

(Mr. Tancred.)

Borough Schools.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. This Act may be brought into force in boroughs on memorial signed by electors.</p> <p>3. Memorial to be laid before Provincial Council.</p> <p>4. If Council so recommend, Act to be brought into operation.</p> <p>5. Time for first election to be proclaimed.</p> <p>6. School Committee to be elected.</p> <p>7. Number of members of School Committee.</p> <p>8. Members of Committee to continue in office till new Committee elected.</p> <p>9. Quorum of Committee. Regulation of proceedings.</p> <p>10. Annual election of Committee.</p> <p>11. Committee may establish schools.</p> <p>12. Schools to be regulated by Acts of Provincial Council.</p>	<p>13. School Committee may assess and tax boroughs.</p> <p>14. Fifteenth Part of "Municipal Corporations Act" incorporated.</p> <p>15. Moneys recovered on account of rate to be paid to Committee.</p> <p>16. Application of moneys.</p> <p>17. School Committee a Corporation.</p> <p>18. Disqualification of members of School Committee.</p> <p>19. If School Committee neglect to perform duties Superintendent may dissolve Committee and have fresh election.</p> <p>20. Interpretation.</p> <p>21. Application of Act to County of Westland.</p> <p>22. County Council of Westland may make Regulations as to schools in boroughs.</p>
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A BILL INTITULED

AN ACT to provide for the Establishment of Schools within the limits of Boroughs.

Title.

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. The Short Title of this Act shall be "The Borough Schools Act, 1870."

This Act may be brought into force in boroughs on memorial signed by electors.

5 2. If not less than one-sixth of the persons for the time being qualified to elect Councillors in any Borough shall sign, and cause to be presented to the Superintendent, a memorial praying him to bring this Act into operation withing such borough, the Superintendent shall cause a copy of such memorial to be published forthwith in the
10 Provincial Gazette.

3. The Superintendent shall transmit every such memorial to the Provincial Council forthwith, if such Council be in Session, and if such Council be not in Session then within ten days after the commencement of the next Session.

Memorial to be laid before Provincial Council.

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4. If the Provincial Council shall recommend that the prayer of such memorial be granted, the Superintendent shall, by Proclamation in the Provincial *Gazette* as soon as conveniently may be, declare this Act to be in operation within the borough to which the memorial relates, and thereupon this Act shall be in operation within such borough. 5

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5. The Superintendent shall, in the Proclamation by which this Act is brought into operation within any borough, fix a convenient time and place at which a meeting of the persons for the time being qualified to elect Councillors in the borough shall be held, for the purpose of electing a School Committee as hereinafter mentioned. 10

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6. There shall be in every borough within which this Act shall be in operation a Committee, to be called the School Committee, who shall be elected by and from among the persons respectively qualified to elect and be elected Councillors of the borough, and in the manner provided by the Third Part of "The Municipal Corporations Act, 1867." for the election of Councillors. 15

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7. The School Committee shall consist of not more than twelve nor less than nine persons for a borough not divided into wards; and in every borough divided into wards, the number of the Committee shall be equal to the number of wards multiplied by any number not less than two nor more than four. 20

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8. The members of every School Committee shall continue in office until the election of a new Committee, subject however to the provisions hereinafter contained for the dissolution of the Committee, and for vacating the seats of members thereof. 25

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9. The number next above one half of the number of members of any School Committee shall form a quorum. All questions coming before the Committee shall be decided by a majority of the members present at a meeting. Every School Committee shall have power to adopt such rules for the orderly conduct of the business of such Committee as they shall deem necessary, so that such rules be not inconsistent with this Act. 30

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10. On the second Tuesday in the month of October commencing next after the expiration of twelve months from the election of the first School Committee in a borough, and on the second Tuesday in the month of October in every succeeding year, a new School Committee shall be elected in the manner and by and from among the persons for the time being respectively qualified to elect and be elected Councillors of the borough, whether members of the existing School Committee or not. And such election shall be held and conducted in the manner prescribed by "The Municipal Corporations Act, 1867." for the election of Councillors in boroughs at elections subsequent to the first. Notice of the time and place for every annual election of members of the School Committee after the first shall be published at least once in each week in some newspaper circulating in the borough for one month before the annual election. 35

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11. Every School Committee elected under this Act may establish one or more schools within the borough for which they are elected, and may contribute towards the support of schools within the borough not established by the Committee, if the persons having the charge and management of such schools will consent to place the same under the control of the Committee. 50

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12. The management of all schools established or supported altogether or partly by any School Committee shall be regulated by Acts of the Provincial Council, to be from time to time passed for that purpose. 55

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13. For the purpose of raising the funds necessary for the establishment, maintenance, and support of schools under this Act, it shall be lawful for the School Committee of any borough to assess 60

and tax such borough rateably and equally, according to a certain pound rate to be from time to time fixed and publicly declared by such School Committee, of the full and fair annual value of the messuages lands tenements and hereditaments and other property rateable under any law for the time being in force in such borough for municipal purposes, and calculated according to the provisions of any such law: Provided always that such pound rate shall not exceed in any one year the sum of sixpence in the pound on such annual value.

14. All the provisions of the Fifteenth Part of "The Municipal Corporations Act, 1867," shall be applicable to the making, levying, and recovery of rates to be made in pursuance of this Act, and to appeals against such rates.

Fifteenth Part of "Municipal Corporations Act" incorporated.

15. All moneys recovered on account of any rate made in pursuance of this Act shall be paid by the Council of the borough to the School Committee.

Moneys recovered on account of rate to be paid to Committee.

16. All moneys received by any School Committee under this Act shall be dealt with and applied by the Committee in such manner as shall be provided by any Act or Ordinance of the Provincial Council; but such moneys shall be applied only for the purpose of establishing, maintaining, and contributing towards schools within the borough.

Application of moneys.

17. Every School Committee shall be a body corporate having perpetual succession and a common seal, and shall be called by the name of "The School Committee of _____" [adding the name of the borough for which such Committee is elected.]

School Committee a Corporation.

18. The provisions of the thirty-sixth, thirty-eighth, thirty-ninth, and fortieth sections of "The Municipal Corporations Act, 1867," shall be deemed to be incorporated in this Act, with the substitution of the words "member of a School Committee" for the terms "Councillor of any borough" and "Councillor" where they occur in the said sections: Provided that in the form of declaration contained in the said thirty-eighth section, this Act shall be referred to instead of "The Municipal Corporations Act, 1867," and that such declaration shall be made and signed before one of the School Committee.

Disqualification of members of School Committee.

19. If any School Committee shall neglect or refuse to perform any duty which they ought to perform under this Act, or under any Act or Ordinance of the Provincial Council, the Superintendent may if he think fit, by Proclamation, dissolve such Committee and cause another Committee to be elected in the same manner as in this Act provided for the election of the first School Committee in the borough, and for that purpose he shall, in the Proclamation by which the Committee is dissolved, fix a convenient time and place at which a meeting of the persons for the time being qualified to elect Councillors in the borough shall be held, for the purpose of electing a new Committee; and the new Committee shall continue until the next annual election of a Committee.

If School Committee neglect to perform duties Superintendent may dissolve Committee and have fresh election.

20. In the interpretation of this Act the term "borough" shall mean any borough or city incorporated under the provisions of "The Municipal Corporations Act, 1867," and any Acts for the time being in force amending that Act. The term "the Province" shall mean the Province in which the borough is situate; and the terms "the Superintendent" and "the Provincial Council" shall mean respectively the Superintendent and the Provincial Council of such Province. The term "Provincial Gazette" shall mean the *Gazette* or newspaper in which Proclamations of the Superintendent are usually published. The term "School Committee" shall mean the School Committee elected under this Act for any borough or city.

Interpretation.

21. When any borough is situate in the County of Westland, this Act shall, with respect thereto, be construed in the following

Application of Act to County of Westland.

manner: The term "the Province" shall mean the County of Westland; the terms "the Superintendent" and "the Provincial Council" shall mean respectively the Chairman of the County Council of Westland and the County Council of Westland; and the term "Act of the Provincial Council" shall mean Regulations to be made by the County Council of Westland and published in the *County of Westland Gazette*; and the term "Provincial Gazette" shall mean the *County of Westland Gazette*. 5

County Council of Westland may make Regulations as to schools in borough.

22. The County Council of Westland may make alter and revoke Regulations for the management of schools established or supported altogether or partly by any School Committee; and such Regulations being published in the *County of Westland Gazette*, shall have the same force and effect as if contained in an Act of a Provincial Council in force in the County of Westland. 10
