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COMPULSORY EDUCATION ACT (CHAPTER 51)

COMPULSORY EDUCATION (EXEMPTION) (AMENDMENT) ORDER 2018

In exercise of the powers conferred by section 4(1) of the Compulsory Education Act, the Minister for Education (Schools) makes the following Order:

Citation and commencement

1. This Order is the Compulsory Education (Exemption) (Amendment) Order 2018 and comes into operation on 2 January 2019.

Amendment of paragraph 2

2. Paragraph 2 of the Compulsory Education (Exemption) Order (O 1) (called in this Order the principal Order) is amended by deleting the definition of “designated school” and substituting the following definition:

““designated school” means a school specified in the Schedule;”.

Amendment of paragraph 3

3. Paragraph 3 of the principal Order is amended —

(a) by deleting sub-paragraphs (a) and (b) of sub-paragraph (1) and substituting the following sub-paragraphs:

“(a) any child born on or before 1 January 2012 who is unable to attend any national primary school due to any physical, intellectual or developmental disability;

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- (b) any child who receives home-schooling (called in this paragraph a home-schooled child), subject to —
 - (i) the terms and conditions in sub-paragraph (2); and
 - (ii) such other terms and conditions as the Minister thinks fit;”;
 - (b) by inserting, immediately after the words “designated school” in sub-paragraph (1)(c), the words “that meets the conditions specified in paragraph 4”;
 - (c) by deleting sub-paragraph (d) of sub-paragraph (1) and substituting the following sub-paragraph:
 - “(d) any other child whom the Director-General determines is unsuitable to attend any national primary school, having regard to —
 - (i) the interests and welfare of the child; and
 - (ii) the ability of the child to attend a national primary school in an orderly and safe manner.”; and
 - (d) by deleting sub-paragraphs (2) and (3) and substituting the following sub-paragraphs:
 - “(2) For the purposes of sub-paragraph (1)(b)(i) —
 - (a) a home-schooled child is subject to the following terms and conditions:
 - (i) a parent of the child must notify the Director-General, in such form and manner as the Director-General may require, of the arrangements for and the curriculum to be used for home-schooling the child;

- (ii) the Director-General must —
 - (A) be satisfied that the home-schooling arrangements for the child are appropriate and adequate; and
 - (B) approve the home-schooling curriculum mentioned in sub-paragraph (i) submitted by the parent;
- (iii) each parent who provides any home-schooling to the child possesses such qualifications as the Director-General may require;
- (iv) the parents of the child do not refuse or obstruct any home visit as the Director-General may require; and
- (b) a home-schooled child who is not a child with special educational needs is also subject to the following terms and conditions:
 - (i) a parent of the child has signed an undertaking, in such form as the Director-General may require, that the child will sit for —
 - (A) an assessment (however styled) of the effectiveness of the home-schooling at such time, before the child attains the age of 11 years, as the Director-General may determine; and
 - (B) the Primary School Leaving Examination, and the National Education Quiz when the child is above the age of 11 years but