

Department of Education

Legislative Delegations

Delegation of
Director-General's Powers

under

Education (General Provisions) Act 2006

(Version 30 – March 2023)

NOTE: In accordance with the Managing delegations, authorisations and administrative approvals procedure, legislative delegations are centrally managed by Policy and Statutory Engagement. Policy and Statutory Engagement must be contacted for all proposed amendments to these delegations.

INSTRUMENT OF DELEGATION

Education (General Provisions) Act 2006

I, Michael De'Ath, Director-General of the Department of Education, under section 432 of the *Education (General Provisions) Act 2006*, DELEGATE those powers and functions conferred or imposed on me under the provisions of the *Education (General Provisions) Act 2006*, which are specified in **Column 1** of Schedule 1, subject to the limitations (if any) specified in **Column 3** of Schedule 1, to the persons who are from time to time the holders of each position specified in **Column 4** of Schedule 1.

This Instrument of Delegation is comprised of this page, and Schedule 1 comprising 95 pages. No other material forms part of the Instrument.

This Instrument of Delegation revokes and replaces any Instrument of Delegation previously issued with respect to the powers and functions of the Director-General under the *Education (General Provisions) Act 2006*.



MICHAEL DE'ATH
DIRECTOR-GENERAL
DEPARTMENT OF EDUCATION

DATED AT BRISBANE THIS 16th day of March, 2023.

SCHEDULE 1 – Table of Delegated Powers of Director-General *Education (General Provisions) Act 2006*

Schedule 1 – Table of Director-General’s Delegated Powers – <i>Education (General Provisions) Act 2006</i>			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Chapter 1 – Preliminary			
Part 3 – Objects			
s.6	<p>Activities to achieve objects of ch 10</p> <p>To achieve the objects mentioned in section 5(1)(c), the chief executive may—</p> <p>(a) carry on the following activities (<i>planning activities</i>)—</p> <p>(i) monitoring the operation and effectiveness of chapter 10;</p> <p>(ii) carrying out planning relating to the matters dealt with under chapter 10;</p> <p>(iii) developing strategies to better achieve the objects of chapter 10; and</p> <p>(b) carry on the following activities (<i>re-engagement activities</i>)—</p> <p>(i) identifying young persons in the compulsory participation phase who are not participating full-time in an eligible option;</p> <p>(ii) giving them information about the options available to them;</p> <p>(iii) encouraging them to participate in a way that achieves the best learning outcomes for them;</p> <p>(iv) encouraging and helping their parents to play a role in the matters stated in subparagraphs (i) to (iii).</p> <p><i>Note—</i></p> <p>To help the chief executive carry on planning and re-engagement activities, the E(QCAA) Act, section 66 provides for information to be made available to the chief executive from student accounts kept by the QCAA for young persons in the compulsory participation phase.</p>	<p>Planning activities must only be carried out to achieve objects mentioned in section 5(1)(c).</p>	<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Executive Director, Student Engagement • Executive Director, Youth Engagement • Executive Director, Performance, Monitoring and Reporting • Regional Director • Director Regional Services • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director – Education Services, Darling Downs South West Region

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> • Principal Advisor - Regional Improvement, Darling Downs South West Region • Principal
Chapter 2 – State educational institutions			
Part 6 – Miscellaneous provisions			
s.46	<p>Investigation of complaint</p> <p>(1) This section applies if—</p> <p>(a) a person makes a complaint about the administration, management or operation of a State educational institution; and</p> <p>(b) in the chief executive’s opinion, the complaint is not frivolous or vexatious.</p> <p>(2) The chief executive must—</p> <p>(a) investigate the complaint; or</p> <p>(b) cause the complaint to be investigated by an appropriately qualified officer of the department.</p> <p><i>Note—</i> Under section 432, the chief executive may delegate the chief executive’s functions under this section to an appropriately qualified officer of the department.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, First Nations Strategy and Partnerships • Deputy Director-General, People, Information and Communication Services • Deputy Director-General, Schools and Student Support • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Assistant Director-General, People and Chief People Officer • Assistant Director-General, Finance, Procurement and Facilities and Chief Finance Officer • Deputy Director-General, Infrastructure Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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			<ul style="list-style-type: none"> • Assistant Director-General, Services and Infrastructure Planning • Assistant Director-General, Infrastructure Delivery and Operations • Regional Director • Assistant Regional Director • Principal • Deputy Principal • Executive Director - within People Branch • Director - within People Branch • Regional Human Resources Managers • Chief Procurement Officer, Procurement and Facilities • Director, Information Management, Digital Transformation • Principal Privacy and Policy Officer, Digital Transformation • Director - within Finance, Procurement and Facilities Branch • Executive Director - within Schools and Student Support Division • Director - within

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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			<p>Schools and Student Support Division</p> <hr/> <p>Central Queensland Region delegates</p> <ul style="list-style-type: none"> • Director Regional Services, Central Queensland Region • Principal Advisor Education Services, Central Queensland Region • Principal Advisor Regional Services, Central Queensland Region • Principal Advisor, Central Queensland Region • Principal Education Officer (Student Services), Central Queensland Region • Principal Communications Officer, Central Queensland Region • Director State Schooling, Central Queensland Region <hr/> <p>North Coast Region delegates</p> <ul style="list-style-type: none"> • Director Regional Services, North Coast Region • Director of Learning, North Coast Region

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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			<ul style="list-style-type: none"> • Principal Advisor, Regional Services, North Coast Region • Principal Advisor, Education Services, North Coast Region • Principal Education Officer, Student Services, North Coast Region • Senior School Operations Officer, Regional Services, North Coast Region
			<p>North Queensland Region delegates</p> <ul style="list-style-type: none"> • Director Regional Services, North Queensland Region • Principal Education Officer, Regional Services, North Queensland Region • Principal Advisor, Regional Services, North Queensland Region
			<p>South East Region delegates</p> <ul style="list-style-type: none"> • Director Regional Services, South East Region • Principal Advisor, Regional Services, South East Region
			<p>Far North Queensland Region delegates</p>

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> • Director Regional Services, Far North Queensland Region • Principal Advisor, Far North Queensland Region • Principal Education Officer, Far North Queensland Region
			<p>Darling Downs South West Queensland Region delegates</p> <ul style="list-style-type: none"> • Director Regional Services, Darling Downs South West Region • Principal Advisor Regional Services, Darling Downs South West Region • Principal Advisor Student Services, Darling Downs South West Region • Principal Advisor School Operations, Darling Downs South West Region
			<p>Metropolitan Region delegates</p> <ul style="list-style-type: none"> • Director Regional Services, Metropolitan Region • Principal Advisor Regional Services, Metropolitan Region • Principal Advisor Education Services, Metropolitan Region

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
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			<ul style="list-style-type: none"> • School Community Liaison Officer, Metropolitan Region • Principal Policy Officer, Metropolitan Region • Executive Officer, Metropolitan Region
		The delegation may be exercised only in relation to complaints made under the Education Queensland International (EQI) Complaints and Appeals policy, for overseas students enrolled in an EQI program.	DE International delegates <ul style="list-style-type: none"> • Operations Manager, International Student Programs • Director, International Student Programs • Manager, Policy, Projects and Administration, DE International • Executive Director, DE International
Chapter 3 – Cost of providing State education			
s.51	Power to charge particular persons or for particular educational services <p>(1) Subsection (3) applies to a person who is receiving, or intends to receive, education at a State school, or a kindergarten age child registered in a kindergarten learning program at a prescribed State school, who is not—</p> <p>(a) an Australian citizen or permanent resident; or</p> <p>(b) a child of an Australian citizen or permanent resident.</p> <p>(2) Subsection (3) also applies to a person enrolled at both a State school and non-State school if the person’s enrolment at the non-State school preceded the person’s enrolment at the State school.</p>	<p>Section.51(1) - the power may be exercised only in relation to a person enrolled at a State school, or a kindergarten age child registered in a kindergarten learning program at a prescribed State school, who is not –</p> <p>(a) an Australian citizen or permanent resident; or</p> <p>(b) a child of an Australian citizen or permanent resident.</p> <p>The delegate must consider section 13 – Revenue management in the <i>Financial and Performance Management Standard 2019</i> and the Department’s Policy and Procedures regarding user charging.</p>	<ul style="list-style-type: none"> • Executive Director, DE International • Director, International Student Programs • Operations Manager, International Student Programs • Manager, International Student Centre – Gold Coast • Manager, International Student Centre – Sunshine Coast

Schedule 1 – Table of Director-General’s Delegated Powers – <i>Education (General Provisions) Act 2006</i>			
Column 1	Column 2	Column 3	Column 4
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	(3) The chief executive may charge a fee for— (a) the education of the person at the State school; or (b) registration of the kindergarten age child in the kindergarten learning program at the State school.	The delegation to Principals does <u>not</u> extend to charging a fee under subsection (3) to those persons who may be charged a fee according to subsection (1) (i.e. non-citizens and non-permanent residents and their children who are enrolled via DE International). The delegate must consider section 13 – Revenue management in the <i>Financial and Performance Management Standard 2019</i> and the Department’s Policy and Procedures regarding user charging.	<ul style="list-style-type: none"> Principal
	(4) Also, the chief executive may charge a person mentioned in section 50(1)— (a) a fee for providing an educational service to the person not met by the State under section 50(2); or (b) a fee for the provision of an educational service by an entity to the person if the State school at which the person is enrolled has been charged by the entity for the provision of the educational service.	Section 50(1) applies to – (a) a person enrolled at a State school; or (b) a person who is a kindergarten age child registered in a kindergarten learning program at a prescribed State school; who is— (c) an Australian citizen or permanent resident; or (d) a child of an Australian citizen or permanent resident. The delegate must consider section 13 – Revenue management in the <i>Financial and Performance Management Standard 2019</i> and the Department’s Policy and Procedures regarding user charging.	<ul style="list-style-type: none"> Principal
	(5) In addition, the chief executive may charge a person not enrolled at a State school a fee for the education of the person at the school.	The delegate must consider section 13 – Revenue management in the <i>Financial and Performance Management Standard 2019</i> and the Department’s Policy and Procedures regarding user charging.	<ul style="list-style-type: none"> Principal
	(6) The chief executive’s power to charge a person a fee under this section includes a power to—	The delegation only applies to exempting or waiving payment of a fee charged under	<ul style="list-style-type: none"> Executive Director, DE International

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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	(a) exempt any person or matter from payment of the fee; or (b) waive payment of the fee for any person or matter; or	subsection (3) relating to a person or child mentioned in subsection (1) (i.e. fees paid by non-citizens and non-permanent residents and their children who are enrolled via DE International).	
		The delegation to Principals does <u>not</u> extend to exempting or waiving payment of a fee under subsection (3) to those persons who may be charged a fee according to subsection (1) (i.e. non-citizens and non-permanent residents and their children who are enrolled via DE International).	<ul style="list-style-type: none"> Principal
	(6) The chief executive’s power to charge a person a fee under this section includes a power to— (c) refund a fee paid under this section.	The delegation only applies to refunding a fee charged under subsection (3) relating to a person or child mentioned in subsection (1) (i.e. fees paid by non-citizens and non-permanent residents and their children who are enrolled via DE International).	<ul style="list-style-type: none"> Director, International Student Programs Manager, International Student Centre – Gold Coast Manager, International Student Centre – Sunshine Coast Operations Manager, International Student Programs
		The delegation does <u>not</u> extend to refunding a fee charged under subsection (3) to those persons who may be charged a fee according to subsection (1) (i.e. non-citizens and non-permanent residents and their children who are enrolled via DE International).	<ul style="list-style-type: none"> Principal
	(7) If a fee for a person mentioned in subsection (1) is not paid— (a) the person is not entitled to be enrolled at a State school; and (b) the chief executive may cancel the enrolment of the person.	Section 51(1) - the power in s.7(b) may be exercised only in relation to a person enrolled at a State school, who is not— (a) an Australian citizen or permanent resident; or (b) a child of an Australian citizen or permanent	<ul style="list-style-type: none"> Executive Director, DE International Director, International Student Programs

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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		resident.	
	(8) If a fee for a kindergarten age child mentioned in subsection (1) is not paid— (a) the kindergarten age child is not entitled to be registered in a kindergarten learning program at a State school; and (b) the chief executive may cancel the registration of the child.	Section 51(1) - the power in s.8(b) may be exercised only in relation to a kindergarten age child registered in a kindergarten learning program at a prescribed State school, who is not— (a) an Australian citizen or permanent resident; or (b) a child of an Australian citizen or permanent resident.	<ul style="list-style-type: none"> Executive Director, DE International
s.52(3)	<p>Fee for distance education provided by a State school</p> <p>(1) This section applies to— (a) a person enrolled in a program of distance education at a State school; or (b) a person, other than a State school student, who is enrolled to undertake a component of a program of distance education at a State school but is not enrolled in the program at the school.</p> <p>(2) The fee prescribed under a regulation must be paid for the provision of distance education to the person.</p> <p>(3) If the fee payable under subsection (2) for the person is not paid— (a) the person is not entitled to be enrolled in, or undertake, the program of distance education mentioned in subsection (1); and (b) the chief executive may cancel the person’s enrolment.</p> <p>(4) In this section— State school student means a person enrolled at a State school.</p>		<ul style="list-style-type: none"> Principal, Schools of Distance Education
s.54	<p>Waiver of fee for distance education</p> <p>(1) The chief executive may waive, entirely or partly, payment of the fee mentioned in section 52(2) for a person if— (a) the chief executive is satisfied— (i) the person is or has been</p>	<p>The power in s.54(1) is subject to the delegate being satisfied of the matters set out in s.54(1)(a) or (b).</p> <p>The power delegated to Principals may not be exercised in respect of non-</p>	<ul style="list-style-type: none"> Principal Schools of Distance Education

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
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	<p>enrolled in, or undertaking a component of, a program of distance education and would suffer a significant educational disadvantage if the person were not able to continue in the program; and</p> <p>(ii) payment of the fee would cause financial hardship to the person liable to pay it; or</p> <p><i>Example for paragraph (a)—</i> A parent of a child enrolled in a program of distance education for 1 year may be unable to pay the fee for the following year because of temporary financial hardship.</p> <p>(b) for a person enrolled in a program, or enrolled to undertake a component of a program, of distance education—the chief executive is satisfied the waiver is appropriate and reasonable because exceptional circumstances exist in relation to the person.</p> <p>(2) In making a decision under subsection (1)(b) about waiving payment of the fee for a person, the chief executive may have regard to any relevant matter of which the chief executive is aware, including, for example—</p> <p>(a) whether the person would suffer a significant educational disadvantage if the person were not able to enrol in a program, or enrol to undertake a component of a program, of distance education; or</p> <p>(b) whether a program, or a component of a program, of distance education is the most appropriate educational program for the person.</p>	<p>citizens and non-permanent residents and their children who are enrolled via DE International.</p> <p>The power in s.54(1) is subject to the delegate being satisfied of the matters set out in s.54(1)(a) or (b).</p> <p>The power delegated to ED, DE International may only be exercised in respect of non-citizens and non-permanent residents and their children who are enrolled via DE International.</p>	<ul style="list-style-type: none"> Executive Director, DE International
s.55(4)	<p>Charging for specialised educational program</p> <p>(1) This section applies to a State school that is approved by the chief executive to offer a specialised educational program prescribed under a regulation.</p> <p>(2) The fee, for the program, prescribed under a regulation must be paid for the undertaking of the program.</p>	<p><i>Specialised educational program</i> means an educational program not usually offered by a State school.</p>	<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools Deputy Director-General, Schools and Student Support Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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	<p>(3) For subsection (2)—</p> <p>(a) if a child is undertaking the program—a parent of the child must pay the fee; or</p> <p>(b) if an adult is undertaking the program—that person must pay the fee.</p> <p>(4) However, the chief executive may waive, entirely or partly, payment of the fee if the chief executive is satisfied—</p> <p>(a) payment of the fee would cause financial hardship to the person liable to pay it; and</p> <p>(b) the person wishing to undertake the program would suffer a significant educational disadvantage if the person can not undertake the program.</p> <p>(5) The chief executive must ensure a list of State schools approved under subsection (1) is available for public inspection, without charge—</p> <p>(a) during normal business hours at the department’s head office; and</p> <p>(b) on the department’s website.</p> <p><i>Editor’s note—</i> The department’s website address on the internet is <www.education.qld.gov.au>.</p> <p>(6) In this section— specialised educational program means an educational program not usually offered by a State school.</p>		
Chapter 4 – Allocation of State education			
Part 5 – Further semesters may be granted by chief executive			
s.71(3)(b)	<p>Application for further semesters if no remaining allocation and after extra semesters</p> <p>(1) This section applies to a student who does not have any remaining allocation and who has been granted 2 extra semesters under part 3.</p> <p>(2) The student may apply, in the approved form, to the chief executive for the granting of not more than 2 further semesters of State education at a State school stated in the application</p>	<p>Application for 3rd & 4th extra semesters:</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Regional Director • Director Regional Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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	<p>(the <i>stated State school</i>).</p> <p>(3) The application must be made to the chief executive—</p> <p>(a) more than 12 weeks before the start of the semester, or the first of the semesters, to which the application relates; or</p> <p>(b) if the chief executive allows a later time for making the application—before the later time.</p>		<ul style="list-style-type: none"> Principal Advisor (Education Services) Principal Advisor (Regional Services)
		Application for 5th & 6th extra semesters:	<ul style="list-style-type: none"> Deputy Director-General, Schools and Student Support Deputy Director-General, First Nations Strategy and Partnerships Assistant Director-General, Disability, Inclusion and Student Services Regional Director
s.72	<p>Chief executive must consider and decide application for further semesters</p> <p>(1) The chief executive must consider the application and decide the application in the way the chief executive considers appropriate after considering all relevant matters, including, for example—</p> <p>(a) whether the student is of compulsory school age; and</p> <p>(b) the likely educational outcome of the student attending the stated State school for the further semester or semesters; and</p> <p>(c) the likely impact on the resources of the stated State school of the student attending the stated State school for the further semester or semesters.</p> <p>(2) However, the chief executive must make the decision within a reasonable time after the making of the application, allowing for the need to collect and analyse the results of any assessment of the student undertaken during the semester immediately</p>	<p>A “reasonable time” can be determined by taking into account the matters set out in s.72(2).</p> <p>s.71(1) - Section applies only to student who has no remaining allocation, and after two extra semesters have already been granted under part 3.</p> <p>s.71(2) – student may only apply for a further two semesters on each application.</p> <p>s.74 - no more than four further semesters may be granted in total to a student under this part.</p>	
		Application for 3rd & 4th extra semesters:	<ul style="list-style-type: none"> Deputy Director-General, First Nations Strategy and Partnerships Assistant Director-General, Disability, Inclusion and Student Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>before the semester, or the earlier of the semesters, to which the application relates.</p> <p>(3) After the chief executive decides the application, the chief executive must—</p> <p>(a) immediately advise the student of the decision; and</p> <p>(b) within 7 days after advising the student of the decision—</p> <p>(i) if the student has not previously been granted 2 further semesters under this part—give the student an information notice about the decision; or</p> <p>(ii) if the student has previously been granted 2 further semesters under this part—give the student a notice complying with the QCAT Act, section 157(2).</p> <p><i>Note—</i> See chapter 15, part 4 for review of the decision by QCAT.</p>		<ul style="list-style-type: none"> • Regional Director • Director Regional Services • Principal Advisor (Education Services) • Principal Advisor (Regional Services)
		Application for 5th & 6th extra semesters:	<ul style="list-style-type: none"> • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Regional Director
s.73	<p>Chief executive to give notice to principal if further semesters granted</p> <p>(1) If the chief executive decides to grant the application, the chief executive must give notice of the decision to the stated State school’s principal.</p> <p>(2) The notice must state—</p> <p>(a) the student’s name; and</p> <p>(b) the student’s educational level; and</p> <p>(c) the period of the extension; and</p> <p>(d) any other information the chief executive is reasonably satisfied the principal should be aware of in relation to the decision.</p>	Application for 3rd & 4th extra semesters:	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Regional Director • Director Regional Services • Principal Advisor (Education Services) • Principal Advisor (Regional Services)

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		Application for 5th & 6th extra semesters:	<ul style="list-style-type: none"> • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Regional Director
Chapter 6 – School councils			
Part 3 – Establishment, name, functions and other matters			
s.79	Establishment (1) Subject to section 109(6) and (7), the chief executive may, by notice in the gazette, establish a school council for a State school. (2) A school council established under subsection (1) may have functions only about the school for which the council is established.		<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegate’s power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> • Regional Director
		Delegate’s power is limited to their own school.	<ul style="list-style-type: none"> • Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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Part 5 – Constitution			
s.95(3)	<p>Amendment of school council’s constitution</p> <p>(1) A school council for a State school may prepare and adopt an amendment of its constitution.</p> <p>(2) In preparing a proposed amendment, the council must have regard to the model constitution.</p> <p>(3) An amendment has no effect unless—</p> <p>(a) the amended constitution is consistent with the model constitution; or</p> <p>(b) the amendment is approved by the chief executive.</p> <p>(4) The chief executive must not approve an amendment unless the chief executive is satisfied—</p> <p>(a) notice of the proposed amendment was given, at least 30 days before the council meeting that considered the amendment, to the following—</p> <p>(i) the council members;</p> <p>(ii) if there is an association formed for the school—the association;</p> <p>(iii) the school’s staff (including, for example, by displaying the proposed amendment in a staff room);</p> <p>(iv) the school’s students (including, for example, by publishing the proposed amendment in the school’s newsletter); and</p> <p>(b) the amendment was adopted by at least the number of members constituting a quorum for the council; and</p> <p>(c) the amended constitution is consistent with this Act and otherwise lawful.</p> <p>(5) In deciding whether to approve an amendment, the chief executive must also have regard to the following matters about the amended constitution—</p> <p>(a) whether it provides for a membership that—</p> <p>(i) allows adequate representation</p>	<p>Delegates’ power is limited to State schools that fall within their area of administrative responsibility.</p> <p>The delegates must not approve an amendment unless satisfied of the matters listed in s.95(4)(a) - (c).</p> <p>In making the decision the delegate must also have regard to the matters listed in s.95(5)(a)-(c).</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Regional Director • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director Regional Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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	<p>by parents, staff, students and other members of the school community; and</p> <p>(ii) takes into account the demographics of the school community;</p> <p>(b) whether it provides for the council to perform its functions in an effective and fair way;</p> <p>(c) whether its provisions are otherwise adequate, clear and appropriate.</p>		
s.96	<p>Model constitution for school councils</p> <p>The chief executive may prepare a model constitution for school councils (the <i>model constitution</i>).</p>		<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Deputy Director-General, Schools and Student Support • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
Part 6 – Council business			
s.98(2)(b)	<p>Time and place of meetings</p> <p>(1) School council meetings must be held at the times and places the council decides.</p> <p>(2) However, a school council’s chairperson—</p> <p>(a) may call a meeting at any time; and</p> <p>(b) must call a meeting if asked, in writing, to do so by the Minister, the chief executive or at least the number of its members required to form a quorum for the council.</p> <p>(3) A school council must meet at least twice in each semester.</p>	Note – the Minister also holds this power in s.98(2)(b).	<ul style="list-style-type: none"> • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		Delegate’s power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> • Regional Director
		Delegates power is limited to their own school.	<ul style="list-style-type: none"> • Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Part 8 – Starting up			
s.109(7)	<p>Initial constitution</p> <p>(1) A State school’s principal must prepare a draft constitution for a proposed school council for the school.</p> <p>(2) Section 95(1) to (3) and (5) apply to the preparation as if a reference to a school council amending its constitution were a reference to the school’s principal preparing the proposed council’s draft constitution.</p> <p>(3) In preparing the draft constitution, the principal—</p> <p>(a) must consult with—</p> <p>(i) the parents of children attending the school; and</p> <p>(ii) the school’s staff and students; and</p> <p>(b) may consult with other appropriate entities.</p> <p>(4) If there is an association formed for the school, the president of the association must, under the association’s constitution, call a</p>	See also s.79(1) for power to establish school council.	<ul style="list-style-type: none"> Deputy Director-General, First Nations Strategy and Partnerships Deputy Director-General, Schools and Student Support Assistant Director-General, Disability, Inclusion and Student Services Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> Regional Director
		Delegates power is limited to their own school.	<ul style="list-style-type: none"> Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>special meeting of the association (the <i>association meeting</i>) for approving the draft constitution.</p> <p>(5) The principal must call the following meetings for approving the draft constitution—</p> <p>(a) if there is no association formed for the school—a meeting of the parents of children attending the school (the <i>parent meeting</i>);</p> <p>(b) a meeting of the school’s staff (the <i>staff meeting</i>).</p> <p>(6) The chief executive may not establish a school council for the school unless the association meeting or parent meeting, and the staff meeting, are called and the draft constitution is approved as follows—</p> <p>(a) if there is an association formed for the school—by secret ballot by a majority of the association’s members attending the association meeting;</p> <p>(b) if there is no association formed for the school—by secret ballot by a majority of the parents attending the parent meeting;</p> <p>(c) by secret ballot by a majority of the staff attending the staff meeting.</p> <p>(7) However, the chief executive may establish a school council for the school, even though the draft constitution is not approved under subsection (6), if the chief executive—</p> <p>(a) is satisfied of each of the</p>		

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>following—</p> <p>(i) if there is an association formed for the school and the association did not approve the draft constitution under subsection (6)—there were at least 3 association meetings held to discuss the draft constitution during a 3-month period;</p> <p>(ii) if there is no association formed for the school and the parents of children attending the school did not approve the draft constitution under subsection (6)—there were at least 3 parent meetings held to discuss the draft constitution during a 3-month period;</p> <p>(iii) if the school’s staff did not approve the draft constitution under subsection (6)—there were at least 3 staff meetings held to discuss the draft constitution during a 3-month period; and</p> <p>(b) has had regard to the concerns of the association, parents or staff raised at the meetings at which the draft constitution was not approved.</p> <p>(8) The approved constitution applies to the council on its establishment.</p>		
Part 10 – Miscellaneous			
s.115	<p>Expense of attending meetings</p> <p>The chief executive may—</p> <p>(a) decide the allowance payable to compensate a member of a school council in attending a meeting of the council, the amount of which is dependent on the class of membership of the council; or</p> <p>(b) reimburse a member of a school council the whole or part of the reasonable expenses incurred by the member in attending a meeting of the council.</p>	Delegates power is limited to their own school.	<ul style="list-style-type: none"> Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Chapter 7 – Parents and citizens associations			
Part 3 – Executive committee of an association			
s.126(3)	<p>Restriction on who may be a member of executive committee</p> <p>(1) Subsection (2) applies only at the time of election of the office holders of an association under section 123.</p> <p>(2) The number of relevant staff members of the State instructional institution for which the association is formed who may be members of the executive committee of the association must not be more than one-third of the number of members of the executive committee.</p> <p>(3) Subsection (2) does not apply to the association if—</p> <p>(a) the chief executive reasonably believes that compliance with the requirement mentioned in that subsection will prevent all the positions of the executive committee being filled; and</p> <p>(b) the chief executive notifies the association that it is not required to comply with that subsection.</p> <p>(4) In this section— relevant staff member means—</p> <p>(a) for a State school—a staff member of the school who is not a parent of a child attending the school; or</p> <p>(b) for an educational institution established under section 14—a staff member of the institution.</p>	Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> • Regional Director • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director Regional Services
Part 6 – Constitution of an association			
s.131(3)	<p>Constitution</p> <p>(1) An association must have a constitution.</p> <p>(2) An association must adopt, or amend, its constitution in the way prescribed under a regulation.</p> <p>(3) An association’s constitution, or amendment of the constitution, has no effect unless it is approved by the chief executive.</p>	Delegates’ power is limited to their own school.	<ul style="list-style-type: none"> • Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Part 9 – General provisions			
s.143	<p>Mandatory insurance cover</p> <p>An association must purchase and maintain the insurance cover required by the chief executive by notice published from time-to-time in the gazette.</p>		<ul style="list-style-type: none"> Assistant Director-General, Finance, Procurement and Facilities and Chief Finance Officer
Chapter 8 – Enrolment at State schools			
Part 1 – Applications for enrolment			
Division 2- Applications relating to prospective students who are a risk to the safety or wellbeing of certain persons			
s.158	<p>Not a risk to safety or wellbeing</p> <p>(1) Subsection (2) applies if the chief executive does not reasonably believe the prospective student would, if enrolled at the school, pose an unacceptable risk to the safety or wellbeing of members of the school community.</p> <p>(2) The chief executive must, as soon as practicable, refer the application back to the principal to be dealt with under section 156.</p> <p>(3) If the application is referred back to the principal under subsection (2), section 156(2) does not apply to the application.</p>		<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools Deputy Director-General, Schools and Student Support

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.159	<p>Risk to safety or wellbeing</p> <p>(1) If the chief executive reasonably believes the prospective student would, if enrolled at the school, pose an unacceptable risk to the safety or wellbeing of members of the school community, the chief executive must give the applicant a notice (a show cause notice) stating the following—</p> <p>(a) that the chief executive proposes to decide to refuse enrolment of the prospective student at the school (the proposed action);</p> <p>(b) the grounds for the proposed action;</p> <p>(c) an outline of the facts and circumstances forming the basis for the grounds;</p> <p>(d) an invitation to the applicant to show within a stated period (the show cause period) why the proposed action should not be taken.</p> <p>(2) The show cause period must be a period ending at least 14 days after the show cause notice is given to the applicant.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support
s.160	<p>Representations about show cause notice</p> <p>(1) The applicant may make written representations about the show cause notice to the chief executive in the show cause period.</p> <p>(2) The chief executive must consider all written representations (the accepted representations) made under subsection (1).</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.161	<p>Ending show cause process without further action</p> <p>(1) If, after considering any accepted representations for the show cause notice, the chief executive does not reasonably believe the prospective student would, if enrolled at the school, pose an unacceptable risk to the safety or wellbeing of members of the school community, the chief executive—</p> <p>(a) must not take further action about the show cause notice; and</p> <p>(b) must, as soon as practicable, give notice to the applicant that no further action is to be taken about the show cause notice; and</p> <p>(c) must, as soon as practicable, refer the application back to the principal to be dealt with under section 156.</p> <p>(2) If the application is referred back to the principal under subsection (1)(c), section 156(2) does not apply to the application.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support
s.162	<p>Refusal of enrolment</p> <p>(1) This section applies if, after considering any accepted representations for the show cause notice, the chief executive reasonably believes the prospective student would, if enrolled at the school, pose an unacceptable risk to the safety or wellbeing of members of the school community.</p> <p>(2) This section also applies if there are no accepted representations for the show cause notice.</p> <p>(3) The chief executive must decide to refuse enrolment of the prospective student at the school.</p> <p>(4) The chief executive must as soon as practicable—</p> <p>(a) give an information notice about the decision to the applicant; and</p> <p>(b) give the principal notice of the decision.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	(5) If the chief executive decides to refuse enrolment of the prospective student at the school under this section, the decision is binding on the principal.		
Division 3 – Enrolment at special schools			
s.166(1) & (2)	<p>Requirements for enrolment satisfied</p> <p>(1) Subsection (2) applies if the chief executive is satisfied—</p> <p>(a) the prospective student is a person with a disability; and</p> <p>(b) the special school is able to cater for the educational needs of the prospective student.</p> <p>(2) The chief executive must, as soon as practicable, refer the application back to the principal to be dealt with under section 156.</p> <p>(3) If the application is referred back to the principal under subsection (2), section 156(3) does not apply to the application.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegates’ power is limited to State special schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> • Senior Guidance Officer • Regional Director
s.167(1), (2) & (3)	<p>Requirements for enrolment not satisfied</p> <p>(1) This section applies if the chief executive is not satisfied—</p> <p>(a) the prospective student is a person with a disability; and</p> <p>(b) the special school is able to cater for the educational needs of the prospective student.</p> <p>(2) The chief executive must decide to refuse enrolment of the prospective student at the school.</p> <p>(3) The chief executive must, as soon as practicable—</p> <p>(a) give an information notice about</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>the decision to the applicant; and (b) give the principal notice of the decision.</p> <p>(4) If the chief executive decides to refuse enrolment of the prospective student at the school under this section, the decision is binding on the principal.</p>		<p>Student Services</p> <ul style="list-style-type: none"> Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegates’ power is limited to State special schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> Senior Guidance Officer Regional Director
Part 3 – Enrolment management plans			
s.169	<p>Definitions for pt 3</p> <p>In this part—</p> <p><i>catchment area</i>, for a State school, means the geographical area decided by the chief executive from which the school is to have its principal intake of students.</p> <p><i>effective enrolment management plan</i>, for a State school, means an enrolment management plan that has effect for the school under section 170.</p> <p><i>enrolment management plan</i>, for a State school, means a document stating—</p> <p>(a) the school’s catchment area; and</p> <p>(b) the school’s enrolment capacity for persons whose principal place of residence is outside the catchment area; and</p> <p>(c) the requirements for enrolment at the school to be satisfied by a person whose principal place of residence is outside the catchment area.</p>		<ul style="list-style-type: none"> Deputy Director-General, Infrastructure Services Assistant Director-General, Services and Infrastructure Planning Executive Director, Strategy and Service Planning
		Delegate’s power is limited to State schools within their own area of administrative responsibility.	<ul style="list-style-type: none"> Regional Director
s.170	<p>Preparation of enrolment management plan</p> <p>(1) The chief executive may prepare an enrolment management plan for a State school.</p> <p>(2) As soon as practicable after preparing an enrolment management plan for a State school, the chief executive must</p>		<ul style="list-style-type: none"> Deputy Director-General, Infrastructure Services Assistant Director-General, Services and Infrastructure Planning Executive Director,

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>publish a notice in the gazette stating that—</p> <p>(a) the enrolment management plan has been prepared; and</p> <p>(b) a copy of the enrolment management plan is available for public inspection, without charge—</p> <p>(i) during normal business hours at the department’s head office; and</p> <p>(ii) on the department’s website.</p> <p>(3) An enrolment management plan, prepared under subsection (1), has effect on and from—</p> <p>(a) the day a notice about the enrolment management plan is published under subsection (2); or</p> <p>(b) a later day stated in the notice.</p>		<p>Strategy and Service Planning</p>
		<p>Delegate’s power is limited to State schools within their own area of administrative responsibility.</p>	<ul style="list-style-type: none"> • Regional Director
Part 4 – Enrolment eligibility plans			
s.174	<p>Preparation of enrolment eligibility plan</p> <p>(1) The chief executive may prepare an enrolment eligibility plan for a State school.</p> <p>(2) As soon as practicable after preparing an enrolment eligibility plan for a State school, the chief executive must publish a notice in the gazette stating that—</p> <p>(a) the enrolment eligibility plan has been prepared; and</p> <p>(b) a copy of the enrolment eligibility plan is available for public inspection, without charge—</p> <p>(i) during normal business hours at the department’s head office; and</p> <p>(ii) on the department’s website.</p> <p>(3) An enrolment eligibility plan, prepared under subsection (1), has effect on and from—</p> <p>(a) the day a notice about the enrolment eligibility plan is published under subsection (2); or</p> <p>(b) a later day stated in the notice.</p>	<p>Delegate’s power is limited to State schools within their own area of administrative responsibility.</p>	<ul style="list-style-type: none"> • Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Chapter 9 – Compulsory schooling			
Part 1 – Compulsory schooling requirement			
Division 1 – Parents’ obligations			
s.179	<p>Limits on proceedings against a parent</p> <p>(1) Proceedings for an offence against section 176(1) may be brought against a parent—</p> <p>(a) by the chief executive or with the chief executive’s consent; and</p> <p>(b) only if the time when the parent is alleged to have committed the offence is after—</p> <p>(i) the parent has been given a notice under section 178(2); and</p> <p>(ii) at least 1 meeting has been held with the parent under section 178(3) or the parent has been given a warning notice under section 178(4).</p> <p><i>Note—</i> Under section 432, the chief executive may delegate the chief executive’s functions under this section to an appropriately qualified officer of the department.</p> <p>(2) The chief executive (child safety) is not liable to be prosecuted for an offence against section 176(1).</p>	<p>This power is limited to giving consent (the second limb of s.179(1)(a) only) and does not extend to bringing proceedings against a parent.</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services
		<p>In respect of proceedings for a breach of s.176(1)(b) the Delegate’s power extends to all schools (State and non-State) within their Region.</p>	<ul style="list-style-type: none"> • Regional Director
Division 2 – Chief executive may obtain information from non-State schools			

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.180	<p>Notice to principal of non-State school</p> <p>(1) The chief executive may, by notice given to the principal of a non-State school, ask the principal for information about—</p> <p>(a) the enrolment or attendance at the school of a child who is of compulsory school age; or</p> <p>(b) decisions made under section 189, including information in the record kept by the school’s governing body under section 197A.</p> <p>(2) Without limiting subsection (1), the chief executive may ask for information that the chief executive believes may—</p> <p>(a) help in the investigation of an alleged contravention of section 176(1); or</p> <p>(b) help the chief executive or an authorised person acting under section 178; or</p> <p>(c) otherwise help the chief executive or an authorised person to decide whether or not a parent is contravening section 176(1).</p>	<p>The Director-General has authorised certain officers under a separate instrument of authorisation for the power under s.178 – Notice to, and meeting with, parent.</p>	<ul style="list-style-type: none"> • Executive Director, Registration Services (International, Non-State and Home Education) • Executive Director, External Relations and Research • Manager, Office of Non-State Education • Manager, Home Education Unit • Assistant Manager, Home Education Unit • Regional Director • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director Regional Services
Part 2 – Flexible arrangements			
s.183	<p>Flexible arrangements—State school</p> <p>(1) The chief executive may approve arrangements for a student enrolled at a State school that are to apply to the student instead of participation in the school’s educational programs in the usual way.</p> <p>(2) Section 182(2), (3), (5) and (6), except the definition <i>authorised entity</i>, apply to the chief executive and the student as if—</p> <p>(a) a reference to the authorised entity were a reference to the chief executive; and</p> <p>(b) a reference to the non-State school were a reference to the State school.</p>	<p>s.183(2) provides that the conditions of approval and the considerations to be made by the authorised entity of a non-State school when approving flexible arrangements (as set out in s.182(2), (3), (5) and (6)) also apply to the delegate when approving flexible arrangements for a State school under s.183.</p> <p>If the application relates to more than one State school in different regions.</p>	<ul style="list-style-type: none"> • Regional Director responsible for the school, part of the arrangement, at which the student was enrolled at first in time.

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> Principal of the school at which the student was enrolled at first in time.
		<p>If the application relates to more than one State school in the same region.</p> <p>Delegate’s power is limited to State schools that fall within their own area of administrative responsibility.</p>	<ul style="list-style-type: none"> Regional Director Principal
		<p>If the application relates to only one State school, or to a non-State school and a State school.</p> <p>Delegates power is limited to their own school.</p>	<ul style="list-style-type: none"> State school Principal
Part 3 – Exemption from compliance with compulsory schooling requirement			
Division 2 – Power to grant exemption			
s.185	Chief executive may grant exemption	If student enrolled in State school.	<ul style="list-style-type: none"> Principal
	(1) The chief executive may grant an exemption for a child if the chief executive is reasonably satisfied— (a) the child cannot attend a State school or non-State school; or (b) it would be unreasonable in all the circumstances to require the child to attend a State school or non-State school.	Delegates power is limited to their own school.	
	(2) The chief executive may grant the exemption for a stated or indefinite period.	If student enrolled in a non-State school.	<ul style="list-style-type: none"> Manager, Office of Non-State Education
	(3) Despite subsection (1), the chief executive may not grant an exemption from compliance with section 176(1)(b) for a child under this section if— (a) the child is enrolled at a non-State school; and (b) the period of the exemption would not, if it were granted, cause the total of the periods of exemptions granted under this section or section 185A for the child to be more than 110 school days in a year.	<p>If student not enrolled in any school, not provisionally registered or registered for home education.</p> <p>If student not enrolled in any school, but provisionally registered or registered for home education.</p>	<ul style="list-style-type: none"> Regional Director Principal Advisor (Education Services) Principal Advisor (Regional Services) Director Education Services, Darling Downs South West Region Principal Advisor – Regional Improvement, Darling Downs South West Region

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> • Director Regional Services
Division 3 – Application Process			
s.186	<p>Application for exemption</p> <p>(1) A parent of a child may apply to the following person (the <i>relevant decision-maker</i>) for an exemption for the child—</p> <p>(a) for an application for an exemption under section 185—the chief executive;</p> <p>(b) for an application for an exemption under section 185A—the principal of the non-State school at which the child is enrolled.</p> <p>(2) The applicant must provide any other relevant information reasonably required by the relevant decision-maker to decide the application.</p>	<p>If student enrolled in State school.</p> <p>Delegates power is limited to their own school.</p>	<ul style="list-style-type: none"> • Principal
		<p>If student enrolled in a non-State school.</p>	<ul style="list-style-type: none"> • Manager, Office of Non-State Education
		<p>If student not enrolled in any school, not provisionally registered or registered for home education.</p> <p>If student not enrolled in any school, but provisionally registered or registered for home education.</p>	<ul style="list-style-type: none"> • Regional Director • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region • Director Regional Services
s.187	<p>Lapsing of application</p> <p>(1) The relevant decision-maker may make a requirement under section 186(2), for information to decide the application, by giving the applicant a notice stating—</p> <p>(a) the required information; and</p> <p>(b) the time by which the information must be given to the relevant decision-maker; and</p> <p>(c) that, if the information is not</p>	<p>If student enrolled in State school.</p> <p>Delegates power is limited to their own school.</p>	<ul style="list-style-type: none"> • Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>given to the relevant decision-maker by the stated time, the application will lapse.</p> <p>(2) The time stated must be reasonable and, in any case, at least 14 days after the requirement is made.</p> <p>(3) The relevant decision-maker may withdraw the requirement, or part of the requirement, at any time.</p> <p>(4) Before the stated time ends, the relevant decision-maker may give the applicant a further notice extending the stated time if the relevant decision-maker is satisfied it would be reasonable in all the circumstances to give the extension.</p> <p>(5) If the applicant does not comply with the requirement within the stated time, or any extension, the application lapses.</p>	<p>If student enrolled in a non-State school.</p>	<ul style="list-style-type: none"> • Manager, Office of Non-State Education
		<p>If student not enrolled in any school, not provisionally registered or registered for home education.</p> <p>If student not enrolled in any school, but provisionally registered or registered for home education.</p>	<ul style="list-style-type: none"> • Regional Director • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region • Director Regional Services
s.189	Decision	<p>If student enrolled in State school.</p> <p>Delegates power is limited to their own school.</p>	<ul style="list-style-type: none"> • Principal
	<p>(1) The relevant decision-maker must consider the application and either grant, or refuse to grant, the exemption.</p> <p>(2) If the relevant decision-maker decides to grant the exemption, the relevant decision-maker must as soon as practicable grant the exemption to the applicant.</p> <p>(3) If the relevant decision-maker decides to refuse to grant the exemption, the relevant decision-maker must as soon as practicable give the applicant an information notice about the decision.</p>	<p>If student enrolled in a non-State school.</p>	<ul style="list-style-type: none"> • Manager, Office of Non-State Education
		<p>If student not enrolled in any school, not provisionally registered or registered for home education.</p> <p>If student not enrolled in any school, but provisionally registered or registered for</p>	<ul style="list-style-type: none"> • Regional Director • Principal Advisor (Education Services) • Principal Advisor

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		home education.	(Regional Services) <ul style="list-style-type: none"> • Director Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region • Director Regional Services
s.191	Imposition of conditions (1) The relevant decision-maker may, in granting the exemption, decide to impose conditions on the exemption that are relevant and reasonable. (2) If the relevant decision-maker decides to grant an exemption on conditions, the relevant decision-maker must as soon as practicable give the applicant an information notice about the decision.	If student enrolled in State school. Delegates power is limited to their own school.	<ul style="list-style-type: none"> • Principal
		If student enrolled in a non-State school.	<ul style="list-style-type: none"> • Manager, Office of Non-State Education
		If student not enrolled in any school, not provisionally registered or registered for home education. If student not enrolled in any school, but provisionally registered or registered for home education.	<ul style="list-style-type: none"> • Regional Director • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region • Director Regional Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.192	<p>Lesser period of exemption than that applied for</p> <p>(1) The relevant decision-maker may, in granting the application, decide to grant the exemption for a lesser period than that applied for by the applicant for the exemption.</p> <p>(2) If the relevant decision-maker decides to grant an exemption for a lesser period than that applied for by the applicant for the exemption, the relevant decision-maker must as soon as practicable give the applicant an information notice about the decision.</p>	<p>If student enrolled in State school.</p> <p>Delegates power is limited to their own school.</p>	<ul style="list-style-type: none"> Principal
		<p>If student enrolled in a non-State school.</p>	<ul style="list-style-type: none"> Manager, Office of Non-State Education
		<p>If student not enrolled in any school, not provisionally registered or registered for home education.</p> <p>If student not enrolled in any school, but provisionally registered or registered for home education.</p>	<ul style="list-style-type: none"> Regional Director Principal Advisor (Education Services) Principal Advisor (Regional Services) Director Education Services, Darling Downs South West Region Principal Advisor – Regional Improvement, Darling Downs South West Region Director Regional Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Division 4 – Cancellation of exemption			
s.194	Show cause notice (1) If the relevant decision-maker reasonably believes a ground exists to cancel the exemption for a child, the relevant decision-maker must give a parent of the child a notice under this section (a <i>show cause notice</i>). (2) The show cause notice must state the following— (a) the action (the <i>proposed action</i>) the relevant decision-maker proposes taking under this division; (b) the ground for the proposed action; (c) an outline of the facts and circumstances forming the basis for the ground; (d) an invitation to the parent to show within a stated period (the <i>show cause period</i>) why the proposed action should not be taken. (3) The show cause period must be a period ending at least 30 days after the show cause notice is given to the parent.	If student enrolled in State school. Delegates power is limited to their own school.	<ul style="list-style-type: none"> Principal
		If student enrolled in a non-State school.	<ul style="list-style-type: none"> Manager, Office of Non-State Education
		<p>If student not enrolled in any school, not provisionally registered or registered for home education.</p> <p>If student not enrolled in any school, but provisionally registered or registered for home education.</p>	<ul style="list-style-type: none"> Regional Director Principal Advisor (Education Services) Principal Advisor (Regional Services) Director Education Services, Darling Downs South West Region Principal Advisor – Regional Improvement, Darling Downs South West Region Director Regional Services
s.196	Ending show cause process without further action If, after considering any accepted representations for the show cause notice, the relevant decision-maker no longer believes the ground to cancel the exemption exists, the relevant decision-maker — (a) must not take further action about the show cause notice; and (b) must, as soon as practicable, give notice to the parent that no further action will be taken about the show cause notice.	If student enrolled in State school. Delegates power is limited to their own school.	<ul style="list-style-type: none"> Principal
		If student enrolled in a non-State school.	<ul style="list-style-type: none"> Manager, Office of Non-State Education
		<p>If student not enrolled in any school, not provisionally registered or registered for home education.</p> <p>If student not enrolled in any school, but provisionally registered or registered for home education.</p>	<ul style="list-style-type: none"> Regional Director Principal Advisor (Education Services) Principal Advisor (Regional Services)

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> • Director Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region • Director Regional Services
s.197	<p>Cancellation</p> <p>(1) This section applies if, after considering any accepted representations for the show cause notice, the relevant decision-maker —</p> <p>(a) still believes the ground to cancel the exemption exists; and</p> <p>(b) believes cancellation of the exemption is warranted.</p> <p>(2) This section also applies if there are no accepted representations for the show cause notice.</p> <p>(3) The relevant decision-maker may decide to cancel the exemption.</p> <p>(4) The relevant decision-maker must, as soon as practicable, give an information notice about the decision to the parent.</p> <p>(5) The decision does not take effect until—</p> <p>(a) the last day to apply for a review of the decision; or</p> <p>(b) if the decision is reviewed—</p> <p>(i) the last day to apply under chapter 15, part 2 for a review of the decision; or</p> <p>(ii) if a review of the decision is applied for—the day the review is decided.</p> <p>(6) In this section—</p> <p>review, of a decision, means review of the decision under chapter 15, part 1.</p> <p>review decision see section 392(2).</p>	<p>If student enrolled in State school.</p> <p>Delegates power is limited to their own school.</p>	<ul style="list-style-type: none"> • Principal
		<p>If student enrolled in a non-State school.</p>	<ul style="list-style-type: none"> • Manager, Office of Non-State Education
		<p>If student not enrolled in any school, not provisionally registered or registered for home education.</p> <p>If student not enrolled in any school, but provisionally registered or registered for home education.</p>	<ul style="list-style-type: none"> • Regional Director • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region • Director Regional Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Part 5 – Home education			
Division 2 – Applications for provisional registration			
s.207	<p>Provisional registration</p> <p>(1) An application for provisional registration of a child for home education must—</p> <p>(a) be made in writing to the chief executive; and</p> <p>(b) state—</p> <p>(i) the applicant’s name; and</p> <p>(ii) the child’s name and date of birth; and</p> <p>(iii) the address of the child’s usual place of residence; and</p> <p>(c) be accompanied by evidence, satisfactory to the chief executive, that—</p> <p>(i) the child is eligible for provisional registration for home education; and</p> <p>(ii) the applicant is a parent of the child.</p> <p>(2) The chief executive must, as soon as practicable after receiving the application, notify the applicant that the child is provisionally registered for home education.</p> <p>(3) Provisional registration of the child for home education ends 60 days after the giving of the notice under subsection (2).</p> <p>(4) However, if an application is made for registration of the child for home education during the provisional registration period, the provisional registration continues until the day the chief executive notifies the applicant of the chief executive’s decision on the application.</p> <p>(5) An application under this section may relate to only 1 child.</p>	<p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties
Division 3 – Applications for registration			
s.208	<p>Procedural requirements for application</p> <p>(1) An application for registration of a child for home education must be—</p> <p>(a) made to the chief executive; and</p> <p>(b) in the approved form; and</p> <p>(c) accompanied by—</p>	<p>s.212 (3) - The delegate must, as soon as practicable after receiving the application, notify the applicant that the child is provisionally registered for home education under s.212.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(i) evidence, satisfactory to the chief executive, that— (A) the child is eligible for registration for home education; and (B) the applicant is a parent of the child; and (ii) a summary of the educational program to be used for the home education; and (iii) any other documents, identified in the approved form, the chief executive reasonably requires to decide the application.</p> <p>(2) Information in, or accompanying, the application must, if the approved form requires, be verified by a statutory declaration.</p> <p>(3) An application under this section may relate to only 1 child.</p>	<p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<p>Education</p> <ul style="list-style-type: none"> • Education Officer – Special Duties
s.210	<p>Chief executive must ensure compliance with procedural requirements</p> <p>(1) If the chief executive considers an application for the registration of a child for home education does not comply with a procedural requirement, the chief executive must, by notice given to the applicant, require the applicant to comply with the requirement within a reasonable period, of at least 28 days, stated in the notice.</p> <p>(2) However, the chief executive and applicant may, within the period stated in the notice, agree to extend the period for complying with the procedural requirement to a day (the agreed compliance day) after the end of the period stated in the notice.</p> <p>(3) If the applicant does not comply with the procedural requirement within the period stated in the notice, or by the agreed compliance day, the chief executive may decide to refuse to grant the application.</p> <p>(4) If the chief executive decides to refuse to grant the application— (a) the chief executive must give the applicant an information notice about the decision; and</p>	<p>Note: the notice given under subsection (1) must require compliance within a reasonable period, which is at least 28 days.</p> <p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	(b) the child’s provisional registration for home education under section 212 is cancelled.		
s.211	<p>Chief executive may require further information or documents</p> <p>(1) If the chief executive considers further information or a document is required for deciding an application for the registration of a child for home education, the chief executive may, by notice given to the applicant, require the applicant to give the information or document to the chief executive within a reasonable period, of at least 28 days, stated in the notice.</p> <p>(2) The chief executive may also require the information or document to be verified by a statutory declaration.</p> <p>(3) Despite subsection (1), the chief executive and applicant may, within the period stated in the notice, agree to extend the period for complying with a requirement under subsection (1) to a day (the <i>agreed compliance day</i>) after the end of the period stated in the notice.</p> <p>(4) If the applicant does not comply with a requirement under subsection (1) within the period stated in the notice, or by the agreed compliance day, the chief executive may decide to refuse to grant the application.</p> <p>(5) If the chief executive decides to refuse to grant the application— (a) the chief executive must give the applicant an information notice about the decision; and (b) the child’s provisional registration for home education under section 212 is cancelled.</p>	Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties
s.212	<p>Child taken to be provisionally registered while application decided</p> <p>(1) This section applies if an application is made for the registration of a child for home education.</p> <p>(2) The child is provisionally registered, under this section, for</p>	Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>home education until—</p> <p>(a) if the chief executive decides to grant the application—the day the decision is made; or</p> <p>(b) if the chief executive decides to refuse to grant the application—</p> <p>(i) the last day to apply under chapter 15, part 1 for a review of the decision; or</p> <p>(ii) if the applicant applies under chapter 15, part 1 for a review of the decision and the chief executive confirms the decision on the review—the last day to apply under chapter 15, part 2 for a review of the review decision; or</p> <p>(iii) if the applicant applies under chapter 15, part 2 for a review of the review decision about the decision—the day the review decision is confirmed on the review or the application for review is withdrawn.</p> <p>(3) The chief executive must, as soon as practicable after receiving the application, notify the applicant that the child is provisionally registered, under this section, for home education.</p>		<ul style="list-style-type: none"> • Education Officer – Special Duties
s.213	<p>Decision</p> <p>(1) The chief executive must consider an application for the registration of a child for home education and decide whether the chief executive is satisfied the standard conditions of registration will be complied with.</p> <p>(2) If the chief executive is satisfied the standard conditions of registration will be complied with, the chief executive must decide to register the child for home education.</p>	Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties
s.214	<p>Steps to be taken after application decided</p> <p>(1) If the chief executive decides to grant an application for the registration of a child for home education, the chief executive must as soon as practicable issue a certificate of registration, for the child, to the applicant.</p>	Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	(2) If the chief executive decides to refuse to grant an application for the registration of a child for home education, the chief executive must as soon as practicable give the applicant an information notice about the decision.		<ul style="list-style-type: none"> • Education Officer – Special Duties
s.215(4)	<p>Failure to decide application</p> <p>(1) Subject to subsection (3), if the chief executive fails to decide an application for the registration of a child for home education within 90 days after its receipt, the failure is taken to be a decision by the chief executive to refuse to grant the application.</p> <p>(2) Subsection (3) applies if the chief executive has, under section 211(1), required an applicant for the registration of a child for home education to give the chief executive further information or a document.</p> <p>(3) The chief executive is taken to have decided to refuse to grant the application if the chief executive fails to decide the application within 90 days after the chief executive receives the further information or document.</p> <p>(4) If the chief executive is taken to have decided to refuse to grant an application under this section, the applicant is entitled to be given an information notice by the chief executive about the decision.</p>	Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties
Division 4 – Conditions of registration			
s.218	<p>Imposition of conditions</p> <p>(1) The chief executive may, in granting an application for the registration of a child for home education, decide to impose conditions on the registration that are relevant and reasonable.</p> <p>(2) If the chief executive decides to impose conditions on the registration, the chief executive must as soon as practicable give the applicant an information notice about the decision.</p>	Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.219	<p>Changing conditions</p> <p>(1) The chief executive may change the conditions of the registration of a child for home education imposed by the chief executive if there is a reasonable basis to make the change.</p> <p>(2) Before deciding to change the conditions, the chief executive must—</p> <p>(a) give notice to a parent of the child stating—</p> <p>(i) the particulars of the proposed change; and</p> <p>(ii) that the parent may make written submissions to the chief executive about the proposed change within a reasonable period of at least 21 days stated in the notice; and</p> <p>(b) have regard to written submissions made to the chief executive by the parent within the stated period.</p> <p>(3) If the chief executive decides to change the conditions, the chief executive must as soon as practicable give the parent an information notice about the decision.</p> <p>(4) If the chief executive decides to change the conditions, the change takes effect on the day an information notice about the decision is given to the parent and does not depend on a replacement certificate of registration being issued under section 220.</p> <p>(5) The power of the chief executive under subsection (1) includes the power to add conditions to the registration of a child for home education that is not subject to conditions imposed by the chief executive.</p>	<p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties
s.220	<p>Replacing certificate of registration</p> <p>(1) This section applies if a child’s parent receives an information notice, under section 219(3), about a decision relating to a change of the conditions of the registration of the child for home education.</p> <p>(2) The parent must return the certificate of registration to the chief</p>	<p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>executive within 14 days after receiving the notice.</p> <p>(3) On receiving the certificate, the chief executive must issue another certificate of registration to the parent to replace the certificate returned to the chief executive.</p>		<ul style="list-style-type: none"> • Education Officer – Special Duties
Division 5 – Cancellation of registration			
s.221	<p>Grounds for cancellation</p> <p>Each of the following is a ground for cancelling the registration of a child for home education—</p> <p>(a) a parent of the child has contravened a condition of the registration;</p> <p>(b) the chief executive is not reasonably satisfied about the educational progress being made by the child;</p> <p>(c) the child was registered because of a materially false or misleading representation or declaration.</p>	<p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties
s.222	<p>Show cause notice</p> <p>(1) If the chief executive reasonably believes a ground exists to cancel the registration of a child for home education, the chief executive must give a parent of the child a notice under this section (a <i>show cause notice</i>).</p> <p>(2) The show cause notice must state the following—</p> <p>(a) the action (the <i>proposed action</i>) the chief executive proposes taking under this division;</p> <p>(b) the ground for the proposed action;</p> <p>(c) an outline of the facts and circumstances forming the basis for the ground;</p> <p>(d) an invitation to the parent to show within a stated period (the <i>show cause period</i>) why the proposed action should not be taken.</p> <p>(3) The show cause period must be a period ending at least 30 days after the show cause notice is given to the parent.</p>	<p>Grounds for cancellation are set out in s.221.</p> <p>The show cause notice must set out the matters found in s.222(2) & (3).</p> <p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.224	<p>Ending show cause process without further action</p> <p>If, after considering any accepted representations for the show cause notice, the chief executive does not believe the ground exists to cancel the registration, the chief executive—</p> <p>(a) must not take further action about the show cause notice; and</p> <p>(b) must, as soon as practicable, notify the parent that no further action will be taken about the show cause notice.</p>	<p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties
s.225	<p>Cancellation</p> <p>(1) This section applies if, after considering any accepted representations for the show cause notice, the chief executive—</p> <p>(a) still believes the ground exists to cancel the registration; and</p> <p>(b) believes cancellation of the registration is warranted.</p> <p>(2) This section also applies if there are no accepted representations for the show cause notice.</p> <p>(3) The chief executive may decide to cancel the registration.</p> <p>(4) The chief executive must as soon as practicable give an information notice about the decision to the parent.</p> <p>(5) The decision to cancel the registration (the <i>original decision</i>) takes effect on the day that is—</p> <p>(a) the last day to apply under chapter 15, part 1 for a review of the original decision; or</p> <p>(b) if the applicant applies under chapter 15, part 1 for a review of the original decision and the chief executive confirms the original decision on the review—the last day to apply under chapter 15, part 2 for a review of the review decision; or</p> <p>(c) if the applicant applies under chapter 15, part 2 for a review of the review decision about the original decision—the day the review decision is confirmed on the review or the application for review is withdrawn.</p>	<p>Delegate must consider all written representations about the show cause notice - s.223(2)</p> <p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer – Special Duties

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Chapter 10 – Compulsory participation in education or training			
Part 4 – Parents’ Obligation			
s.242	<p>Limits on proceedings against a parent</p> <p>(1) Proceedings for an offence against section 239(1) may be brought against a parent—</p> <p>(a) by the chief executive or with the chief executive’s consent; and</p> <p>(b) only if the time when the parent is alleged to have committed the offence is after—</p> <p>(i) the parent has been given a notice under section 241(2); and</p> <p>(ii) at least 1 meeting has been held with the parent under section 241(3) or the parent has been given a warning notice under section 241(4).</p> <p><i>Note—</i> Under section 432, the chief executive may delegate the chief executive’s functions under this section to an appropriately qualified officer of the department.</p> <p>(2) The chief executive (child safety) is not liable to be prosecuted for an offence against section 239(1).</p>	<p>This power is limited to giving consent (the second limb of s.242(1)(a) only) and does not extend to bringing proceedings against a parent.</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Part 5 – Exemptions from compliance with compulsory participation requirements			
Division 2 – Power to grant exemption			
s.244	<p>Chief executive may grant exemption</p> <p>(1) The chief executive may grant an exemption fully excusing a young person from participation if the chief executive is reasonably satisfied—</p> <p>(a) the young person cannot participate in any eligible option; or</p> <p>(b) it would be unreasonable in all the circumstances to require the young person to participate in any eligible option.</p> <p>(2) The chief executive may grant an exemption partially excusing a young person from participation if the chief executive is satisfied—</p> <p>(a) the young person cannot participate in any eligible option at a full-time level; or</p> <p>(b) it would be unreasonable in all the circumstances to require the young person to participate in any eligible option at a full-time level.</p> <p>(3) Despite subsection (1) or (2), the chief executive may not grant an exemption for a young person under this section if—</p> <p>(a) the young person is participating in an eligible option for which a non-State school is the provider; and</p> <p>(b) the period of the exemption would not, if it were granted, cause the total of the periods of exemptions granted under this section or section 244A for the young person to be more than 110 school days in a year.</p>	<p>If student enrolled in State school.</p> <p>Delegate’s power is limited to their own school.</p>	<ul style="list-style-type: none"> Principal
		<p>If student enrolled in non-State school.</p> <p>Manager, Office of Non-State Education approves if enrolled in a non-state school and exemption is more than 110 school days or will cause the total number of school days missed by the student to exceed 110 school days in the year - s.244(3).</p>	<ul style="list-style-type: none"> Manager, Office of Non-State Education
		<p>If student not enrolled in any school, and not registered or provisionally registered for home education.</p> <p>If student not enrolled in any school, but registered or provisionally registered for home education.</p>	<ul style="list-style-type: none"> Regional Director Director Regional Services Principal Advisor (Education Services) Principal Advisor (Regional Services) Director – Education Services, Darling Downs South West Region Principal Advisor – Regional Improvement, Darling Downs South West Region

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Division 3 – Application process			
s.245	<p>Application for exemption</p> <p>(1) A young person, or a parent of a young person, may apply to the following person (the <i>relevant decision-maker</i>) for an exemption from the requirement that the young person participate in an eligible option—</p> <p>(a) for an application for an exemption under section 244—the chief executive;</p> <p>(b) for an application for an exemption under section 244A—the principal of the non-State school that is the provider for the eligible option.</p> <p>(2) The application must—</p> <p>(a) state the period for which the exemption is sought; and</p> <p>(b) for an application by a young person—include the signed consent of a parent of the young person.</p> <p>(3) However, subsection (2)(b) does not apply if the relevant decision-maker is satisfied it would be inappropriate in all the circumstances to require the signed consent of a parent.</p> <p><i>Example—</i> an application by a young person living independently of the young person’s parents</p> <p>(4) The applicant must provide any other relevant information reasonably required by the relevant decision-maker to decide the application.</p> <p><i>Example—</i> If an exemption is sought because the young person is ill, the information required under this subsection may include stated medical evidence.</p>	<p>If student enrolled in State school.</p> <p>Delegate’s power is limited to their own school.</p>	<ul style="list-style-type: none"> Principal
		<p>If student enrolled in non-State school.</p> <p>Manager, Office of Non-State Education approves if enrolled in a non-state school and exemption is more than 110 school days or will cause the total number of school days missed by the student to exceed 110 school days in the year - s.244(3).</p>	<ul style="list-style-type: none"> Manager, Office of Non-State Education
		<p>If student not enrolled in any school, and not registered or provisionally registered for home education.</p> <p>If student not enrolled in any school, but registered or provisionally registered for home education.</p>	<ul style="list-style-type: none"> Regional Director Director Regional Services Principal Advisor (Education Services) Principal Advisor (Regional Services) Director – Education Services, Darling Downs South West Region Principal Advisor – Regional Improvement, Darling Downs South West Region

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.246	<p>Lapsing of application</p> <p>(1) The relevant decision-maker may make a requirement under section 245(4) by giving the applicant a notice stating—</p> <p>(a) the required information; and</p> <p>(b) the time by which the information must be given to the relevant decision-maker; and</p> <p>(c) that, if the information is not given to the relevant decision-maker by the stated time, the application will lapse.</p> <p>(2) The time stated must be reasonable and, in any case, at least 14 days after the requirement is made.</p> <p>(3) The relevant decision-maker may withdraw the requirement, or part of the requirement, at any time.</p> <p>(4) Before the stated time ends, the relevant decision-maker may give the applicant a further notice extending the stated time if the relevant decision-maker is satisfied it would be reasonable in all the circumstances to give the extension.</p> <p>(5) If the applicant does not comply with the requirement within the stated time, or any extension, the application lapses.</p>	<p>If student enrolled in State school.</p> <p>Delegate’s power is limited to their own school.</p>	<ul style="list-style-type: none"> Principal
		<p>If student enrolled in non-State school.</p> <p>Manager, Office of Non-State Education approves if enrolled in a non-state school and exemption is more than 110 school days or will cause the total number of school days missed by the student to exceed 110 school days in the year - s.244(3).</p>	<ul style="list-style-type: none"> Manager, Office of Non-State Education
		<p>If student not enrolled in any school, and not registered or provisionally registered for home education.</p> <p>If student not enrolled in any school, but registered or provisionally registered for home education.</p>	<ul style="list-style-type: none"> Regional Director Director Regional Services Principal Advisor (Education Services) Principal Advisor (Regional Services) Director – Education Services, Darling Downs South West Region Principal Advisor – Regional Improvement, Darling Downs South West Region
s.248	<p>Decision</p> <p>(1) The relevant decision-maker must consider the application and either grant, or refuse to grant, the exemption.</p>	<p>If student enrolled in State school.</p> <p>Delegate’s power is limited to their own school.</p>	<ul style="list-style-type: none"> Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(2) If the relevant decision-maker decides to grant the exemption, the relevant decision-maker must as soon as practicable grant the exemption to the applicant.</p> <p>(3) If the relevant decision-maker decides to refuse to grant the exemption, the relevant decision-maker must as soon as practicable give the applicant an information notice about the decision.</p>	<p>If student enrolled in non-State school.</p> <p>Manager, Office of Non-State Education approves if enrolled in a non-state school and exemption is more than 110 school days or will cause the total number of school days missed by the student to exceed 110 school days in the year - s.244(3).</p>	<ul style="list-style-type: none"> • Manager, Office of Non-State Education
		<p>If student not enrolled in any school, and not registered or provisionally registered for home education.</p> <p>If student not enrolled in any school, but registered or provisionally registered for home education.</p>	<ul style="list-style-type: none"> • Regional Director • Director Regional Services • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director – Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region
s.250	Imposition of conditions	<p>If student enrolled in State school.</p> <p>Delegate’s power is limited to their own school.</p>	<ul style="list-style-type: none"> • Principal
	<p>(1) The relevant decision-maker may, in granting the exemption, decide to impose conditions on the exemption that are relevant and reasonable.</p> <p>(2) If the relevant decision-maker decides to grant an exemption on conditions, the relevant decision-maker must as soon as practicable give the applicant an information notice about the decision.</p>	<p>If student enrolled in non-State school.</p> <p>Manager, Office of Non-State Education approves if enrolled in a non-state school and exemption is more than 110 school days or will cause the total number of school days missed by the student to exceed 110 school days in the year - s.244(3).</p>	<ul style="list-style-type: none"> • Manager, Office of Non-State Education

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		<p>If student not enrolled in any school, and not registered or provisionally registered for home education.</p> <p>If student not enrolled in any school, but registered or provisionally registered for home education.</p>	<ul style="list-style-type: none"> • Regional Director • Director Regional Services • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director – Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region
s.251	<p>Lesser period of exemption than that applied for</p> <p>(1) The relevant decision-maker may, in granting the application, decide to grant the exemption for a lesser period than that applied for by the applicant for the exemption.</p> <p>(2) If the relevant decision-maker decides to grant an exemption for a lesser period than that applied for by the applicant for the exemption, the relevant decision-maker must as soon as practicable give the applicant an information notice about the decision.</p>	<p>If student enrolled in State school.</p> <p>Delegate’s power is limited to their own school.</p> <p>If student enrolled in non-State school.</p> <p>Manager, Office of Non-State Education approves if enrolled in a non-state school and exemption is more than 110 school days or will cause the total number of school days missed by the student to exceed 110 school days in the year - s.244(3).</p> <p>If student not enrolled in any school, and not registered or provisionally registered for home education.</p> <p>If student not enrolled in any school, but registered or provisionally registered for home education.</p>	<ul style="list-style-type: none"> • Principal • Manager, Office of Non-State Education • Regional Director • Director Regional Services • Principal Advisor (Education Services) • Principal Advisor (Regional Services)

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> • Director – Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region
Division 4 – Miscellaneous			
s.251AB	<p>Notice to non-State school’s principal</p> <p>The chief executive may, by giving notice to a non-State school’s principal, ask the principal for information about decisions made under section 248, including information in the record kept by the school’s governing body under section 251AA.</p>		<ul style="list-style-type: none"> • Manager, Office of Non-State Education
Part 6 – Miscellaneous			
s.251A	<p>Disclosure by chief executive to appropriate entities</p> <p>To help in carrying on re-engagement activities, the chief executive may disclose the following information about a young person in the compulsory participation phase to an entity the chief executive considers appropriate—</p> <p>(a) name and any previous names;</p> <p>(b) address;</p> <p>(c) date of birth;</p> <p>(d) the last eligible option in which the young person participated, so far as the chief executive is aware;</p> <p>(e) other information prescribed under a regulation.</p> <p><i>Examples of entities that may be appropriate—</i></p> <ul style="list-style-type: none"> • a provider • a youth support entity • a human services entity 	The term “school entities” in Column 4 refers to State Educational institutions as defined in the <i>Education (General Provisions) Act 2006</i> and non-State schools registered under the <i>Education (Accreditation of Non-State Schools) Act 2017</i> .	
		For non-State school entities	<ul style="list-style-type: none"> • Executive Director, External Relations and Research
		For State school entities	<ul style="list-style-type: none"> • Regional Director <p>Delegate’s power is limited to State schools that fall within their own area of administrative responsibility</p>

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Chapter 12 – Good order and management of State educational institutions and non-State schools			
Part 1 – Student discipline			
s.276	<p>Policies or procedures for student discipline</p> <p>(1) The chief executive may make a policy or procedure about the way in which principals of State schools are to control and regulate student discipline.</p> <p>(2) The policy or procedure may provide for the following matters—</p> <p>(a) the detention of students by principals or teachers;</p> <p>(b) the performance of community service by students;</p> <p>(c) the making, by principals, of discipline improvement plans for students;</p> <p>(d) any other matter the chief executive considers appropriate.</p> <p>(3) The chief executive must ensure the policy or procedure is available for public inspection, without charge—</p> <p>(a) during normal business hours at the department’s head office; and</p> <p>(b) on the department’s website.</p> <p><i>Editor’s note—</i> The department’s website address is <www.education.qld.gov.au>.</p> <p>(4) The principal of a State school must ensure that the way in which the principal controls and regulates student discipline in the school complies with the policy or procedure.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support
Part 3 – Suspension, exclusion and cancellation of enrolment, of State school students			
Division 1A – Information about student charges and convictions			
s.280B	<p>Chief executive may give information to police commissioner</p> <p>(1) The chief executive may, for this division, give the police commissioner—</p> <p>(a) information about whether a person is a student of a State school; and</p> <p>(b) the name of the person and other identifying information about the person, including the person’s date and place of birth and any alias.</p>	Information given to the police commissioner must only be used for this division.	<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	(2) Information given to the police commissioner under subsection (1) must only be used for this division.		<p>and Partnerships</p> <ul style="list-style-type: none"> • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Executive Director – within Disability, Inclusion and Student Services • Director – within Disability, Inclusion and Student Services
s.280C	<p>Chief executive may ask police commissioner about student charge or conviction</p> <p>(1) This section applies if—</p> <p>(a) the chief executive reasonably suspects that a student enrolled at a State school has been charged with, or convicted of, an offence; and</p> <p>(b) the school’s principal or the chief executive requires confirmation of the charge or conviction for the exercise of a function under this part.</p> <p>(2) The chief executive may ask the police commissioner whether the student has been charged with, or convicted of, the offence and, if so, for information about the charge or conviction, including a brief description of the circumstances of the charge or conviction.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Executive Director – within Disability, Inclusion and Student Services • Director – within Disability, Inclusion and Student Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Division 2 – Suspension of students by principal			
Subdivision 1 – General provisions			
s.286	<p>Dealing with submission against suspension</p> <p>(1) If a submission is made to the chief executive under section 285(2), the chief executive must, as soon as practicable after receiving it, review the principal’s decision to suspend the student and—</p> <p>(a) confirm the decision; or</p> <p>(b) vary the decision; or</p> <p>(c) set aside the decision and substitute another decision.</p> <p>(2) As soon as practicable after making the decision under subsection (1), the chief executive must tell the student and the principal—</p> <p>(a) about the decision; and</p> <p>(b) if the decision allows the student to resume attendance at the school earlier, or later, than if the principal’s decision had been confirmed—when the student may resume attendance at the school.</p> <p>(3) As soon as practicable after telling the student and the principal, the chief executive must give each of them a notice in the approved form about the decision.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	• Regional Director
Subdivision 3 – Chief executive’s powers			
s.290	<p>Chief executive may exercise suspension power</p> <p>(1) This section applies if the principal of a State school, or the chief executive, reasonably believes it would be appropriate for the chief executive to exercise the suspension power.</p> <p><i>Example—</i></p> <p>It would be appropriate for the chief executive to exercise the power if the principal was prevented from doing so by the principles of natural justice relating to bias.</p> <p>(2) The chief executive may exercise the power.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	(3) Each provision of this division applies as if a reference in the provision to the principal were a reference to the chief executive.		<p>Student Services</p> <ul style="list-style-type: none"> Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> Regional Director
Division 3 – Exclusion of students by principal			
s.297	<p>Chief executive may exercise exclusion power</p> <p>(1) This section applies if the principal of a State school, or the chief executive, reasonably believes it would be appropriate for the chief executive to exercise the exclusion power. <i>Example—</i> It would be appropriate for the chief executive to exercise the power if the principal was prevented from doing so by the principles of natural justice relating to bias.</p> <p>(2) The chief executive may exercise the power.</p> <p>(3) Each provision of this division applies as if a reference in the provision to the principal were a reference to the chief executive.</p>		<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools Deputy Director-General, Schools and Student Support Deputy Director-General, First Nations Strategy and Partnerships Assistant Director-General, Disability, Inclusion and Student Services Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> Regional Director
Division 4 – Exclusion of students from certain State schools or all State schools by chief executive			

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.298	<p>Chief executive’s power to exclude</p> <p>(1) The chief executive may, under this division, exclude a student from certain State schools, or all State schools, if the chief executive is reasonably satisfied a ground exists for the exclusion.</p> <p>(2) The chief executive may act under this division whether or not the student has already been suspended or excluded under this part.</p> <p>(3) In this division, a reference to exclusion is a reference to exclusion of a student in exercise of the power under subsection (1).</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> • Regional Director
s.299(2)	<p>Grounds for exclusion</p> <p>(1) Each of the following is a ground for exclusion—</p> <p>(a) persistent disobedience;</p> <p>(b) misbehaviour;</p> <p>(c) conduct that adversely affects, or is likely to adversely affect, other students;</p> <p>(d) conduct that adversely affects, or is likely to adversely affect, the good order and management of the schools;</p> <p>(e) the student’s attendance at the schools poses an unacceptable risk to the safety or wellbeing of other students or of staff;</p> <p>if exclusion of the student under division 3 is inadequate to deal with the disobedience, misbehaviour, conduct or risk.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching,

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(2) It is also a ground for exclusion if—</p> <p>(a) the student has been convicted of an offence; and</p> <p>(b) the chief executive is reasonably satisfied it would not be in the best interests of other students or of staff for the student to be enrolled at the schools.</p> <p>(3) To remove any doubt, it is declared that, for subsection (1)(c) or (d), conduct of the student may be a ground for exclusion even if the conduct does not happen on school premises or during school hours.</p>		<p>Leadership, Rural and Remote</p>
		Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> • Regional Director
s.300	<p>Suspension pending final decision about exclusion</p> <p>(1) This section applies if the chief executive proposes to exclude a student.</p> <p>(2) The chief executive must give the student a notice in the approved form about the proposed exclusion and—</p> <p>(a) if the student is already suspended or excluded from the schools—tell the student that the suspension or exclusion continues until the chief executive makes a final decision about the proposed exclusion; or</p> <p>(b) if the student is not already suspended or excluded from the schools—suspend the student until the chief executive makes a final decision about the proposed exclusion.</p> <p>(3) The suspension starts when the chief executive tells the student about it.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> • Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.301	<p>Continuing education during suspension</p> <p>If the chief executive suspends a student pending a final decision about exclusion, the chief executive must take reasonable steps to arrange for the student’s access to an educational program that allows the student to continue the student’s education during the suspension.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		<p>Delegates’ power is limited to State schools that fall within their area of administrative responsibility.</p>	<ul style="list-style-type: none"> • Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.302	<p>Final decision about exclusion</p> <p>(1) The chief executive must make a final decision about exclusion within 30 school days after giving the student a notice under section 300(2) (the <i>proposed exclusion notice</i>).</p> <p>(2) If the chief executive decides not to exclude, the chief executive must—</p> <p>(a) as soon as practicable, tell the student—</p> <p>(i) about the decision; and</p> <p>(ii) that the suspension has ended; and</p> <p>(iii) unless the student has been excluded under section 295(3)—that the student may resume attendance at the school at which the student was enrolled on the day of the suspension; and</p> <p>(b) as soon as practicable after telling the student about the decision—give the student a notice in the approved form about the decision.</p> <p>(3) If the chief executive decides to exclude, the chief executive must exclude the student either permanently or for a period of not more than 1</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>year. <i>Note—</i> See chapter 15, part 4 for review of the decision by QCAT.</p> <p>(4) However, the exclusion cannot be longer than the period stated in the proposed exclusion notice.</p> <p>(5) The chief executive must, as soon as practicable after deciding to exclude, give the student a notice in the approved form about the exclusion.</p> <p>(6) The notice mentioned in subsection (5) must state that— (a) the student may make a written submission to the chief executive asking the chief executive to review the decision under division 6; and (b) if the student is excluded permanently—the student may make a periodic written submission to the chief executive under division 7.</p> <p>(7) Also, if the chief executive decides to exclude the student from all State schools, the notice must comply with the QCAT Act, section 157(2).</p>	Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> Regional Director
s.304	<p>Continuing education during exclusion of certain students</p> <p>(1) This section applies to a student of a State school who is— (a) of compulsory school age; or (b) a young person in the compulsory participation phase.</p> <p>(2) If the student is excluded from all State schools, the chief executive must take reasonable steps to arrange for the student’s access to an educational program that allows the student to continue the student’s education during the exclusion.</p>		<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools Deputy Director-General, Schools and Student Support Deputy Director-General, First Nations Strategy and Partnerships Assistant Director-General, Disability, Inclusion and Student Services Assistant Director-General, Teaching, Leadership, Rural and Remote

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> Regional Director
Division 5 – Exclusion of prospective students by chief executive			
s.305	<p>Application of div 5</p> <p>This division applies if—</p> <p>(a) a State school’s principal, under section 156(2), refers an application for enrolment of a prospective student at the school to the chief executive; and</p> <p>(b) the chief executive gives the applicant a show cause notice under section 159.</p>		<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools Deputy Director-General, Schools and Student Support
s.306	<p>Risk to safety or wellbeing</p> <p>(1) If the chief executive reasonably believes the prospective student’s attendance at certain State schools or all State schools would pose an unacceptable risk to the safety or wellbeing of other students or staff of the schools, the chief executive must give the prospective student a notice (a show cause notice) stating the following—</p> <p>(a) that the chief executive proposes to exclude the prospective student from the schools for a stated period of not more than 1 year or permanently (the proposed action);</p> <p>(b) the grounds for the proposed action;</p> <p>(c) an outline of the facts and circumstances forming the basis for the grounds;</p> <p>(d) an invitation to the prospective student to show within a stated period (the show cause period) why the proposed action should not be taken.</p> <p>(2) The show cause period must be a period ending at least 14 days after the show cause notice is given to the prospective student.</p>		<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools Deputy Director-General, Schools and Student Support

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
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s.307	<p>Representations about show cause notice</p> <p>(1) The prospective student may make written representations about the show cause notice to the chief executive in the show cause period.</p> <p>(2) The chief executive must consider all written representations (the <i>accepted representations</i>) made under subsection (1).</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support
s.308	<p>Ending show cause process without further action</p> <p>If, after considering any accepted representations for the show cause notice, the chief executive no longer reasonably believes the prospective student’s attendance at certain State schools or all State schools would pose an unacceptable risk to the safety or wellbeing of other students or staff of the schools, the chief executive—</p> <p>(a) must not take further action about the show cause notice; and</p> <p>(b) must, as soon as practicable, give notice to the prospective student that no further action is to be taken about the show cause notice.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support
s.309	<p>Exclusion</p> <p>(1) This section applies if, after considering any accepted representations for the show cause notice, the chief executive still reasonably believes the prospective student’s attendance at certain State schools or all State schools would pose an unacceptable risk to the safety or wellbeing of other students or staff of the schools.</p> <p>(2) This section also applies if there are no accepted representations for the show cause notice.</p> <p>(3) The chief executive must decide to exclude the prospective student from the schools.</p> <p><i>Note—</i> See chapter 15, part 4 for review of the decision by QCAT.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(4) The chief executive may not decide to exclude the prospective student for a longer period than the period of the proposed exclusion stated in the show cause notice given to the prospective student under section 306.</p> <p>(5) If the decision relates to certain State schools, the chief executive must give the prospective student a notice stating—</p> <p>(a) that the prospective student is excluded from the stated schools for a stated period of not more than 1 year or permanently; and</p> <p>(b) the reason for the exclusion; and</p> <p>(c) that the prospective student may make a submission asking the chief executive to review the exclusion under division 6; and</p> <p>(d) the title, name and address of the chief executive; and</p> <p>(e) the way in which the submission may be made.</p> <p>(6) If the decision relates to all State schools, the chief executive must give the prospective student a notice—</p> <p>(a) stating that the prospective student is excluded from all State schools for a stated period of not more than 1 year or permanently; and</p> <p>(b) complying with the QCAT Act, section 157(2).</p>		
s.310	<p>Continuing education of certain excluded student</p> <p>(1) This section applies to a prospective student of a State school who is—</p> <p>(a) of compulsory school age; or</p> <p>(b) a young person in the compulsory participation phase.</p> <p>(2) If the prospective student is excluded under section 309 from all State schools, the chief executive must take reasonable steps to arrange for the prospective student’s access to an educational program that allows the prospective student to continue the student’s education during the exclusion.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Division 6 – Review of particular exclusion decisions			
s.313	<p>Dealing with submissions against exclusions</p> <p>(1) If a submission is made to the chief executive, the chief executive must, within 40 school days after receiving the submission, consider the exclusion decision and the submission and—</p> <p>(a) confirm the exclusion decision; or</p> <p>(b) amend the exclusion decision; or</p> <p>(c) set aside the exclusion decision and make a new decision in substitution of the exclusion decision.</p> <p>(2) If the exclusion decision was made under section 291 or 298, after the chief executive has decided to confirm, amend or set aside the exclusion decision, the chief executive must—</p> <p>(a) as soon as practicable tell the excluded person and relevant principal—</p> <p>(i) about the chief executive’s decision; and</p> <p>(ii) if the chief executive’s decision allows the excluded person to attend the school or schools earlier than if the exclusion decision had been confirmed—when the excluded person may attend the school or schools; and</p> <p>(b) within 7 days after telling the excluded person about the chief executive’s decision, give notice of the chief executive’s decision and the reasons for the chief executive’s decision to—</p> <p>(i) the excluded person; and</p> <p>(ii) the relevant principal.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(3) If the exclusion decision was made under section 309(5), after the chief executive has decided to confirm, amend or set aside the exclusion decision, the chief executive must—</p> <p>(a) as soon as practicable tell the excluded person—</p> <p>(i) about the chief executive’s decision; and</p> <p>(ii) if the chief executive’s decision allows the excluded person to attend the school or schools earlier than if the exclusion decision had been confirmed—when the excluded person may attend the school or schools; and</p> <p>(b) within 7 days after telling the excluded person about the chief executive’s decision, give the person notice of the chief executive’s decision and the reasons for the chief executive’s decision.</p> <p>(4) If the exclusion decision was made under section 291, 298 or 309(5) and was not made by the chief executive personally, the chief executive must ensure the submission is not dealt with under this section by—</p> <p>(a) the person who made the exclusion decision; or</p> <p>(b) a person in a less senior office than the person who made the exclusion decision.</p> <p>(5) In this section— <i>relevant principal</i> means the principal of the State school at which the excluded person was enrolled immediately before the exclusion started</p>	Delegates’ power is limited to State schools that fall within their area of administrative responsibility.	<ul style="list-style-type: none"> Regional Director
Division 7 – Periodic review of certain decisions to exclude permanently			
s.315	<p>Periodic review of decision to exclude permanently on ground mentioned in s 292 or 299—person under 24 years</p> <p>(1) This section applies to a person under 24 years who is excluded permanently—</p> <p>(a) from a State school at which the person was enrolled immediately before the exclusion on a ground mentioned in section 292; or</p>	In respect of exclusions by the Regional Director as Principal’s Supervisor in accordance with s.293 of the EGPA prior to or after the commencement of the <i>Education (Strengthening Discipline in State Schools) Amendment Act 2013</i> , please note the effect of s.522 of the EGPA.	

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(b) from certain State schools on a ground mentioned in section 299; or (c) from all State schools on a ground mentioned in section 299.</p> <p>(2) In each calendar year after the exclusion, the person may make a written submission to the chief executive about whether the exclusion should be revoked.</p> <p>(3) The person may only make 1 written submission in each calendar year until the end of the calendar year that the person turns 24.</p> <p>(4) The chief executive must, within 40 school days after any submission is made under subsection (2), consider the submission and— (a) decide whether to revoke the exclusion; and (b) give notice of the decision and the reasons for the decision to— (i) the person; and (ii) the principal of the State school at which the person was enrolled immediately before the exclusion started.</p> <p>(5) The chief executive must revoke the exclusion to the extent it applies to a State school if the chief executive is reasonably satisfied— (a) if the person was excluded on a ground mentioned in section 292(1)(a), (b), (c) or (d), or section 299(1)(a), (b), (c) or (d)—the disobedience, misbehaviour or other conduct is unlikely to recur if the student were allowed to attend the school or schools; or (b) if the person was excluded on a ground mentioned in section 292(1)(e) or 299(1)(e)—the student’s attendance at the school or schools no longer poses an unacceptable risk to the safety or wellbeing of other students or of staff; or (c) if the person was excluded on a ground mentioned in section 292(2) or 299(2)—it would no longer not be in the best interests of other students or of staff for the student to be enrolled at the school or schools.</p>	<p>If excluded by a principal pursuant to s.291 EGPA.</p> <p>Delegates power is limited to their own school</p>	<ul style="list-style-type: none"> Principal
		<p>If excluded by the Regional Director pursuant to s.293 of the EGPA, prior to or after the commencement of the <i>Education (Strengthening Discipline in State Schools) Amendment Act 2013</i>; OR If excluded by the Regional Director pursuant to a delegation held under s.297 EGPA</p> <p>Delegate’s power is limited to State Schools that fall within their own area of administrative responsibility.</p>	<ul style="list-style-type: none"> Regional Director
		<p>If excluded by the Assistant Director-General, State Schools –Operations or Assistant Director-General, Disability, Inclusion and Student Services, pursuant to a delegation held under s.297 EGPA</p>	<ul style="list-style-type: none"> Assistant Director-General, Disability, Inclusion and Student Services
		<p>If excluded by the Assistant Director-General, State Schools - Performance or Assistant Director-General, Teaching, Leadership, Rural and Remote, pursuant to a delegation held under s.297 EGPA.</p>	<ul style="list-style-type: none"> Assistant Director-General, Teaching, Leadership, Rural and Remote
		<p>If excluded by the Deputy Director-General, Schools and Student Support, pursuant to a delegation held under s.297 EGPA.</p>	<ul style="list-style-type: none"> Deputy Director-General, Schools and Student Support
		<p>If excluded by the Associate Director-General, Early Childhood and State Schools, pursuant to a delegation held under s.297 EGPA.</p>	<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(6) Otherwise, the chief executive must not revoke the exclusion.</p> <p>(7) In this section— <i>revoke</i>, an exclusion, means— (a) revoke the exclusion entirely; or (b) amend the exclusion so it no longer applies to a particular State school.</p>	<p>If excluded by the Deputy Director-General, First Nations Strategy and Partnerships, pursuant to a delegation held under s.297 EGPA</p>	<ul style="list-style-type: none"> Deputy Director-General, First Nations Strategy and Partnerships
Division 8 – Cancellation of enrolment of students who are older than compulsory school age			
s.320	<p>Dealing with submission against cancellation</p> <p>(1) If a submission is made to the chief executive under section 319(2), the chief executive must, as soon as practicable after receiving it, review the principal’s decision to cancel the enrolment and— (a) confirm the decision; or (b) vary the decision; or (c) set aside the decision and substitute another decision.</p> <p>(2) As soon as practicable after making the decision under subsection (1), the chief executive must tell the student and the principal— (a) about the decision; and (b) if the decision allows the student to make an application for enrolment at the school earlier than if the principal’s decision had been confirmed—when the student may make the application.</p> <p>(3) As soon as practicable after telling the student and the principal, the chief executive must give each of them a notice in the approved form about the decision.</p>	<p>Delegates’ power is limited to State schools that fall within their area of administrative responsibility.</p>	<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools Deputy Director-General, Schools and Student Support Deputy Director-General, First Nations Strategy and Partnerships Assistant Director-General, Disability, Inclusion and Student Services Assistant Director-General, Teaching, Leadership, Rural and Remote Regional Director
Division 9 – Other provisions			
s.329	<p>No entitlement to enrolment at another State school during suspension</p> <p>A student suspended from a State school under this part is not entitled to be enrolled at another State school during the period of the suspension unless the enrolment is approved by the chief executive.</p>		<ul style="list-style-type: none"> Deputy Director-General, First Nations Strategy and Partnerships Assistant Director-General, Disability, Inclusion and Student Services

Schedule 1 – Table of Director-General’s Delegated Powers – <i>Education (General Provisions) Act 2006</i>			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> Assistant Director-General, Teaching, Leadership, Rural and Remote

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Part 5 – Directions and orders about conduct or movement at, or entry to, premises of State instructional institutions			
Division 3 – Directions about conduct or movement at premises of State instructional institutions			
s.338	<p>Review of direction under s 337</p> <p>(1) This section applies if a person is given a direction under section 337 by a State instructional institution’s principal.</p> <p>(2) The person may apply in writing to the chief executive for a review of the direction, but only—</p> <p>(a) within 7 days after the person is given the direction; or</p> <p>(b) if the direction is for less than 7 days—before the direction ends.</p> <p>(3) The application must—</p> <p>(a) state in detail the grounds on which the person wants the direction to be reviewed; and</p> <p>(b) state the person’s residential address.</p> <p>(4) After considering the grounds, the chief executive must make a decision (the review decision) to—</p> <p>(a) confirm the direction; or</p> <p>(b) vary the direction; or</p> <p>(c) cancel the direction.</p> <p>(5) The chief executive must—</p> <p>(a) make the review decision within 5 business days after the application is made; and</p> <p>(b) as soon as practicable after the decision is made—</p> <p>(i) tell the person and the institution’s principal about the decision; and</p> <p>(ii) give the person written notice of the decision.</p> <p>(6) If the chief executive does not tell the person about the review decision under subsection (5)(b)(i) within 5 business days after the application is made, the review decision is taken to be that the direction is cancelled.</p>		<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Division 5 – Prohibition from entering premises of State instructional institutions for up to 60 days			
s.340A	<p>Chief executive may prohibit person from entering premises</p> <p>(1) This section applies if a State instructional institution’s principal, or the chief executive, reasonably believes it would be appropriate for the chief executive to exercise the power to give a person a written direction mentioned in section 340.</p> <p><i>Example—</i> It would be appropriate for the chief executive to exercise the power if the principal was prevented from doing so by the principles of natural justice relating to bias.</p> <p>(2) The chief executive may exercise the power.</p> <p>(3) Section 340 applies as if a reference in that section to the principal were a reference to the chief executive.</p>		<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Regional Director
Division 6 – Prohibition from entering premises of State instructional institutions for more than 60 days, but not more than 1 year			
s.341	<p>Prohibition from entering premises</p> <p>(1) The chief executive may give a person (the <i>prohibited person</i>) a written direction requiring the prohibited person not to enter the premises of a State instructional institution for more than 60 days, but not more than 1 year, after the day on which the direction is given if the chief executive is reasonably satisfied that, unless the direction is given, the prohibited person is likely to—</p> <p>(a) cause physical harm to, or apprehension or fear of physical harm in, another person when the other person is at the premises; or</p> <p>(b) damage the premises or property at the premises; or</p> <p>(c) disrupt the good order or management of the institution.</p> <p>(2) A direction under subsection (1) may not be given to an exempt person for the institution.</p> <p>(3) The direction must state—</p> <p>(a) the terms of the direction; and</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support • Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(b) the ground for the direction; and (c) an outline of the facts and circumstances forming the basis for the ground; and (d) the time the direction is to remain in force.</p> <p>(4) The direction must state the matters mentioned in section 157(2)(a) to (e) of the QCAT Act as if a reference in the section to the decision were a reference to the direction.</p> <p>(5) The direction has no effect until the chief executive gives it to the prohibited person.</p> <p>(6) The prohibited person must comply with the direction, unless the prohibited person has a reasonable excuse. Maximum penalty for subsection (6)—40 penalty units.</p>		
Part 7 – Prohibition from entering premises of all State instructional institutions and non-State schools for up to 1 year			
s.352	<p>Prohibition from entering premises of all State instructional institutions and non-State schools</p> <p>(1) The chief executive may apply to QCAT for an order prohibiting a person from entering the premises of all State instructional institutions and non-State schools for up to 1 year.</p> <p>(2) An application under subsection (1) may not be made in relation to a person who is a student of a State instructional institution or non-State school.</p> <p>(3) QCAT may make the order if QCAT is satisfied, on the balance of probabilities, that the person poses an unacceptable risk to the safety or wellbeing of members of school communities in general.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, People, Information and Communication Services • Deputy Director-General, Schools and Student Support
s.353	<p>Prohibition from entering premises of all State instructional institutions</p> <p>(1) The chief executive may apply to QCAT for an order prohibiting a person from entering the premises of all State instructional institutions for</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>up to 1 year.</p> <p>(2) An application under subsection (1) may not be made in relation to a person who is a student of a State instructional institution.</p> <p>(3) QCAT may make the order if QCAT is satisfied, on the balance of probabilities, that the person poses an unacceptable risk to the safety or wellbeing of members of school communities of the institutions in general.</p>		and Student Support
Part 8 – Provisions relating to parts 5 to 7			
s.356	<p>Notification of application or direction</p> <p>(1) Subsection (2) applies if an application is made under section 352 or 353 in relation to a child.</p> <p>(2) The applicant must, as soon as practicable after making the application, give a parent of the child notice of the application, unless a parent cannot be found after reasonable inquiry.</p> <p>(3) Subsection (4) applies if a direction is given under section 340, 341, 349 or 350 to a child.</p> <p>(4) The person who gives the direction must, as soon as practicable after giving the direction, give a parent of the child notice of the direction, unless a parent cannot be found after reasonable inquiry.</p> <p>(5) In this section— <i>parent</i>, of a child, includes someone who is apparently a parent of the child.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, People, Information and Communication Services • Deputy Director-General, Schools and Student Support
Part 9 – Dress code			
s.361	<p>Guidelines for dress code</p> <p>(1) The chief executive may make guidelines about dress codes for State schools.</p> <p>(2) Issues that may be addressed by a guideline include the following—</p>		<ul style="list-style-type: none"> • Deputy Director-General, Schools and Student Support

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(a) the scope of operation of a dress code;</p> <p>(b) the extent of consultation to be undertaken by a State school’s principal when developing a dress code;</p> <p>(c) the issues to be considered in the development of a dress code, including, for example—</p> <p style="padding-left: 20px;">(i) the availability and affordability of items of clothing; and</p> <p style="padding-left: 20px;">(ii) the functionality of items of clothing; and</p> <p style="padding-left: 20px;">(iii) health and safety issues; and</p> <p style="padding-left: 20px;">(iv) anti-discrimination issues; and</p> <p style="padding-left: 20px;">(v) the process to be followed in dealing with the special circumstances of particular students;</p> <p>(d) the consistency of a dress code with other Acts or laws;</p> <p>(e) the consistency of a dress code with government policies;</p> <p>(f) the ongoing monitoring of the operation of a dress code.</p> <p>(3) A guideline may be amended or replaced by a later guideline made under this section.</p> <p>(4) A guideline must be made available to each principal of a State school.</p>		
Chapter 13 – Schools in receipt of subsidy			
Part 2 – Scholarships and allowances			
s.368(2B)	<p>Provision of scholarships and payment of allowances</p> <p>(1) The Minister may, under an approved policy—</p> <p style="padding-left: 20px;">(a) provide scholarships to be competed for by prospective students, or students, of a school in receipt of subsidy;</p> <p style="padding-left: 20px;">or</p> <p style="padding-left: 20px;">(b) pay an allowance to the governing body of a non-State school in receipt of subsidy for its use in the operation of the school; or</p> <p style="padding-left: 20px;">(c) pay an allowance to a person to offset the person’s costs in attending a State school or non-State school;</p> <p style="padding-left: 20px;">or</p>	<p>This delegation may be exercised in circumstances where the overpayment is less than \$100,000.</p>	<ul style="list-style-type: none"> • Executive Director, External Relations and Research

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(d) pay an allowance to a person to offset the person’s costs in receiving home education under chapter 9, part 5; or</p> <p>(e) pay an allowance to a person operating a student hostel to defray the costs of operating the hostel; or</p> <p>(f) pay an allowance or subsidy to a person to offset the person’s costs in participating in a distance education kindergarten learning program under chapter 19, part 1A.</p> <p><i>Example of costs that may be offset for paragraph (f)—</i> computer hardware, internet or phone expenses</p> <p>(2) An allowance paid to the governing body of a non-State school under subsection (1)(b) is subject to a condition that the governing body must repay an overpayment to the State in accordance with an approved policy.</p> <p>(2A) The Minister may pay an allowance under subsection (1)(b) on any other reasonable conditions the Minister considers appropriate.</p> <p>(2B) If an overpayment is made to a governing body, the amount of the overpayment is a debt owed by the governing body to the State and may be recovered from the governing body by the chief executive.</p> <p>(3) In this section— <i>student hostel</i> means a hostel for the accommodation of students attending a school in receipt of subsidy</p>		
Chapter 15 – Internal and external reviews			
Part 1 – Internal reviews of decisions by chief executive			
s.391	<p>Application for review</p> <p>(1) The application must be made—</p> <p>(a) if the person is given an information notice about the decision—within 30 school days after the person is given the information notice; or</p> <p>(b) otherwise— within 30 school days after the person otherwise becomes aware of the decision.</p>	<p>s.390 provides that s.391 applies to decisions where a person is given, or entitled to be given, an information notice for the decision.</p> <p>The power to extend time for making the application for review is limited to:</p>	
		Application for review of decision made under s.62 -	<ul style="list-style-type: none"> Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	(2) The chief executive may extend the time for making the application. (3) The application must be in the approved form and supported by enough information to enable the chief executive to decide the application.	Initial remaining allocation: Delegates may not exercise power if they were the original decision maker under s.62. Delegates’ power is limited to State schools that fall within their Region.	
		Application for review of decision made under s.66 - Application for extra semesters: Delegates may not exercise power if they were the original decision maker under s.66. Delegates’ power is limited to State schools that fall within their Region.	1st and 2nd semester: • Regional Director
		Application for review of decision made under s.72 - Application for further semesters: Delegates may not exercise power if they were the original decision maker under s.72.	3rd and 4th semester: • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services
		Application for review of decision made under s.162 – Refusal of enrolment: Delegates may not exercise power if they were the original decision maker under s.162.	• Associate Director-General, Early Childhood and State Schools • Deputy Director-General, People, Information and Communication Services • Deputy Director-General, Schools and Student Support
		Application for review of decision made under s.167 – Requirements for enrolment not satisfied:	• Associate Director-General, Early Childhood and

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		<p>Delegates may not exercise power if they were the original decision maker under s.167.</p> <p>Delegates may not exercise power if they are in a less senior office in the department than the person who made the original decision under s167.</p>	<p>State Schools</p> <ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Deputy Director-General, Schools and Student Support • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Regional Director
		<p>In respect of applications for review of decisions made under ss.189, 191, 192, and 197:</p> <p>Delegates may not exercise power if they were the original decision maker under ss.189, 191, 192, or 197.</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		<p>If student enrolled in a State school:</p> <p>In respect of applications for review of decisions made under ss.189, 191, 192, and 197:</p> <p>Delegates may not exercise power if they were the original decision maker under ss.189, 191, 192, or 197.</p>	<ul style="list-style-type: none"> • Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		<p>If student enrolled in non-state school:</p> <p>In respect of applications for review of decisions made under ss.189, 191, 192, and 197:</p> <p>Delegates may not exercise power if they were the original decision maker under ss.189, 191, 192, or 197.</p>	<ul style="list-style-type: none"> • Executive Director, External Relations and Research
		<p>If not enrolled in any school, or not provisionally registered or registered for home education:</p> <p>If not enrolled in any school, but provisionally registered or registered for home education:</p> <p>In respect of applications for review of decisions made under ss.189, 191, 192, and 197:</p> <p>Delegates may not exercise power if they were the original decision maker under ss.189, 191, 192, or 197.</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		<p>If provisionally registered or registered for home education:</p> <p>In respect of applications for review of decisions made under ss.210, 211, 214, 218, 219, & 225.</p> <p>Delegates may not exercise power if they were the original decision maker under ss.210, 211, 214, 218, 219, & 225.</p> <p>Delegates may not exercise power if they are in a less senior office in the department than the person who made the original decision under ss. 210, 211, 214, 218, 219 or 225.</p> <p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and</p>	<ul style="list-style-type: none"> • Executive Director, Registration Services (International, Non-State and Home Education) • Manager – within Registration Services (International, Non-State and Home Education) • Manager, Home Education • Assistant Manager, Home Education • Senior Education Officer, Home Education • Education Officer

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		performing education officer duties in the Home Education Unit.	– Special Duties
		<p>If enrolled in a State school:</p> <p>In respect of applications for review of decisions made under ss.248, 250, 251.</p> <p>Delegates may not exercise power if they were the original decision maker under ss.248, 250, 251.</p>	<ul style="list-style-type: none"> Regional Director
		<p>If enrolled in non-State school:</p> <p>In respect of applications for review of decisions made under ss.248, 250, 251.</p> <p>Delegates may not exercise power if they were the original decision maker under ss.248, 250, 251.</p>	<ul style="list-style-type: none"> Executive Director, External Relations and Research
		<p>If not enrolled in any school, or not provisionally registered or registered for home education OR If not enrolled in any school, but provisionally registered or registered for home education:</p> <p>In respect of applications for review of decisions made under ss.248, 250, 251.</p> <p>Delegates may not exercise power if they were the original decision maker under ss.248, 250, 251.</p>	<ul style="list-style-type: none"> Deputy Director-General, First Nations Strategy and Partnerships Assistant Director-General, Disability, Inclusion and Student Services Assistant Director-General, Teaching, Leadership, Rural and Remote
		Application for review of decision made under s.340 - Prohibition from entering premises for up to 60 days.	<ul style="list-style-type: none"> Deputy Director-General, First Nations Strategy and Partnerships Deputy Director-General, Schools and Student Support Assistant Director-General, Disability, Inclusion and Student Services

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> Assistant Director-General, Teaching, Leadership, Rural and Remote Regional Director
		<p>Application for review of decision made under ss.340 and 340A - Prohibition from entering premises for up to 60 days:</p> <p>Delegates may not exercise power if they were the original decision maker under s.340A.</p> <p>Delegates may not exercise power if they are in a less senior office in the department than the person who made the original decision under s.340A.</p>	<ul style="list-style-type: none"> Associate Director-General, Early Childhood and State Schools Deputy Director-General, First Nations Strategy and Partnerships Deputy Director-General, Schools and Student Support Assistant Director-General, Disability, Inclusion and Student Services
s.392	<p>Review decision</p> <p>(1) Unless the chief executive made the original decision personally, the chief executive must ensure the application is not dealt with by—</p> <p>(a) the person who made the original decision; or</p> <p>(b) a person in a less senior office in the department than the person who made the original decision.</p> <p>(2) Within 40 school days after the making of the application, the chief executive must review the original decision and make a decision (the <i>review decision</i>)—</p> <p>(a) confirming the original decision; or</p> <p>(b) amending the original decision; or</p> <p>(c) substituting another decision for the original decision.</p> <p>(3) The chief executive must make the review decision on the material that led to the original decision and any other material the chief executive considers relevant.</p>	<p>s.390 provides that s.392 applies to decisions where a person is given, or entitled to be given, an information notice for the decision.</p> <p>The power to review the original decision and make a review decision is limited to:</p>	
		<p>Review of decision made under s.62 - Initial remaining allocation:</p> <p>Delegates may not exercise power if they were the original decision maker under s.62.</p> <p>Delegates’ power is limited to State schools that fall within their Region.</p>	<ul style="list-style-type: none"> Regional Director
		<p>Review of decision made under s.66 - Application for extra semesters:</p> <p>Delegates may not exercise power if they were the original decision maker under s.66.</p>	<p>1st and 2nd semester:</p> <ul style="list-style-type: none"> Regional Director

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	(4) The chief executive must, as soon as practicable after making the review decision, give the applicant notice of the review decision.	Delegates’ power is limited to State schools that fall within their Region.	
	(5) If the review decision is not the decision sought by the applicant, the notice must comply with the QCAT Act, section 157(2).	<p>Review of decision made under s.72 - Application for further semesters:</p> <p>Delegates may not exercise power if they were the original decision maker under s.72.</p>	<p>3rd and 4th semester:</p> <ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		<p>Review of decision made under s.162 – Refusal of enrolment:</p> <p>Delegates may not exercise power if they were the original decision maker under s.162.</p>	<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, People, Information and Communication Services • Deputy Director-General, Schools and Student Support
		<p>Review of decision made under s.167 – Requirements for enrolment not satisfied:</p> <p>Delegates may not exercise power if they were the original decision maker under s.167.</p> <p>Delegates may not exercise power if they are in a less senior office in the department than the person who made the original decision under s167.</p>	<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, First Nations Strategy and Partnerships • Deputy Director-General, Schools and Student Support • Assistant Director-General, Disability,

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<p>Inclusion and Student Services</p> <ul style="list-style-type: none"> • Assistant Director-General, Teaching, Leadership, Rural and Remote • Regional Director
		<p>In respect of review of decisions made under ss.189, 191, 192, and 197:</p> <p>Delegates may not exercise power if they were the original decision maker under ss.189, 191, 192, or 197.</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Associate Director-General, Early Childhood and State Schools • Assistant Director-General, Disability, Inclusion and Student Services
		<p>If student enrolled in a State school:</p> <p>In respect of review of decisions made under ss.189, 191, 192, and 197:</p> <p>Delegates may not exercise power if they were the original decision maker under ss.189, 191, 192, or 197.</p>	<ul style="list-style-type: none"> • Regional Director
		<p>If student enrolled in non-state school:</p> <p>In respect of review of decisions made under ss.189, 191, 192, and 197:</p> <p>Delegates may not exercise power if they were the original decision maker under ss.189, 191, 192, or 197.</p>	<ul style="list-style-type: none"> • Executive Director, External Relations and Research
		<p>If not enrolled in any school, or not provisionally registered or registered for home education:</p> <p>If not enrolled in any school, but provisionally registered or registered for home education:</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Associate Director-General, Early Childhood and

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		<p>In respect of review of decisions made under ss.189, 191, 192, and 197:</p> <p>Delegates may not exercise power if they were the original decision maker under ss.189, 191, 192, or 197.</p>	<p>State Schools</p> <ul style="list-style-type: none"> Assistant Director-General, Disability, Inclusion and Student Services
		<p>If provisionally registered or registered for home education:</p> <p>In respect of review of decisions made under ss.210, 211, 214, 218, 219, & 225.</p> <p>Delegates may not exercise power if they were the original decision maker under ss.210, 211, 214, 218, 219, & 225.</p> <p>Delegates may not exercise power if they are in a less senior office in the department than the person who made the original decision under ss. 210, 211, 214, 218, 219 or 225.</p> <p>Delegation to Education Officer – Special Duties is limited to Education Officer – Special Duties assigned to and performing education officer duties in the Home Education Unit.</p>	<ul style="list-style-type: none"> Executive Director, Registration Services (International, Non-State and Home Education) Manager – within Registration Services (International, Non-State and Home Education) Manager, Home Education Assistant Manager, Home Education Senior Education Officer, Home Education Education Officer – Special Duties
		<p>If enrolled in a State school:</p> <p>In respect of review of decisions made under ss.248, 250, 251.</p> <p>Delegates may not exercise power if they were the original decision maker under ss.248, 250, 251.</p>	<ul style="list-style-type: none"> Regional Director
		<p>If enrolled in non-State school:</p> <p>In respect of review of decisions made under ss.248, 250, 251.</p> <p>Delegates may not exercise power if they were the original decision maker under ss.248,</p>	<ul style="list-style-type: none"> Executive Director, External Relations and Research

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		250, 251.	
		<p>If not enrolled in any school, or not provisionally registered or registered for home education OR If not enrolled in any school, but provisionally registered or registered for home education:</p> <p>In respect of review of decisions made under ss.248, 250, 251.</p> <p>Delegates may not exercise power if they were the original decision maker under ss.248, 250, 251.</p>	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services
		Review of decision made under s.340 - Prohibition from entering premises for up to 60 days.	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Regional Director
		<p>Review of decision made under ss.340 and 340A - Prohibition from entering premises for up to 60 days:</p> <p>Delegates may not exercise power if they were the original decision maker under s.340A.</p> <p>Delegates may not exercise power if they are in a less senior office in the department than the person who made the original decision under s.340A.</p>	<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, First Nations Strategy and Partnerships • Deputy Director-General, Schools and Student Support • Assistant Director-General, Disability, Inclusion and Student Services
Chapter 16 – Legal proceedings			
Part 1 - Evidence			
s.407	Other evidentiary aids		<ul style="list-style-type: none"> • Deputy Director-General, First

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(1) A certificate purporting to be signed by the chief executive and stating any of the following matters is evidence of the matter—</p> <p>(a) a stated document is—</p> <p>(i) an approval, decision or requirement made under this Act; or</p> <p>(ii) an exemption granted under section 185; or</p> <p>(iii) an exemption granted under section 244; or</p> <p>(iv) a notice given under this Act;</p> <p>(b) a stated document is a copy of a document mentioned in paragraph (a);</p> <p>(c) on a stated day, or during a stated period, an authorisation as an authorised officer was, or was not, in force for a stated person;</p> <p>(d) on a stated day, or during a stated period, an exemption granted under section 185 for a stated child was, or was not, in force;</p> <p>(e) on a stated day, or during a stated period, an exemption granted under section 244 for a stated young person was, or was not, in force;</p> <p>(f) on a stated day, a stated person was given a stated notice under this Act;</p> <p>(g) on a stated day, a stated requirement was made of a stated person;</p> <p>(h) on a stated day, an institution was—</p> <p>(i) a State educational institution; or</p> <p>(ii) a State instructional institution; or</p> <p>(iii) a State school.</p> <p>(2) In a proceeding for an offence against section 176(1)—</p> <p>(a) a certificate purporting to be signed by a State school’s, or non-State school’s, principal—</p> <p>(i) that a stated child is, or is not, enrolled at the school; or</p> <p>(ii) stating the details of attendance of a stated child at the school; is evidence of the matter; and</p> <p>(b) a certificate purporting to be signed by the chief executive that the chief executive consents to the bringing of the proceeding is evidence of the consent; and</p>	<p>In respect of proceedings for a breach of s.176(1)(b) the Delegate’s power extends to all schools (State and non-State) within their Region.</p>	<p>Nations Strategy and Partnerships</p> <ul style="list-style-type: none"> • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote <p>• Regional Director</p>

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(c) a statement in a complaint that a child was of compulsory school age at the time of the offence is evidence of the matter.</p> <p>(3) A certificate purporting to be signed by a non-State school’s principal and stating any of the following matters is evidence of the matter—</p> <p>(a) a stated document is an exemption granted by the principal under section 185A or 244A;</p> <p>(b) a stated document is a copy of a document mentioned in paragraph (a);</p> <p>(c) on a stated day, or during a stated period, an exemption granted by the principal under section 185A for a stated child was, or was not, in force;</p> <p>(d) on a stated day, or during a stated period, an exemption granted by the principal under section 244A for a stated young person was, or was not, in force.</p>		
Part 2 – Offence proceedings			
s.410	<p>Evidence of chief executive’s consent</p> <p>A certificate, purporting to be signed by the chief executive, that the chief executive consents to the bringing of proceedings for an offence against section 239(1) is evidence of the consent.</p>		<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Regional Director
Chapter 19 – Miscellaneous			
Part 1A – Distance education kindergarten learning program			
s.419G	<p>Review of decision to refuse to grant an application</p> <p>(1) This section applies if a decision is made under section 419F to refuse to grant an application for registration.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(2) The applicant may apply to the chief executive, within 21 days after notice of the decision is given to the applicant under section 419F(5), for a review of the decision.</p> <p>(3) The application must state fully the grounds for the submission and the facts relied on.</p> <p>(4) After reviewing the decision, the chief executive must decide to— (a) confirm the decision; or (b) set aside the decision and grant the application.</p> <p>(5) The chief executive must as soon as practicable give a notice to the applicant about the chief executive’s decision and the reasons for the decision.</p>		<p>Support</p> <ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
Part 3 – General			
s.426	Confidentiality	In respect of s.426(4)(e)(i)	
	<p>(1) This section applies to a person— (a) who is or has been— (i) the chief executive or a public service employee in the department; or (ii) an employee of a State school; or (iii) a minister, or an accredited representative, of a religious denomination or society mentioned in section 76(1); or (iv) a member of an association; and (b) who, in that capacity, has gained or has access to personal information about— (i) a student, prospective student or former student of a State school; or (ii) a kindergarten age child— (A) who is or has been registered in a kindergarten learning program at a State school; or (B) for whom an application for registration has been made under section 419B; or (C) who is or has been registered in a distance education kindergarten learning program; or</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, First Nations Strategy and Partnerships • Deputy Director-General, Schools and Student Support • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Executive Director, Student Protection and Wellbeing • Regional Director • Principal

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006

Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(D) for whom an application for registration has been made under section 419F; or</p> <p>(iii) a person with a disability who—</p> <p>(A) under section 420(2), is being provided with special education at a State school; and</p> <p>(B) is not enrolled in the preparatory year at the school; or</p> <p>(iv) a child—</p> <p>(A) who is or has been provisionally registered, or registered, for home education under chapter 9, part 5; or</p> <p>(B) for whom an application for provisional registration, or registration, has been made under chapter 9, part 5.</p> <p>(2) This section also applies to a person—</p> <p>(a) who is or has been an employee of a relevant non-State school; and</p> <p>(b) who, in that capacity, has gained or has access to personal information, contained in a transfer note, about—</p> <p>(i) a former student or continuing student of the school; or</p> <p>(ii) a kindergarten age child—</p> <p>(A) who is or has been registered in a kindergarten learning program at the school; or</p> <p>(B) for whom an application for registration has been made under section 419B; or</p> <p>(iii) a person with a disability who—</p> <p>(A) under section 420(2), is being provided with special education at the school; and</p> <p>(B) is not enrolled in the preparatory year at the school.</p> <p>(3) This section also applies to a person—</p> <p>(a) who is or has been the chief executive or a public service employee in the department; and</p> <p>(b) who, in that capacity, has gained or has access to personal information about a student, prospective student or former student of a recognised school.</p> <p>(4) The person must not make a</p>		<ul style="list-style-type: none"> • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region • Director Regional Services • Executive Director, DE International • Director, International Student Programs
		In respect of s.426(4)(e)(ii)	<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, First Nations Strategy and Partnerships • Deputy Director-General, People, Information and Communication Services • Deputy Director-General, Schools and Student Support • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching,

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>record of the information, use the information or disclose the information to anyone else, other than—</p> <p>(a) for a purpose of this Act; or</p> <p>(b) with the consent of the person to whom the information relates, or if the person is a child unable to consent, with the consent of a parent of the child; or</p> <p>(c) in compliance with lawful process requiring production of documents or giving of evidence before a court or tribunal; or</p> <p>(d) as permitted or required under subsection (4A) or another Act; or</p> <p>(e) with the written consent of the chief executive, who may give the consent if he or she is reasonably satisfied the recording, use or disclosure is—</p> <p>(i) necessary to assist in averting a serious risk to the life, health or safety of a person, including the person to whom the information relates; or</p> <p>(ii) in the public interest; or</p> <p>(iii) necessary for research, or the compilation or analysis of statistics, if—</p> <p>(A) the research, compilation or analysis is in the public interest; and</p> <p>(B) the recording, use or disclosure does not involve the publication of all or any of the information in a form that identifies a person to whom the information relates; and</p> <p>(C) it is not practicable to obtain the express or implied agreement of each person to whom the information relates before the information is recorded, used or disclosed; and</p> <p>(D) for a disclosure—the chief executive is reasonably satisfied the person to whom the information is disclosed will not disclose the information to anyone else.</p> <p>Maximum penalty—50 penalty units.</p> <p>(4A) The chief executive may disclose the information to a law enforcement agency if the chief executive is</p>		<p>Leadership, Rural and Remote</p> <ul style="list-style-type: none"> • Assistant Director-General, Strategy and Performance • Executive Director, Performance Monitoring and Reporting • Executive Director, Student Protection and Wellbeing • Regional Director • Principal
		<p>In respect of s.426(4)(e)(ii)</p> <p>The delegate may only exercise the power where:</p> <ul style="list-style-type: none"> • the recording, use or disclosure concerns personal information about a student who is a student, prospective student or former student of a school within the delegate’s area of administrative responsibility; and • the recording, use or disclosure is in the public interest and is: <ul style="list-style-type: none"> ○ to a member of one of the following entities: <ul style="list-style-type: none"> • Queensland Police Service • Crime and Corruption Commission (Qld) • Office of the Director of Public Prosecutions (Qld) 	<ul style="list-style-type: none"> • Executive Director, DE International • Director, International Student Programs • Director, Student Protection • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director – Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>reasonably satisfied the disclosure is necessary for the prevention, detection, investigation, prosecution or punishment of a criminal offence or a breach of a law imposing a penalty or sanction.</p> <p>(5) In this section— <i>disclose</i>, information, includes give access to the information. <i>employee</i>, of a State school or relevant non-State school, includes— (a) a person appointed to a position with the school; and (b) a person engaged by the chief executive, the State school’s principal, or the relevant non-State school’s governing body, under a contract for services; and (c) a volunteer who performs a task for the school at any place.</p> <p><i>law enforcement agency</i> see the <i>Information Privacy Act 2009</i>, schedule 5, definition <i>law enforcement agency</i>, paragraph (a). <i>personal information</i> means information or an opinion, whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion. <i>recognised school</i> see the E(QCAA) Act, schedule 1. <i>relevant non-State school</i> means a non-State school, the governing body of which is not an organisation within the meaning of the <i>Privacy Act 1988</i> (Cwlth), section 6C.</p>	<ul style="list-style-type: none"> • Australian Federal Police • A police force or service of a State or a Territory <ul style="list-style-type: none"> ○ to an authorised officer of the Department of Children, Youth Justice and Multicultural Affairs (Child Safety); or ○ to a relevant school transport operator for the purposes of investigating a breach of the <i>Code of Conduct for School Children Traveling on Buses</i>. 	<ul style="list-style-type: none"> • Principal Advisor, Student Protection • Director Regional Services
		<p>In respect of s.426(4)(e)(ii)</p> <p>The delegate may only exercise the power where the recording, use or disclosure is:</p> <ul style="list-style-type: none"> ○ for the purposes of seeking legal or other professional advice for the department; or ○ to a Court, tribunal, Commission of Inquiry or to any person officially requested or ordered to assist a Court, tribunal or Commission of Inquiry in the performance of its functions or for the purposes of an order made by a Court, tribunal, or Commission of Inquiry. 	<ul style="list-style-type: none"> • Executive Director, Legal Services • Director, Legal Services • Principal Lawyer, Legal Services • Manager, Information Release, Legal Services
		<p>In respect of s.426(4)(e)(iii)</p>	<ul style="list-style-type: none"> • Assistant Director-General, Strategy and Performance • Executive Director, Performance Monitoring and Reporting
		<p>In respect of s.426(4A)</p>	<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools

			<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, People and Chief People Officer • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote • Executive Director, Student Protection and Wellbeing • Director, Student Protection • Executive Director, DE International • Director, International Student Programs • Executive Director, Integrity and Employee Relations • Director, Intake and Assessment • Director, Investigations, Performance and Conduct • Manager, Intake and Assessment • Manager, Integrity and Capability • Manager, Investigations • Manager, Performance and Conduct
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Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
			<ul style="list-style-type: none"> • Executive Director, Legal Services • Director, Legal Services • Principal Lawyer, Legal Services • Manager, Information Release, Legal Services • Regional Director • Director Regional Services • Principal Advisor (Education Services) • Principal Advisor (Regional Services) • Director – Education Services, Darling Downs South West Region • Principal Advisor – Regional Improvement, Darling Downs South West Region • Principal Advisor, Student Protection • Principal
s.427	<p>Homework guidelines for State schools</p> <p>(1) The chief executive may make guidelines about homework for State schools.</p> <p>(2) Issues that may be addressed by a guideline include the following—</p> <p>(a) the purpose of homework;</p> <p>(b) homework approaches appropriate to each stage of learning at a State school;</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
	<p>(c) the setting of homework tasks for a student appropriate to the student’s ability;</p> <p>(d) the recommended amount of time a student should be expected to spend on homework;</p> <p>(e) the responsibilities of teachers, parents and students in relation to homework;</p> <p>(f) the development and implementation of a homework policy by a State school’s principal.</p> <p>(3) A guideline may be amended or replaced by a later guideline made under this section.</p> <p>(4) A guideline must be made available to each principal of a State school.</p>		
s.428	<p>Collection of demographic information</p> <p>(1) The chief executive may collect demographic information about any of the following and their parents if the only purpose of the collection is to give effect to, or manage, an education funding arrangement—</p> <p>(a) State school students;</p> <p>(b) a kindergarten age child registered in—</p> <p>(i) a kindergarten learning program at a State school; or</p> <p>(ii) a distance education kindergarten learning program;</p> <p>(c) persons with a disability who—</p> <p>(i) under section 420(2), are being provided with special education at a State school; and</p> <p>(ii) are not enrolled in the preparatory year at the school.</p> <p>(2) To remove any doubt, it is declared that subsection (1) does not prevent the collection by the chief executive of demographic information about the persons mentioned in subsection (1) for a purpose of this Act.</p> <p>(3) In this section— education funding arrangement means a funding arrangement for educational services provided by the State entered into between the Commonwealth and the State.</p>		<ul style="list-style-type: none"> • Deputy Director-General, Infrastructure Services • Assistant Director-General, Infrastructure Delivery and Operations • Assistant Director-General, Services and Infrastructure Planning • Executive Director, Portfolio Investment and Performance • Executive Director, Strategy and Service Planning

Schedule 1 – Table of Director-General’s Delegated Powers – Education (General Provisions) Act 2006			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
s.429	<p>Chief executive’s directions about State school records and reports</p> <p>A State school’s principal must comply with the chief executive’s written directions to the principal about the following matters—</p> <p>(a) the school records that must be kept;</p> <p>(b) the reports about the school that must be given to the chief executive;</p> <p>(c) the times by which, and the way in which, the records must be kept or the reports given.</p>		<ul style="list-style-type: none"> • Associate Director-General, Early Childhood and State Schools • Deputy Director-General, Schools and Student Support
s.433	<p>Approval of forms</p> <p>The chief executive may approve forms for use under this Act.</p>	Delegates may approve all forms with the exception of forms under s.208, s.217, s.370 and s.374	<ul style="list-style-type: none"> • Deputy Director-General, First Nations Strategy and Partnerships • Assistant Director-General, Disability, Inclusion and Student Services • Assistant Director-General, Teaching, Leadership, Rural and Remote
		<p>Delegation limited to approval of forms for the following sections:</p> <p>s.208 Procedural requirements for application (home education)</p> <p>s.217 Standard conditions (home education)</p> <p>s.391 Application for review (pursuant to an information notice)</p>	<ul style="list-style-type: none"> • Executive Director, Registration Services (International, Non-State and Home Education)
		<p>Delegation limited to approval of forms for the following sections:</p> <p>s.178 and s.241 in respect of students alleged to be enrolled at, but not attending, a non-State school</p> <p>s.370 Requirement to give financial data (non-State school)</p>	<ul style="list-style-type: none"> • Executive Director, External Relations and Research

Schedule 1 – Table of Director-General’s Delegated Powers – <i>Education (General Provisions) Act 2006</i>			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
		s.374 Allowance acquittal details (non-State school)	
Chapter 20 – Repeal, validations and transitional provisions			
Part 6 – Transitional provisions for Education Legislation Amendment Act 2013			
s.515	<p>Chief executive may cancel enrolment for particular students</p> <p>(1) This section applies to a fee charged under the pre-amended Act, section 51(1) before the commencement.</p> <p>(2) While the fee remains unpaid, the chief executive may cancel the enrolment of the person or registration of the pre-preparatory age child to whom the fee relates.</p> <p>(3) The chief executive must, at least 14 days before the enrolment or registration is cancelled, give the person or a parent of the child notice that the chief executive intends to cancel the person’s enrolment or the child’s registration.</p>	<p>This power applies only to a fee charged under the <i>Education (General Provisions) Act 2006</i>, section 51(1) before the commencement of the <i>Education Legislation Amendment Act 2013</i> on 29 August 2013.</p> <p>Section 51(1) applies only to a person enrolled at a State school, or a kindergarten age child registered in a kindergarten learning program at a prescribed State school, who is not—</p> <p>(a) an Australian citizen or permanent resident; or</p> <p>(b) a child of an Australian citizen or permanent resident.</p>	<ul style="list-style-type: none"> Executive Director, DE International