



Australian Capital Territory

ACT Teacher Quality Institute Amendment Act 2023

A2023-38

Contents

		Page
Part 1	Preliminary	
1	Name of Act	2
2	Commencement	2
3	Legislation amended	2
Part 2	ACT Teacher Quality Institute Act 2010	
4	Eligibility for provisional registration Section 33 (1) (a)	3
5	Sections 47 to 49	3

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Contents

		Page
6	Renewal of registration Section 51 (5) (a) (i)	4
7	Reviewable decisions Schedule 1, item 13, column 3	4
8	Schedule 1, item 15, column 3	4
9	New part 17	4
Part 3	ACT Teacher Quality Institute Regulation 2010	
10	Eligibility for full registration—period of teaching—Act, s 32 (1) (b) Section 9 (1)	6
11	Sections 15 to 18	6



Australian Capital Territory

ACT Teacher Quality Institute Amendment Act 2023

A2023-38

An Act to amend the *ACT Teacher Quality Institute Act 2010* and the *ACT Teacher Quality Institute Regulation 2010*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Part 1 Preliminary

1 Name of Act

This Act is the *ACT Teacher Quality Institute Amendment Act 2023*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This Act amends the [ACT Teacher Quality Institute Act 2010](#) and the [ACT Teacher Quality Institute Regulation 2010](#).

Part 2 ACT Teacher Quality Institute Act 2010

4 Eligibility for provisional registration Section 33 (1) (a)

substitute

- (a) the person holds a teaching qualification prescribed by regulation; and

5 Sections 47 to 49

substitute

47 Term of registration and permit to teach

- (1) A registration or permit to teach—
 - (a) is issued for a period prescribed by regulation; and
 - (b) starts on—
 - (i) for a registration—the day the registration is issued; and
 - (ii) for a permit to teach—the day stated in the permit.
- (2) A full registration may be renewed annually.
- (3) A provisional registration may be renewed in the circumstances, and for the period, the institute is satisfied on reasonable grounds is appropriate.

Examples—circumstances

because of maternity leave, severe illness or other personal reasons a teacher is not able to gain the requisite teaching experience to achieve full registration within the prescribed period

- (4) A permit to teach may be renewed for a further period prescribed by regulation.

**6 Renewal of registration
Section 51 (5) (a) (i)***substitute*

- (i) a full registration—that the teacher meets the requirements mentioned in section 32 (1) (e) to (h) and, in the 5-year period before the application for renewal is made, has taught for the period prescribed by regulation; or

**7 Reviewable decisions
Schedule 1, item 13, column 3***omit*

for further period prescribed in accordance with s 48

8 Schedule 1, item 15, column 3*omit*

s 49

substitute

s 47 (4)

9 New part 17*insert***Part 17 Validation of registrations****158 Definitions—pt 17**

In this part:

commencement day means the day the *ACT Teacher Quality Institute Amendment Act 2023*, section 3 commences.

old law means this Act as in force immediately before the commencement day.

159 Provisional and full registrations—validation of issue and renewal

- (1) This section applies to the following done or purported to be done before the commencement day:
 - (a) the provisional registration of a person, despite the person not satisfying the eligibility requirement under the old law, section 33 (1) (a), to the extent it related to not having taught for the period prescribed for section 32 (1) (b);
 - (b) the renewal of a person's provisional registration for longer than the maximum period prescribed for the old law, section 48 (2);
 - (c) the renewal of a person's full registration, despite the person not satisfying the eligibility requirement for section 32 (1) (b).
- (2) The registration of the person is taken to be, and always have been, valid as if the issue or renewal of the registration had been validly done.
- (3) To remove any doubt, anything done or omitted to be done before the commencement day in reliance on the person being registered, either by the person or in relation to the person, is taken to be, and always have been, validly done or omitted to be done.

162 Expiry—pt 17

This part expires on the commencement day.

Note If a law validates something, the validating effect of the law does not end only because of the repeal of the law (see [Legislation Act](#), s 88 (1)).

Part 3 ACT Teacher Quality Institute Regulation 2010

10 Eligibility for full registration—period of teaching—Act, s 32 (1) (b) Section 9 (1)

substitute

- (1) The prescribed period is—
- (a) 180 days of teaching in Australia or New Zealand; or
 - (b) a period of teaching that the institute is satisfied is equivalent to satisfactory completion of 180 days of teaching in Australia or New Zealand.

11 Sections 15 to 18

substitute

15 Term of registration and permit to teach—Act, s 47 (1) (a)

The prescribed period is the period ending on—

- (a) 31 March immediately following the day the registration or permit to teach is issued; or
- (b) if the registration or permit to teach is issued between 1 January and 31 March in a year—31 March in the following year.

Example—par (a)

A person is provisionally registered under the Act on 30 October 2023. The person's provisional registration ends on 31 March 2024, unless the person applies to renew the registration on or before 31 March 2024 (see Act, s 52).

Example—par (b)

A person is issued a permit to teach on 5 January 2024. The person's permit to teach ends on 31 March 2025, unless the person applies to renew the permit on or before 31 March 2025 (see Act, s 53).

16 Permit to teach—renewal period—Act, s 47 (4)

The prescribed period is the period, not longer than 5 years, that the institute is satisfied that the person is to be further employed or engaged to teach in a school.

Example

the person is to be further employed to teach in a school for a period for which the person is given a permit

**17 Renewal of full registration—period of teaching—
Act, s 51 (5) (a) (i)**

The prescribed period is—

- (a) 100 days of teaching in Australia or New Zealand in the 5-year period before the day the application for renewal is made, including 20 days of teaching in the 12-month period before the day the application is made; or
- (b) a period of teaching calculated on a pro rata basis at the rate of 20 days of teaching for each year in the 5-year period before the day the application for renewal is made; or
- (c) a period of teaching that the institute is satisfied is equivalent to satisfactory completion of 100 days of teaching in Australia or New Zealand in the 5-year period before the day the application for renewal is made.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 19 September 2023.

2 Notification

Notified under the [Legislation Act](#) on 29 September 2023.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the ACT Teacher Quality Institute Amendment Bill 2023, which was passed by the Legislative Assembly on 21 September 2023.

Acting Clerk of the Legislative Assembly

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