclosure).

Note

- 1 The Authority may exempt a person under regulation 71B from the requirements in clause 7(5)(b) and (f).
- 2 For the purposes of clause 7(5)(f) an adverse finding or action may include a decision by a registering body to limit, suspend or cancel a registration or permit granted to a responsible person individually, or to a body or entity that the responsible person has been associated with governing.

8 Philosophy of provider of school boarding services

The provider of school boarding services at a registered school boarding premises must publish a clear statement of its philosophy, and be able to demonstrate how that philosophy is enacted.

9 Information on performance of school boarding premises to be available

- (1) The provider of school boarding services at a registered school boarding premises must make available to the community of the school boarding premises information concerning the performance of the premises at least once a year.
- (2) The information must include—
 - (a) a report of the financial activities of the school boarding premises; and
 - (b) copies of any other reports that the provider of school boarding services at the registered school boarding premises is required to prepare for the community of the school boarding premises under any funding agreements with the State or the Commonwealth.

10 Provider of school boarding services must comply with Act and Regulations

The provider of school boarding services at a registered school boarding premises must comply with the requirements of the Act and these Regulations.

11 Provider of school boarding services must comply with conditions of registration

The provider of school boarding services at a registered school boarding premises must comply with any condition imposed on the registration of the premises by or under the Act.

12 Provider of school boarding services must have policies, procedures, and suitable arrangements in place

- (1) The provider of school boarding services at a registered school boarding premises must have policies and procedures in place that enable it to ensure that the premises and those services comply with the prescribed minimum standards for registration of school boarding premises.
- (2) A provider of school boarding services at a registered school boarding premises must have suitable arrangements in place to enable it to comply with any applicable guidelines issued by the Authority under section 4.3.8Z of the Act.

13 School boarding services must be provided in accordance with scope of registration

The provider of school boarding services at a registered school boarding premises —

- (a) must provide those services at the school boarding premises; and
- (b) may provide those services at another place or premises at which the students are participating in a camp or excursion (including outside of Victoria) organised by the provider.

16 New Schedule 5A inserted

After Schedule 5 of the Principal Regulations **insert**—

**“Schedule 5A—Information required for
application for registration of a school
boarding premises**

Regulation 71D

The following particulars, information and documents are
to be provided —

- 1 The name of the school boarding premises.
- 2 The address of the school boarding premises.
- 3 The date of the proposed commencement of
operation of the school boarding premises.
- 4 The age range and number of students to be
accepted at the school boarding premises (*see note
1*).
- 5 The names and total number of staff and the
qualifications of each member of staff of the
provider of school boarding services at the school
boarding premises (*see note 1*).
- 6 The physical facilities (buildings, facilities and
grounds) to be provided at the school boarding
premises.
- 7 Any religious or other affiliation or association of
the school boarding premises, including with a
registered school—

8 Whether the school boarding premises will be associated with one of the following types of school—

- (a) a primary school;
- (b) a secondary school;
- (c) a co-educational school;
- (d) a single sex school;
- (e) a specific purpose school;
- (f) a specialist school.

9 In the case of 2 or more registered school boarding premises proposing to amalgamate, the names and addresses of those premises.

10 In the case of a non-government school boarding premises—

- (a) the full name, postal address, telephone number, and facsimile number or email address of the provider of the school boarding services at the premises; and
- (b) if the provider is an incorporated body, the ABN or ACN (*see note 2*); and
- (c) the full name, postal address, telephone number, and facsimile number or email address of the chair of the governing body of the provider of school boarding services at the school boarding premises (if applicable) (*see note 3*).

11 Details of the following matters—

- (a) the policies of the provider of school boarding services at the school boarding premises relating to compliance with the prescribed minimum standards for registration of school boarding premises;
- (b) the philosophy of the provider of school boarding services at the school boarding premises;
- (c) the business plan that relates to the school boarding premises;
- (d) the governance structure of the provider of school boarding services at the school boarding premises, including its constitution or articles of association (however described);
- (e) the contact person for the application and that person's contact details.

12 The full name, postal address, telephone number, and facsimile number or email address of the chief executive officer (by whatever name called) of the provider of school boarding services at the school boarding premises (if applicable) (*see note 3*).

13 Documents accompanying the application that—

- (a) show that the buildings, facilities and grounds of the school boarding premises comply with relevant statutory requirements (*see note 4*); and

- (b) enable the Authority to assess whether the provider of school boarding services at the school boarding premises is capable of ensuring that the premises and those services meet the prescribed minimum standards for registration of school boarding premises; and
- (c) show the policies of the provider of school boarding services at the school boarding premises in relation to student behaviour including policies for student discipline (*see note 5*).

Notes

- 1 Under regulation 71D(2), if the details required under clauses 4 and 5 are not available at the time of the application, the details must be provided by the applicant when they are known or before the school boarding premises is registered.
- 2 In the case of a Government school boarding premises, the State of Victoria will be registered as the provider of school boarding services unless otherwise stated.
- 3 Under regulation 71D(2), if the details required under clauses 10(c) and 12 are not available at the time of the application, the details must be provided by the applicant once the details are known and, in the case of the chair of the governing body of the provider of school boarding services and chief executive officer (by whatever name called) of the provider, before the school boarding premises is registered.
- 4 Under regulation 71D(2), if the documentation required under clause 13(a) is not available at the time of the application it must be provided when available or at the latest before the school boarding premises is registered.

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- 5 In accordance with section 4.3.8C(1)(a) of the Act, these policies must be based upon principles of procedural fairness and not permit the use of corporal punishment.”.

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Endnotes

Endnotes

¹ Reg 4: S.R No. 44/2017 as amended by S.R Nos 134/2019 and 81/2020.