**School Councils**

**Minister’s Directions and Show Cause Process – Dissolution for non‑compliance with a public interest direction**

Under s.112 of the *Education (General Provisions) Act 2006* (Qld) (Act), a school council will be dissolved if:

* the school for which the school council is established closes; or
* the prescribed circumstances are met under Part 7 of the *Education (General Provisions) Regulation 2017* (EGPR).

This Fact Sheet applies to the process for dissolution of school councils under Part 7, Division 2 of the EGPR.

The Minister may give a school council a written direction about a matter relevant to the performance of its functions, if the Minister is satisfied it is necessary to give the direction in the public interest (s.116(1)) of the Act. A direction may require the council to comply with a policy, standard or other instrument of a public sector unit. The council must comply with the direction (s.116(3) of the Act).

**Show Cause Process** (s. 54 of the EGPR)

1. If the Minister has given a council a direction and believes the council has not complied with the direction, the Minister must give the council a show cause notice stating the following:

* The reasons for the Minister’s belief that the council has not complied with the public interest direction (s. 54(2)(a)).
* If the council does not comply with the direction within a stated period (the show cause period), the council is liable to be dissolved (s. 54(2)(b)).

1. The council may make written representations to the Minister within the show cause period (which must end not less than 28 days after the show cause notice is given to council) to show:
   * that the council has complied with the public interest direction (s. 54(2)(c)(i)); or

* why the council should not be dissolved for not complying with the direction (s. 54(2)(c)(ii)).

1. The Minister must consider any representations as soon as practicable after receiving the representations (s.55 of the EGPR).
2. The Minister must immediately give the council a notice stating that no further action is to be taken under the show cause notice if, after considering any representations, the Minister is satisfied:

* the council has complied with the public interest direction (s. 56(1)(a)); or
* the council should not be dissolved for not complying with the direction (s. 56(1)(b)).

1. The Minister must give the council a notice stating that the council is dissolved (s. 57(2)), if after the end of the show cause period:

* there are no representations made by the council; or
* the Minister is satisfied the council should be dissolved for not complying with the public interest direction, after considering representations,

1. The council is dissolved from:

* the day the council receives the notice; or
* if a later day is stated in the notice – the later day (s.57(3)).