



ANALYSIS

<p>Title</p> <p>1. Short Title</p> <p>2. Regulations</p> <p>3. Remuneration and conditions of employment of staff of governing body</p>	<p>4. Director-General may require certain children to enrol at correspondence school</p> <p>5. Suspension of pupils</p> <p>6. Fees and travelling expenses</p> <p>7. Procedure for alleged offences by certain teachers</p>
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1969, No. 66

An Act to amend the Education Act 1964

[22 October 1969]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Education Amendment Act 1969, and shall be read together with and deemed part of the Education Act 1964 (hereinafter referred to as the principal Act).

2. Regulations—Subsection (2) of section 22 of the principal Act (as inserted by section 4 of the Education Amendment Act 1967) is hereby amended—

(a) By inserting in paragraph (a), after the words “the conditions of employment”, the words “(including appeals against dismissal)”;

(b) By adding to paragraph (a) the words “In making any such regulations regard shall be had to the provisions of section 6 of the State Services Remuneration and Conditions of Employment Act 1969”.

3. Remuneration and conditions of employment of staff of governing body—The principal Act is hereby amended by inserting, after section 60, the following section:

“60A. The Governor-General may from time to time, by Order in Council, make regulations prescribing, in respect of persons employed by the governing body of a secondary school or by a Secondary Schools Council, being persons whose conditions of employment are not fixed by any award or industrial agreement or apprenticeship order, the conditions of employment (including appeals against dismissals), the conditions on which leave of absence may be granted, and the scales of salaries, the rates of overtime, and the travelling, meal, and other allowances and expenses payable. In making any such regulations regard shall be had to the provisions of section 6 of the State Services Remuneration and Conditions of Employment Act 1969.”

4. Director-General may require certain children to enrol at correspondence school—Section 119 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) Where any child has been exempted from attendance at school under paragraph (a) of subsection (3) of section 118 of this Act, or has been required in accordance with paragraph (g) of subsection (2) of section 130 of this Act to enrol with a correspondence school, the Director-General may, by notice in writing, call upon the parent of the child to have the name of the child enrolled on the register of any correspondence school and to ensure the carrying out by the child of the requirements of the course of instruction. The enrolment shall, in the case of a child exempted from attendance at school under paragraph (a) of subsection (3) of section 118 of this Act, be for the period of the exemption, but shall otherwise be for the period until the child attains the age of fifteen years, or for such lesser period as the Director-General may determine.”

5. Suspension of pupils—(1) Section 130 of the principal Act is hereby amended by omitting from paragraph (f) of subsection (2) the words “or a correspondence school established under this Act”.

(2) Section 130 of the principal Act is hereby further amended by repealing paragraphs (g) and (h) of subsection (2), and substituting the following paragraph:

“(g) The Senior Inspector, in any case where he is unable to make suitable arrangements in accordance with paragraph (f) of this subsection for the education of a suspended pupil, shall notify the Director-General to that effect, and the Director-General may then require that the pupil shall be enrolled with a correspondence school established under this Act:”.

(3) Paragraph (i) of subsection (2) of section 130 of the principal Act is hereby amended by—

- (a) Inserting before the word “enrolled” where it first appears, the words “required to be”;
- (b) Adding the words “and the suspended pupil shall not be entitled to attend the school from which he is suspended while the suspension continues.”

6. Fees and travelling expenses—Section 159 of the principal Act is hereby amended by inserting, after subsection (4), the following subsection:

“(4A) There shall be paid to the members of any committee appointed under subsection (3) of this section, out of money appropriated by Parliament for the purpose, remuneration by way of fees, and travelling allowances and expenses, in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly, and any such committee shall be a statutory Board within the meaning of that Act.”

7. Procedure for alleged offences by certain teachers—The principal Act is hereby amended by inserting, after section 161, the following section:

“161A. On the advice of the Minister, given on the joint recommendation of the organisation of teachers representing the majority of the teachers employed in any class or classes of schools or in specified positions and of the association or associations representing the Boards employing the teachers in the schools or positions, the Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes in respect of the teachers so employed:

- “(a) Prescribing the procedure to be adopted for the investigation, hearing, and determination of the charge in any case where it is alleged that a teacher so employed has committed an offence against section 158 of this Act:

- “(b) Prescribing the penalties which may be imposed and the rights of appeal against those penalties where, under the procedure so prescribed for the investigation, hearing, and determination of a charge against a teacher, the charge against a teacher so employed is held to have been proved:
 - “(c) Prescribing to what extent and with what modifications the provisions of Part VI of this Act relating to appeals by teachers shall apply in the case of any right of appeal by a teacher for which provision is made under paragraph (b) of this section:
 - “(d) Declaring that the provisions of section 159 of this Act shall not apply to any teacher so employed.”
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This Act is administered in the Department of Education.
