



IMMIGRATION (EDUCATION) ACT 1971

Reprinted as at 30 April 1981

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Interpretation
4. Arrangements for certain courses of instruction
5. Teaching and learning materials to be provided
6. Living allowances
7. Training courses for teachers
8. Research projects
9. Payments, & c., under arrangements
10. Delegation
11. Expenditure to be made from appropriations
12. Annual reports by the Minister
13. Regulations

An Act relating to the provision of certain Courses of Instruction for Immigrants and certain other Persons

1. This Act may be cited as the *Immigration (Education) Act 1971*.¹ Short title

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commencement

3. In this Act, unless the contrary intention appears—

“approved course of instruction” means a course provided in accordance with arrangements made under the next succeeding section;

“capital equipment of an educational nature” includes tape recording and playing equipment and portable class-rooms, but does not include any other building;

Interpretation
Amended by
No. 110, 1973, s.3

s. 3

“independent school” means a school or institution in Australia, other than a school or institution conducted by the Government of the Commonwealth or of a State, at which primary education or secondary education is, or both are, provided, but does not include a school conducted for the profit, direct or indirect, of an individual or individuals;

“school authority”, in relation to an independent school, means the person or body conducting the school;

“teaching and learning materials” includes textbooks, films, sound recordings and wall charts.

Arrangements
for certain
courses of
instruction

4. (1) The courses of instruction to which this section relates are—

- (a) courses in the English language; and
- (b) courses designed to impart an understanding of the rights and duties of an Australian citizen and of the way of living of the Australian people.

(2) The Minister may arrange for—

- (a) the provision outside Australia of courses of instruction to which this section relates for intending immigrants to Australia, whether in the countries in which they reside, in other countries or on their way to Australia; and
- (b) the provision in Australia of courses of instruction to which this section relates for persons ordinarily resident in Australia who—
 - (i) came to Australia as immigrants; or
 - (ii) are persons under the age of twenty-one years whose parents, or one of whose parents, came to Australia as immigrants or as an immigrant.

Teaching and
learning
materials to
be provided

5. The Minister may arrange for the purchase or production of, and the distribution of, teaching and learning materials—

- (a) for use in approved courses of instruction; or
- (b) for use in schools (whether in an approved course of instruction or otherwise) in—
 - (i) the teaching of the English language; or
 - (ii) the imparting of an understanding of the rights and duties of an Australian citizen and of the way of living of the Australian people,

to children referred to in paragraph (b) of sub-section (2) of the last preceding section.

s. 6

6. The regulations may make provision for, or in relation to, the payment of living allowances, at such rates and in accordance with such conditions as are prescribed, to persons (other than school children) attending such approved courses of instruction as are prescribed.

Living allowances

7. (1) The Minister may arrange for the provision of training courses for teachers who are engaged, or intend to engage, in the giving of approved courses of instruction.

Training courses for teachers

(2) Where a teacher attending a training course referred to in the last preceding sub-section is paid salary by his employer for the whole or a part of the period of his attendance, the Minister may authorize the payment to the employer of the whole or a part of the cost of the salary so paid.

(3) In this section—

“employer” includes the Government of a State;

“salary” includes an allowance in the nature of a travelling allowance.

8. The Minister may arrange for the conduct of research projects designed to improve the form or content of courses of instruction of the kind referred to in section 4.

Research projects
Amended by
No. 110, 1973,
s. 5

9. (1) An arrangement under this Act may make provision for, or in relation to, the making of payments by the Commonwealth to another party to the arrangement in connexion with matters to which the arrangement relates.

Payments, & c., under arrangements

(2) Without limiting the generality of the last preceding sub-section, an arrangement under section 4 for the provision of courses of instruction by the Government of a State or by the school authority of an independent school may make provision for, or in relation to, the payment by the Commonwealth of the whole or a part of—

Amended by
No. 110, 1973,
s. 5

- (a) the cost of salaries and fees of teaching staff engaged in the giving of the courses;
- (b) administrative costs (including the salaries of administrative staff) incurred in connexion with the courses;
- (c) the cost of capital equipment of an educational nature to be used in the courses; and
- (d) the cost of teaching and learning materials (other than materials provided under section 5) to be used in the courses.

(3) An arrangement under section 4 for the provision of courses of instruction by the Government of a State or by the school authority of an independent school may make provision for the Commonwealth to supply, whether as a gift or otherwise, to that Government or school authority capital equipment of an educational nature to be used in the courses.

Added by
No. 110, 1973,
s. 4

s. 10

Delegation

10. (1) The Minister may, by instrument in writing, delegate to an officer of the Public Service of the Commonwealth, either generally or otherwise as provided in the instrument of delegation, all or any of his powers or functions under this Act, except this power of delegation.

(2) A power or function so delegated may be exercised or performed by the delegate in accordance with the instrument of delegation.

(3) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Minister.

Expenditure to be made from appropriations

11. Expenditure by the Commonwealth for the purposes of this Act shall be made out of moneys appropriated by the Parliament for those purposes.

Annual reports by the Minister
Amended by No. 110, 1973, s. 5; No. 216, 1973, s. 3

12. The Minister shall, as soon as practicable after 30th June in each year, cause to be laid before each House of the Parliament a report on the operation of this Act during the year ended on that date, including particulars of expenditure by the Commonwealth for the purposes of this Act during that year.

Regulations

13. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

NOTE

1. The *Immigration (Education) Act 1971* (a) as shown in this reprint comprises Act No. 3, 1971 as amended by the other Acts specified in the following table:

Act	Number and year	Date of Assent	Date of commencement	Application, saving or transitional provisions
<i>Immigration (Education) Act 1971</i>	3, 1971	12 Mar 1971	12 Mar 1971	
<i>Immigration (Education) Act 1973</i>	110, 1973	12 Oct 1973	12 Oct 1973	—
<i>Statute Law Revision Act 1973</i>	216, 1973	19 Dec 1973	31 Dec 1973	Ss. 9 (1) and 10

- (a) This citation is provided for by the *Amendments Incorporation Act 1905* and the *Acts Citation Act 1976*.

© Commonwealth of Australia 1981

Crown copyright subsists in this legislation. Other than as permitted by law, no part may be reproduced in any way without the permission of the Commonwealth. Requests should be in writing to "The Secretary, Attorney-General's Department, Canberra, A.C.T. 2600".