



# EDUCATION REGULATIONS

[Consolidated as at 23 February 2013  
on the authority of the Administrator  
and in accordance with  
the *Enactments Reprinting Act 1980*]

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## Education Regulations

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### PART 1 — PRELIMINARY

#### Short title

1. These Regulations may be cited as the *Education Regulations*.

#### Parts

2. These Regulations are divided into Parts, as follows :
  - Part 1 — Preliminary (Regulations 1-2)
  - Part 2 — Public Schools (Regulations 3-14)
  - Part 3 — Public and Private Schools (Regulations 15-16)
  - Part 4 — Bursaries, Vocational Training Scholarships and Tertiary Education Scholarships (Regulations 17-26).

### PART 2 — PUBLIC SCHOOLS

#### Duties of principal teacher

3. The principal teacher of a public school shall —
  - (a) take charge of and be responsible for the care of all school grounds, buildings, and all Government property connected therewith;
  - (b) be responsible for the efficient management, organisation and conduct of his school and for the instruction and due progress of all pupils therein;
  - (c) direct and control all subordinate members of the teaching staff, and instruct them in methods of teaching;
  - (d) keep an attendance book and cause all members of the teaching staff of the school to enter therein daily the times at which they commence and cease duty;
  - (e) report to the Administrator any teacher who is absent from duty or who is unpunctual in his attendance or who does not discharge his allotted duties faithfully and efficiently;
  - (f) forward promptly to the Administrator all communications and applications from his subordinate teachers, with such comments and recommendations as he deems necessary or desirable to offer;
  - (g) arrange for the supervision of pupils when out of school while they are under his control;

- (h) examine each class in school at least once during each school term; record the results of such examinations and give directions and make suggestions in any matter relating to the instruction of pupils and the management of the class and school;
- (i) be responsible for the maintenance of all school records;
- (j) receive and investigate complaints from parents or other persons regarding matters concerning the school and afford such redress as he thinks fit;
- (k) promote and protect the interests of subordinate teachers in all matters connected with their occupation as teachers; and
- (l) on relinquishing charge of his school, hand over to the Administrator or a person authorised thereto in writing by the Administrator all Government property in his charge, together with a complete inventory of the same, duly checked and witnessed by some responsible person.

#### **Assistant and subordinate teachers**

**4.** Assistant teachers shall —

- (a) be subject to the direction and authority of the principal teacher in all matters relating to their employment in his school;
- (b) carry out his instructions in relation to their school work, and shall loyally and faithfully co-operate with the principal teacher in all he deems necessary in the interests of the school; and
- (c) forward all communications and applications intended for the consideration of the Administrator regarding their positions as teachers through the principal teacher.

#### **Teachers of special subjects**

**5.** Teachers of special subjects, eg Needlework, Manual work, shall be regarded as assistant teachers for the purpose of these Regulations.

#### **Leave of absence**

**6. (1)** The principal teacher may on sufficient cause being shown sanction the absence from duty of an assistant teacher for one day in any period of 6 months and shall report each such absence to the Administrator.

**(2)** The Administrator may grant a teacher leave of absence on the ground of ill health for any period not exceeding 14 days on full pay within any period of 12 months.

**(3)** The Administrator may, subject to the approval of the Commonwealth Minister, grant to any teacher leave of absence on the ground of ill health for any period in excess of 14 days in any period of 12 months on such terms and conditions as the Commonwealth Minister directs.

**(4)** All applications for leave of absence for more than one day at any one time, on the ground of illness, shall be accompanied by a certificate from the Government Medical Officer stating the probable period of unfitness for duty.

**(5)** The Administrator may require a teacher absent from duty under this Regulation to furnish from time to time further evidence of unfitness for duty.

**Entry on duty**

7. Teachers shall report to the Administrator on taking up duty, and also on their resumption of duty after absence.

**Vacations and holidays**

8. (1) The school vacations shall extend over not less than 8 weeks and not more than 9 weeks in each year and shall be distributed as determined by the Administrator.

(2) Schools shall be closed on Good Friday, Easter Monday, Anzac Day, Sovereign's Birthday, Anniversary Day, and on such other days or half-days as are determined by the Administrator.

(3) When a school is closed for any period under the provisions of the Act, other than as provided in this Regulation, the vacations may be reduced by the Administrator for a period not exceeding that for which the school was so closed.

....

**Suspension of pupils**

10. (1) The principal teacher may suspend from attendance at the school any pupil whose conduct is, in the opinion of the principal teacher, detrimental to the good order of the school. The principal teacher shall report every such suspension, without delay, to the Administrator.

(2) When a pupil is suspended from attendance under subregulation (1), the principal teacher shall at once notify the parents of the pupil of the reason for the pupil's suspension.

(3) The parents of any pupil so suspended from attendance may appeal against the suspension to the Administrator, whose decision shall be final.

**Visitors**

11. Visitors may, with the consent of the principal teacher, have access to public schools during the hours of instruction, provided that they do not attempt to take part in the business of the school or to interrupt it, but simply observe how it is conducted.

**Use of school buildings**

12. No part of a school building shall be used for any purpose other than that of a school except with the permission of the Administrator and upon such conditions as the Administrator imposes.

....

**Final examination**

14. An examination of pupils who have completed the course of study for the sixth class or an equivalent course approved by the Administrator shall be held in November each year, and a certificate of having satisfactorily completed the primary course of education and of being eligible to proceed to a higher course of education shall be issued by the Administrator to such pupils as are successful at the examination.

### **PART 3 — PUBLIC AND PRIVATE SCHOOLS**

#### **Attendance of children**

**15. (1)** At the end of each calendar month the principal teacher of each public school and the proprietor or principal teacher of each private school shall prepare a schedule of all children in his school who have been absent at any time during that month. The attendance of each child whose name appears in the schedule shall be certified to by the proprietor of a private school or the principal teacher of a public school, as the case may be, as “satisfactory” or “unsatisfactory”.

**(2)** The names of all children whose non-attendance is certified to as “unsatisfactory” shall be forthwith forwarded to the Administrator, together with the names in full and addresses of the parents or guardians of the children concerned.

#### **Infectious diseases**

**16.** Any pupil suffering from a contagious, offensive or infectious disease shall be excluded by the principal teacher from attendance at the school, and shall not be re-admitted until the Government Medical Officer certifies that the child may re-attend school without danger to himself or the other pupils.

### **PART 4 — BURSARIES, VOCATIONAL TRAINING SCHOLARSHIPS AND TERTIARY EDUCATION SCHOLARSHIPS**

#### **Interpretation**

**17. (1)** In this Part, unless the contrary intention appears —

“bursar” means a person who is the holder of a bursary under these Regulations;

“tertiary education scholarship” means a scholarship awarded to a person undertaking, or proposing to undertake, as a full-time student, a course of study at a university or other advanced education institute, being a course leading to the award of a degree or diploma;

“trainee” means a person who is the holder of a vocational training scholarship under these Regulations.

**(2)** A reference in these Regulations to a named examination shall be read as a reference to an examination under that name conducted by the Department of Education of the State of New South Wales or any other examination of equivalent standard conducted by a public examining authority in Australia or elsewhere.

**(3)** A reference in these Regulations to an advanced education institute shall be read as a reference to an advanced education institution within the meaning of section 5 of the *Student Assistance Act 1973* of the Commonwealth or an institution outside Australia and Norfolk Island that provides a course of studies of a like nature to a course of studies provided by an advanced education institution for the purpose of that section.

#### **Award of bursaries and vocational training scholarships**

**18.** The Administrator may, in each year, award Higher School Certificate bursaries, vocational training scholarships and tertiary educational scholarships in accordance with this Part.

**Applications**

**19. (1)** An application for the award to a person of a bursary or a vocational training scholarship shall be made to the Administrator by a parent or guardian of the person in writing in accordance with a form provided by the Administrator for the purpose and shall be accompanied by such information, if any, as the Administrator requires.

**(2)** An application for the award to a person of a tertiary education scholarship shall be made to the Administrator by the person, or by a parent or guardian of the person, in the manner referred to in subregulation 19(1).

**(3)** An application under subregulation (1) or (2) must be accompanied by a statement prepared by the student, for the assistance of the Committee in its deliberations under Regulation 20, being no less than 250 nor more than 500 words in length and describing the career goals and ambitions of the student in as much detail as possible.

**Bursaries and Scholarships Committee**

**20. (1)** For the purposes of this Part, there is established a Bursaries and Scholarships Committee.

**(2)** The Committee consists of —

- (a)** the Administrator;
- (b)** the Headmaster of the Norfolk Island public school; and
- (c)** a person appointed by the Minister.

**(3)** The Administrator shall preside at meetings of the Committee.

**(4)** A question arising at a meeting of the Committee shall be determined by a majority of the votes of the members of the Committee.

**(5)** The Administrator shall refer to the Committee for consideration all applications for Higher School Certificate bursaries, vocational training scholarships or tertiary education scholarships.

**(6)** Bursaries, vocational training scholarships and tertiary education scholarships shall not be awarded except on the recommendation of the Committee.

**(7)** The committee shall not recommend the award of a Higher School Certificate bursary to a person unless the committee is of the opinion that the person is capable of passing the Higher School Certificate Examination.

**(8)** The Committee shall not recommend the award of a vocational training scholarship to a person unless the Committee is of the opinion that the person will benefit from the training.

**(9)** The Committee shall not recommend the award of a tertiary education scholarship to a person who is proposing to undertake a course of study at a university or other advanced education institute unless he has been or is to be admitted as a student at that university or institute and has been accepted as a student at that course of study.

**(10)** Subregulation 20(9) does not prevent the Committee recommending the award of a tertiary education scholarship to a person who is undertaking a course of study at a university or other advanced education institute.

(11) When considering an application for a bursary, vocational training scholarship or tertiary education scholarship, the Committee shall consider the financial needs of the applicant.

(12) When considering the financial needs of an applicant under subregulation 20(11), the Committee shall take into account any guidelines given to the Committee by the Minister.

### **Residential qualifications**

**21. (1)** A bursary, vocational training scholarship or tertiary education scholarship shall not be awarded —

- (a) to a person who is not a resident of Norfolk Island within the meaning of the *Immigration Act 1980*; or
- (b) to a person, being a person who has not attained the age of 21 years, whose parents or guardians are not residents of Norfolk Island within the meaning of that Act.

(2) Paragraph 21(1)(b) does not apply to a person who has not attained the age of 21 years, whose parents are dead and who does not have any guardians.

### **Bursaries**

**22. (1)** A Higher School Certificate Bursary may be issued under this Act.

(2) A Higher School Certificate Bursary shall not be awarded to a person except in the exceptional circumstances that —

- (a) the person can demonstrate that he or she has proven ability in a specialised area of learning or technical ability; and
- (b) there is not available in Norfolk Island any, or any adequate, personnel or facilities to enable the person to continue and develop that ability.

(3) A Higher School Certificate Bursary shall not be awarded to a person who may qualify under subregulation (2) unless —

- (a) the person has completed not less than 3 years' schooling at a school in Norfolk Island; and
  - (b) the person has passed the School Certificate Examination.
- (4) Subject to subregulation 22(5), a bursary is tenable for one year.

(5) A bursary may be renewed by the Administrator from year to year but so that the total period of the bursary does not exceed 2 years.

(6) The Administrator may terminate a bursary if —

- (a) the bursar fails to pursue studies at a school approved by the Administrator;
- (b) the bursar fails to attend that school regularly and punctually; or
- (c) the Administrator is satisfied, after report by the Headmaster of that school, that the work or conduct of the bursar has not been satisfactory.



**Vocational training scholarships**

**23. (1)** A vocational training scholarship shall not be awarded to a person unless he has completed not less than 3 years' schooling at a school in Norfolk Island and has completed the Higher School Certificate.

**(2)** Subject to subregulation 23(3), a vocational training scholarship is tenable for one year.

**(3)** A vocational training scholarship may be renewed by the Administrator from year to year but so that the total period of the scholarship does not exceed 4 years or the minimum period required to complete the training, whichever is the shorter period.

**(4)** The Administrator may terminate a vocational training scholarship if —

- (a) the trainee fails to pursue a course of training approved by the Administrator in accordance with such conditions as are determined by the Administrator in relation to that course and published in the Gazette; or
- (aa) the trainee fails to commence the course of training within 12 months after completion of the Higher School Certificate; or
- (b) the Administrator is satisfied, after report by the proper authority responsible for the training of the trainee or by the headmaster or principal of any school, college or institution that the trainee is required to attend by virtue of the conditions determined by the Administrator under paragraph 23(4)(a), that the trainee's work, attendance, conduct or progress has not been satisfactory.

**Tertiary education scholarships**

**23A. (1)** A tertiary education scholarship shall not be awarded to a person —

- (a) who has not completed 3 years' schooling at a school in Norfolk Island;
- (b) who has not passed the Higher School Certificate Examination; or
- (c) who is the holder of a Commonwealth scholarship or any other scholarship.

**(2)** The reference in subregulation 23A(1) to a scholarship other than a Commonwealth scholarship shall be read as not including a reference to a scholarship awarded to a person by an institution that he attends or attended as a student for academic achievement while attending the institution, being a scholarship in the form of a monetary award paid to the person by the institution.

**(3)** A tertiary education scholarship is tenable for one year, but may be renewed by the Administrator for successive periods of one year.

**(4)** The Administrator may terminate the tertiary education scholarship held by a person if the person —

- (a) fails to commence the course of training within 12 months after completion of the Higher School Certificate; or

- (b) does not pass the examinations in the subjects of his course of study; or
- (c) if he does not comply with any other requirements of the university, or advanced education institute, that he is attending in relation to all or any of those subjects.

**Amount of bursaries or vocational training scholarships**

**24. (1)** In the exceptional circumstances that a Higher School Certificate Bursary is granted, there is to be provided or paid to the parents or guardians of a bursar in each year in which the bursary is held —

....

- (c) one return airfare between Norfolk Island and Sydney;
- (d) a book allowance of —

....

- (ii) 50 % of the costs of prescribed text books or \$500 whichever is less.

**(2)** There is payable to the parents or guardians of a trainee, in each year in which the vocational training scholarship is held, such amount or amounts as the Administrator determines.

**(3)** Amounts payable under this Regulation shall be paid at such times as the Administrator determines.

**Amount of tertiary education scholarship**

**25. (1)** Subject to subregulation 25(2) there is to be provided or paid to the parents or guardians of the holder of a tertiary education scholarship for each year in which the scholarship is held —

....

- (c) one return airfare between Norfolk Island and Sydney;
- (d) a book allowance of 50 % of the costs of prescribed text books or \$500 whichever is less.

**(2)** Where —

- (a) the holder of a tertiary education scholarship has attained the age of 21 years;
- (b) the parents of the holder of a tertiary education scholarship are dead and the holder does not have any guardian; or
- (c) the Administrator considers that, for special reasons, it is proper to do so,

amounts payable under this Regulation shall be paid to the holder of the tertiary education scholarship.

**(3)** Amounts payable under this Regulation shall be paid at such times as the Administrator determines.

### Lapsing of bursary or scholarship

**26. (1)** Subject to the subregulation 26(2), a bursary, vocational training scholarship or tertiary education scholarship lapses if —

- (a) the holder of the bursary or scholarship ceases to be a resident of Norfolk Island within the meaning of the *Immigration Act 1980*; or
- (b) in the case where a holder of a bursary or scholarship has not attained the age of 21 years and has parents who are alive or a guardian - the parents or guardian cease to be residents of Norfolk Island within the meaning of that Act.

**(2)** Subregulation 26(1) does not apply where the Administrator considers that, by reason of special circumstances, it is proper that the bursary or scholarship should not lapse although the holder has, or the parents or guardians of the holder have, ceased to be residents of Norfolk Island within the meaning of the *Immigration Act 1980*.

### SCHEDULE

*Regulation 24*

**TABLE 1**

**TABLE APPLICABLE TO PARENTS OR GUARDIANS WITH ONE  
DEPENDENT CHILD**

Gross annual income of parents or guardians		Amount of allowance
Exceeding —	But not exceeding —	
\$	\$	\$
..	1,800	200
1,800	1,850	192
1,850	1,900	184
1,900	1,950	176
1,950	2,000	168
2,000	2,050	160
2,050	2,100	152
2,100	2,150	144
2,150	2,200	136
2,200	2,250	128
2,250	2,300	120
2,300	2,350	112
2,350	2,400	104
2,400	2,450	96
2,450	2,500	88
2,500	2,550	80
2,550	2,600	72
2,600	2,650	64
2,650	2,700	56
2,700	2,750	48
2,750	2,800	40
2,800	2,850	32
2,850	2,900	24
2,900	2,950	16
2,950	3,000	8

**TABLE 2**  
**TABLE APPLICABLE TO PARENTS OR GUARDIANS WITH 2 DEPENDENT CHILDREN**

Gross annual income of parents or guardians		Amount of allowance
Exceeding -	But not exceeding -	
\$	\$	\$
..	2,050	200
2,050	2,100	192
2,100	2,150	184
2,150	2,200	176
2,200	2,250	168
2,250	2,300	160
2,300	2,350	152
2,350	2,400	144
2,400	2,450	136
2,450	2,500	128
2,500	2,550	120
2,550	2,600	112
2,600	2,650	104
2,650	2,700	96
2,700	2,750	88
2,750	2,800	80
2,800	2,850	72
2,850	2,900	64
2,900	2,950	56
2,950	3,000	48
3,000	3,050	40
3,050	3,100	32
3,100	3,150	24
3,150	3,200	16
3,200	3,250	8

**TABLE 3**  
**TABLE APPLICABLE TO PARENTS OR GUARDIANS WITH 3 DEPENDENT CHILDREN**

Gross annual income of parents or guardians		Amount of allowance
Exceeding -	But not exceeding -	
\$	\$	\$
..	2,300	200
2,300	2,350	192
2,350	2,400	184
2,400	2,450	176
2,450	2,500	168
2,500	2,550	160
2,550	2,600	152
2,600	2,650	144
2,650	2,700	136
2,700	2,750	128
2,750	2,800	120
2,800	2,850	112
2,850	2,900	104
2,900	2,950	96
2,950	3,000	88
3,000	3,050	80
3,050	3,100	72
3,100	3,150	64
3,150	3,200	56
3,200	3,250	48
3,250	3,300	40
3,300	3,350	32
3,350	3,400	24
3,400	3,450	16
3,450	3,500	8

**TABLE 4**  
**TABLE APPLICABLE TO PARENTS OR GUARDIANS WITH MORE THAN 3**  
**DEPENDENT CHILDREN**

Gross annual income of parents or guardians		Amount of allowance
Exceeding —	But not exceeding —	
\$	\$	\$
..	2,550	200
2,550	2,600	192
2,600	2,650	184
2,650	2,700	176
2,700	2,750	168
2,750	2,800	160
2,800	2,850	152
2,850	2,900	144
2,900	2,950	136
2,950	3,000	128
3,000	3,050	120
3,050	3,100	112
3,100	3,150	104
3,150	3,200	96
3,200	3,250	88
3,250	3,300	80
3,300	3,350	72
3,350	3,400	64
3,400	3,450	56
3,450	3,500	48
3,500	3,550	40
3,550	3,600	32
3,600	3,650	24
3,650	3,700	16
3,700	3,750	8

**NOTES**

The *Education Regulations* as shown in this consolidation comprises Regulations of December 1931 and amendments as indicated in the Tables below.

<b>Enactment</b>	<b>Number and year</b>	<b>Date of commencement</b>	<b>Application saving or transitional provision</b>
<i>Education Regulations</i>	1931	26.2.32	
<i>Education Regulations</i>	1938	12.8.38	
<i>Education Regulations</i>	1939	1.12.39	
<i>Education Regulations</i>	2, 1966	7.7.66	
<i>Education Regulations</i>	1, 1971	29.7.71	6(2)
<i>Interpretation Act 1979</i>	10, 1979	7.8.79	5
<i>Education (Amendment) Regulations 1986</i>	6, 1986	22.5.86	
<i>Education Amendment Regulations 1995</i>	3, 1995	23.2.95	
<i>Education (Amendment) Regulations 2005</i>	1, 2005	18.2.05	
[Previously consolidated as at 25 August 2006]			
<i>Education (Amendment) Regulations 2007</i>	11, 2007	31.8.07	
[Previously consolidated as at 3 September 2007]			
<i>Education (Amendment No. 2) Regulations 2007</i>	13, 2007	28.9.2007	
[Previously consolidated as at 17 October 2007]			
<i>Interpretation (Amendment) Act 2012</i> [to substitute throughout — Commonwealth Minister for Minister; and to substitute Minister for executive member]	14, 2012	28.12.12	

## Table of Amendments

ad = added or am = amended rep = repealed rs = repealed and  
inserted substituted

Provisions affected	How affected	
Headings	ad	Regs 1938
	am	Regs 2, 1966; Regs 1, 1971
2	rs	Regs 1938; Regs 2, 1966
	am	Regs 1, 1971
9	rep	Regs 11, 2007
11	am	Regs 11, 2007
13	rep	Regs 1938
17	ad	Regs 1938
	am	Regs 1939
	rs	Regs 2, 1966
17(1)	am	Regs 1, 1971
17(3)	ad	Regs 1, 1971; Regs 6, 1986
18	ad	Regs 1938
	rs	Regs 2, 1966
	am	Regs 1, 1977
18(1)	am	Regs 11, 2007
19(1)	ad	Regs 1938
	rs	Regs 2, 1966
19(2)	ad	Regs 1938
	am	Regs 1939
	rep	Regs 2, 1966
	ad	Regs 1, 1971
19(3)	ad	Regs 11, 2007
20	ad	Regs 1938
	rs	Regs 2, 1966
20(1)(5)(6)	am	Regs 1, 1971
20(2)(c)	rs	Regs 6, 1986; Regs 3, 1995
20(5)	am	Regs 11, 2007
20(7)	rs	Regs 11, 2007
20(9)(10)	ad	Regs 1, 1971
20(11)	ad	Regs 3, 1995
20(12)	ad	Regs 3, 1995
21	ad	Regs 1938
	rs	Regs 2, 1966
	rs	Regs 1, 1971
	am	Act 10, 1979
21(1)	am	Regs 6, 1986
22(1), (2)	rs	Regs 11, 2007
22(2)	am	Regs 13, 2007
22(3)	am	Regs 11, 2007
22(5)	am	Regs 11, 2007
22, 23	ad	Regs 1938
	rs	Regs 2, 1966
23(1)	am	Regs 11, 2007
23(3)	am	Regs 11, 2007
23(4)(aa)	ad	Regs 11, 2007
23A	ad	Regs 1, 1971



ad = added or am = amended rep = repealed rs = repealed and  
inserted substituted

Provisions affected	How affected	
23A(4)	rs	Regs 11, 2007
24	ad	Regs 1938
	rs	Regs 2, 1966
	am	Regs 1, 2005
24(1)	am	Regs 1, 1971; Regs 11, 2007
24(1)(d)(i)	rep	Regs 11, 2007
24(1)(d)(ii)	am	Regs 11, 2007
25	ad	Regs 1938
	rs	Regs 2, 1966; Regs 1, 1971
	am	Regs 1, 2005
26	ad	Regs 1, 1971
	am	Act 10, 1979
26(1)(a)	rs	Regs 6, 1986
26(1)(b)	rs	Regs 6, 1986
26(2)	rs	Regs 6, 1986
Schedule	ad	Regs 2, 1966

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