

Mr. Montgomery.

AKAROA HIGH SCHOOL.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Board of Governors of Akaroa High School made a corporate body.
3. How members of Board appointed.
4. Rotation of retiring members.
5. Cases in which members cease to be such.
6. How vacancies in Board filled up.
7. Chairman to notify to body entitled to elect.
8. Governor may appoint, in case of refusal or neglect to elect.
9. Date of first meeting and election of Chairman.
10. Resignation of Chairman.
11. Deliberative and casting vote.</p> | <p>12. Board may establish high school in Akaroa.
13. Powers of Board in connection with high school.
14. Power of Board to make regulations.
15. Minutes of proceedings of Board to be kept.
16. Board to keep accounts of its receipts, &c.
17. Acts required to be done by Board to be done in pursuance of resolution of Board.
18. Reserves vested in Board to be under "The High School Reserves Act, 1880."
19. Income from Board's estate, how applied.
20. Board's power to invest its moneys.
21. Board to obtain certain portion of reserves for secondary education in Canterbury.
22. High school to be subject to inspection.</p> |
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A BILL INTITULED

AN ACT to provide for the Establishment and Management of the Akaroa High School. Title.

WHEREAS it is expedient and desirable to make special provision for the establishment and management of a High School to be established within the Education District of North Canterbury, at Akaroa, in the County of Akaroa: Preamble.

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

1. The Short Title of this Act is "The Akaroa High School Act, 1881." Short Title.

10 2. The Board of Governors, to be composed and appointed as hereinafter provided, shall be and is hereby constituted a body corporate by the name of the Akaroa High School Board (hereinafter called "the said Board"), by which name such body corporate shall have a perpetual succession and a common seal, and may hold lands, and may sue and be sued, and may do and suffer all such things as corporate bodies may do and suffer. Board of Governors of Akaroa High School made a corporate body.

15 3. The said Board shall consist of seven persons, of whom one shall be the Mayor for the time being of the Borough of Akaroa by virtue of his office, two shall be elected by the County Council of Akaroa, two shall be elected by the Board of Governors of Canter- How members of Board appointed.

bury College, and two shall be elected by the Board of Education for North Canterbury; and the first elections, and all subsequent elections, by such bodies, whether annual or to fill a vacancy, shall be held on such days, and conducted in such manner in all respects, as they shall respectively from time to time by resolution direct:

Provided that the first election by each of such bodies shall take place within three months after the passing of this Act; and all subsequent elections, within one month after the vacancy in respect of which such election is necessary has been notified, as hereinafter mentioned, to the body entitled to elect.

Rotation of retiring members.

4. On the thirty-first day of March, one thousand eight hundred and eighty-three, and on the same day and month in every year thereafter, one of the members elected by each of such bodies shall retire, and a person shall be elected in his place; the members to retire on the thirty-first day of March, one thousand eight hundred and eighty-three, being previously determined by ballot of the said Board, and, in every subsequent year, the one of each such two members shall retire who has served longest on the Board without re-election; but a retiring member may be re-elected.

Cases in which members cease to be such.

5. If any member of the said Board shall cease to reside within the Provincial District of Canterbury for a period of six months, or shall by writing under his hand resign his office, or become bankrupt, or be convicted of any indictable offence, he shall immediately thereupon cease to be a member of such Board.

How vacancies in Board filled up.

6. In the event of any vacancy or vacancies occurring by reason of the death, resignation, or otherwise of the elected members of the said Board, such vacancy or vacancies may forthwith be filled up by the election of a new member or members by the said Board of Governors of Canterbury College, or Board of Education for North Canterbury, or by the County Council of Akaroa, according as the vacancy shall have occurred in the case of a member who has been elected by the said Board of Governors, or Board of Education, or by such County Council.

Chairman to notify to body entitled to elect.

7. It shall be the duty of the Chairman of the said Board, or some other officer authorized for the purpose by it, immediately on a vacancy occurring, to notify the same in writing under his hand, posted, addressed to the Chairman or other principal officer of the body entitled to elect to such vacancy.

Governor may appoint, in case of refusal or neglect to elect.

8. In the event of the refusal or neglect of any body to elect a member of the said Board within the time specified by this Act for such election, the Governor may appoint a member in lieu of the member who should have been so elected.

Date of first meeting and election of Chairman.

9. The Board shall hold its first meeting on a day and at a place to be appointed by the Governor for the election of one of its members as a Chairman, and the Chairman then elected shall hold office until the said *thirty-first day of March*, one thousand eight hundred and eighty-three.

The Board shall hold an annual meeting for the like purpose in the month of April in each subsequent year.

At every such meeting the Board, by a majority of the members present, shall elect one of its number to be Chairman, who shall hold office for a term of one year only, but he shall be eligible for re-election.

In the event of there being an equality of votes, the election of Chairman shall be decided by lot at such meeting.

10. If the Chairman shall from any cause cease to be a member of the said Board, or resign the office of Chairman, the Board shall, soon thereafter as conveniently may be, elect another member of the Board to be Chairman in his stead, who shall hold office until the next election of a Chairman, as hereinbefore provided.

Resignation of Chairman.

11. At all meetings of the Board the Chairman, or in his absence such member of the Board as the majority of the members assembled shall choose, shall preside, and such Chairman or presiding member shall have a deliberative vote, and, in all cases of equality of votes, shall also have a casting vote.

Deliberative and casting vote.

12. It shall be lawful for the said Board to establish and maintain in the Town or suburbs of Akaroa a school or schools for the higher education of boys or of girls, or of both, and to designate the same by distinctive names, all of which schools, however, are throughout this Act included in the term "high school" or "Akaroa High School."

Board may establish high school in Akaroa.

13. There shall be vested in the Board the whole control and management of the Akaroa High School, and the said Board shall have full power to appoint and dismiss all professors, masters, teachers, lecturers, examiners, and other officers and servants for the management of the said high school, and also the entire management and superintendence over all the affairs, concerns, and property of the said high school; and, in all cases unprovided for by this Act, it shall be lawful for the said Board to act in such manner as shall appear to it best calculated to further the purposes intended to be served by the establishment of a high school: And the said Board shall have full power from time to time to make by-laws and regulations for defining the course of study and education on secular subjects in the said high school, and also for the discipline and examination of the same, the conditions upon which scholars shall be admitted, and the fees to be paid in respect of such admission, and in general touching all other matters, purposes, and things regarding the said high school.

Powers of Board in connection with high school.

14. The said Board shall make and may from time to time revoke, vary, and make fresh regulations for the conduct of business at its meetings, for determining how meetings shall be convened, and what number of members shall constitute a quorum thereat, and for such other like matters as may be requisite for the conduct of the business of the said Board.

Power of Board to make regulations.

15. Minutes of the proceedings of the said Board shall be regularly entered in a proper book to be kept for that purpose, and at every meeting of the said Board the minutes of the previous meeting shall be read over and signed by the Chairman of the meeting at which the same shall be read, and the minutes when so signed shall be held to be a true statement and record of the proceedings of the Board for all purposes whatsoever.

Minutes of proceedings of Board to be kept.

16. The Board shall keep full and accurate accounts of all its receipts, disbursements, assets, liabilities, and engagements, and shall, in the month of January in each year, cause the same to be audited by such person as the Governor may appoint; and copies of such accounts, when audited, shall be forwarded to the Minister in charge of the Department of Education, together with a report of the

Board to keep accounts of its receipts, &c.

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proceedings of the said Board during the previous year; and such report and accounts shall be laid before the Assembly at its next session.

Acts required to be done by Board to be done in pursuance of resolution of Board.

17. All things required by this Act to be done by the said Board shall be done in accordance with or in pursuance of a resolution passed at a meeting of the said Board, and no act of the said Board shall be invalid or liable to be questioned on the ground that one or more of the members of the said Board was or were incapacitated, or had ceased to hold office as members of the said Board, or on the ground that the seat of any member of the said Board is vacant. 5

Reserves vested in Board to be under "The High School Reserves Act, 1880."

18. The reserves to be vested in the Board in pursuance of the provisions hereinafter contained, and all other real and personal estate which may be purchased by the Board or granted as a site or sites for a high school, or devised, bequeathed, or given to the said Board for the benefit of the Akaroa High School without any trusts or powers of a different nature being expressed in the instrument so devising, bequeathing, or giving the same to the said Board, shall be held and dealt with by the said Board under and subject to the provisions of "The High Schools Reserves Act, 1880," the Akaroa High School being hereby declared to be a high school under that Act. 10 15

Income from Board's estate how applied.

19. The rents, profits, and annual income of all real and personal estate which may be vested in the said Board, together with all funds which may from time to time be derived from fees or payments made in respect of scholars or students attending the said high school, shall be applied by them for the maintenance of the said high school at Akaroa, and the payment of all salaries and expenses connected therewith, and for prizes, exhibitions, and scholarships for the students therein: Provided that the said Board shall have power to set apart, if it shall see fit, out of the said rents, profits, and annual income, such part as it shall consider advisable, either as addition to the capital fund, which shall then be invested in manner as hereinafter mentioned and dealt with as part of such capital fund, or as a reserve fund to meet extraordinary expenses, which shall be invested and dealt with in such manner as the said Board shall direct. 20 25 30

Board's power to invest its moneys.

20. With respect to any moneys bequeathed or given to the said Board for the said high school, or being rents, profits, and annual income set apart under the preceding section, the said Board shall have power to invest the same in the purchase or upon mortgage of freehold lands in New Zealand, or upon the stocks, bonds, bills, or debentures, of the Government of the Colony of New Zealand, or of any Municipal Corporation established within such colony, and from time to time to vary any such investment. 35 40

Board to obtain certain portion of reserves for secondary education in Canterbury.

21. It shall be lawful for the Commissioners appointed under "The Education Reserves Act, 1877," for the Provincial District of Canterbury, or, if they fail to act, for two Commissioners appointed for that purpose by the Governor, to select out of that portion of the reserves for secondary education in the Provincial District of Canterbury, not yet selected and set apart for any other high school under any other Act hereinbefore passed authorizing such selection and setting apart, such reserves as will be equal to one-half of the whole value of the said reserves so remaining unselected and not set apart as aforesaid, to be ascertained in manner following: The said Commis- 45 50

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sioners shall, within six months after the passing of this Act, make a valuation of the whole of the said portion of the said reserves for secondary education in the said provincial district, and shall determine which of such reserves shall be of a value equal to one-half of the whole value thereof, and shall set apart the reserves last aforesaid for the maintenance of the Akaroa High School; and, on the Proclamation of the Governor that such reserves have been selected and set apart for the said Akaroa High School, the said reserves shall absolutely vest in the Akaroa High School Board incorporated by this Act.

10 **22.** The Akaroa High School shall be subject to inspection by an Inspector appointed by the Minister of Education. High school to be subject to inspection.