

New Zealand.



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1933, No. 37.

Title.

AN ACT to amend the Education Act, 1914, and to make Provision with respect to certain Education Authorities. [22nd December, 1933.]

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

Short Title.

1. This Act may be cited as the Education Law Amendment Act, 1933.

PART I.

EDUCATION AMENDMENT.

This Part to form part of Education Act, 1914.

2. This Part of this Act shall be read together with and deemed part of the Education Act, 1914 (hereinafter in this Part referred to as the principal Act).

3. Subsection three of section forty-one of the principal Act is hereby amended by omitting the words "one year" and substituting the words "two years".

School Committees to hold office for two years.

4. (1) In the year nineteen hundred and thirty-four, and in every alternate year thereafter, on a day fixed in each such year by the Board, being a day not earlier than the second Wednesday in April and not later than the first Wednesday in May, there shall be a biennial meeting of householders in each school district. Not less than twenty-one days before the day so fixed the Board shall give public notification thereof, and in such notice shall fix the hour and place of the meeting.

Biennial meeting of householders for election of School Committee.

(2) At each such biennial meeting a Chairman shall be chosen, and the Committee shall give a full account of its proceedings for the period of one year in the case of the meeting to be held in the year nineteen hundred and thirty-four, or the period of two years in every other case, ending on the last day of February preceding such meeting.

(3) At every biennial meeting the Chairman shall have a deliberative vote, and in case of an equality of votes shall also have a casting vote.

(4) This section is in substitution for section forty-three of the principal Act, and that section and section seven of the Education Amendment Act, 1920, are hereby accordingly repealed.

Repeals.

5. (1) The Third Schedule to the principal Act is hereby consequentially amended as follows:—

Consequential and other amendments of Third Schedule to principal Act.

(a) As to clause one, by omitting the word "annual" and substituting the word "biennial", and by omitting the word "year" and substituting the words "two years":

(b) As to clause two, by omitting from the form of nomination therein set out the word "year" and substituting the words "two years":

(c) As to clause four, by omitting from subclause one the word "annual" and substituting the word "biennial", and by omitting from the same subclause the words "current year" and substituting the words "two years next ensuing", and by omitting from subclause three the word "annual" and substituting the word "biennial":

(d) As to clause eight, by omitting the word "annual" and substituting the word "biennial":

(e) As to clause nine, by omitting the words "annual day" and substituting the words "biennial day", and by omitting the words "an annual election" and substituting the words "a biennial election":

(f) As to clause thirteen, by omitting the words "an annual election" and substituting the words "a biennial election".

(2) The said Third Schedule is hereby further amended by repealing clause ten thereof, and substituting the following clause:—

"10. If after such last-mentioned meeting the householders neglect or refuse to elect a Committee, or if the Board in the exercise of its discretion under the last preceding clause makes no provision for such a meeting, or if in any case where a school has been newly established or has been reopened, there is no Committee for the school, the Board may appoint one or more Commissioners who shall hold office until the next biennial meeting and shall have all the powers and shall perform all the duties by law assigned to a Committee."

Consequential repeal.

(3) Subsection two of section seven of the Education Amendment Act, 1919, is hereby consequentially amended by repealing paragraph (a) thereof.

Second Schedule to principal Act amended.

6. Clause thirteen of the Second Schedule to the principal Act is hereby amended by omitting the word "fifteenth" and substituting the word "seventh".

Section 3 of Education Amendment Act, 1932-33, amended.

7. Subsection one of section two of the Education Amendment Act, 1932-33, is hereby amended by adding the following proviso:—

"Provided further that, except in special cases for which the prior consent of the Minister has been obtained, no person who is in receipt of a retiring-allowance from the Teachers' Superannuation Fund shall be eligible for appointment."

PART II.

EDUCATION AUTHORITIES.

Section 13 of New Zealand University Amendment Act, 1914, amended.

8. Section thirteen of the New Zealand University Amendment Act, 1914, is hereby amended by adding to paragraph (h) thereof the following proviso:—

"Provided further that any person to whom a scholarship has been awarded may, with the approval of the

Chancellor, postpone for a period not exceeding one year the date of commencement of the term of the scholarship."

9. Section three of the Otago Boys' and Girls' High Schools Act, 1877, is hereby amended by adding thereto the following proviso:—

"Provided that the Mayor of Dunedin may at any time, by notice in writing to the Town Clerk, retire from membership of the Board, and the Dunedin City Council may at any time thereafter by resolution appoint one of their number to be a member of the Board, to hold office until the expiry of the then current term of office of the Mayor."

10. Whereas Mary Irene Christoffel (hereinafter called the student) qualified in November, nineteen hundred and twenty-nine, under section seventeen of the University Amendment Act, 1914, for an award of a Taranaki Scholarship as from the first day of January, nineteen hundred and thirty, but was deemed by the University of New Zealand not to be entitled thereto: And whereas the University of New Zealand, relying on a judgment of the Supreme Court of New Zealand given on the application of James Wincote Syme, made in the month of August, nineteen hundred and thirty-one, an award of the said scholarship to the student as from the first day of January, nineteen hundred and thirty, and made a payment (hereinafter referred to as the said payment) of the scholarship-moneys accordingly to the student in respect of the years nineteen hundred and thirty and nineteen hundred and thirty-one: And whereas the said payment was invalid by reason of the fact that the student did not, during the said years nineteen hundred and thirty and nineteen hundred and thirty-one, comply with the conditions of the said scholarship as set out in the said section seventeen and the regulations made thereunder: And whereas it is desirable to validate the said payment: Be it therefore enacted as follows:—

The said payment is hereby validated.

Section 3 of
Otago Boys'
and Girls'
High Schools
Act, 1877,
amended.

Validating
payment made
to Miss M. I.
Christoffel,
Taranaki
Scholarship
holder.