

Hon. Mr. Guthrie.

EDUCATION AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Section 2 of principal Act amended.</p> <p>3. Section 6 of principal Act (making provision for grants to Education Boards for general purposes and in assistance of School Committees) amended.</p> <p>4. Governor-General may declare area (not forming part of county, borough, or town district) to form part of education district.</p> <p>5. Section 38 of principal Act (prescribing accounts to be kept by Board) amended. Repeal.</p> <p>6. Amendment of provisions as to election of School Committees.</p> <p>7. Alteration of date on which School Committees' accounts to be balanced.</p> <p>8. Provisions applicable in cases where grade of school raised.</p>	<p>9. Section 97 of principal Act (relating to admission of pupils to secondary schools) amended.</p> <p>10. Section 105 of principal Act (relating to age of scholarship-holders) amended.</p> <p>11. Annual grants payable in respect of technical high schools.</p> <p>12. Section 123 of principal Act (providing, <i>inter alia</i>, for scholarships for students attending technical schools) extended.</p> <p>13. Appointment of Inspectors of Schools. Repeals.</p> <p>14. Additional power to make regulations prescribing salaries of teachers and grading of schools, &amp;c. Saving. Repeal.</p> <p>15. Eighth Schedule to principal Act repealed, and First Schedule hereto substituted.</p> <p>16. Tenth Schedule to principal Act repealed, and Second Schedule hereto substituted.</p> <p>17. Consequential amendments. Schedules.</p>
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A BILL INTITULED

AN ACT to amend the Education Act, 1914.

Title.

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

1. This Act may be cited as the Education Amendment Act, 1919, and shall be read together with and deemed part of the Education Act, 1914 (hereinafter referred to as the principal Act).

Short Title.

2. Section two of the principal Act is hereby amended as follows:—

Section 2 of principal Act amended.

(a.) By inserting, before the word "holder" in paragraph (c) of the definition of "householder," the word "adult";

(b.) By repealing the definition of "resident householder";

and

(c.) By adding to the definition of "urban area" the following proviso:—

"Provided also that the Governor-General in Council may declare that any two boroughs shall for the purposes of this Act be deemed to be adjoining boroughs if the distance between their nearest points in a direct line does not exceed two miles."

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Section 6 of principal Act (making provision for grants to Education Boards for general purposes and in assistance of School Committees) amended.

3. Section six of the principal Act is hereby amended by omitting from subparagraph (iii) of paragraph (c) all words down to and including the word "district" where it first occurs, and substituting the following words: "Of an annual grant for general purposes of seven hundred and fifty pounds, increased by the sum of three shillings and sixpence for every child in average attendance during the preceding year at any public school within the district."

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Governor-General may declare area (not forming part of county, borough, or town district) to form part of education district.

4. The Governor-General may by Order in Council declare that any island being within the territorial limits of New Zealand, and not forming part of any county, borough, or town district, shall be deemed to be within and to form part of such education district as may be specified in that behalf in such Order.

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Section 38 of principal Act (prescribing accounts to be kept by Board) amended.

5. (1.) Section thirty-eight of the principal Act is hereby amended by inserting, after the word "accounts" in subsection one, the words "in the prescribed form."

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(2.) The said section thirty-eight is hereby further amended by omitting from subsection two the words "of the receipts and expenditure of the Board and of its assets and liabilities," and substituting the words—

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"(a.) ~~Of all contracts entered into during the year;~~

"(b.) Of all moneys received or paid during the year;

"(c.) Of the income and expenditure of the Board for the year;

and

"(d.) Of all assets and liabilities of the Board at the end of the year."

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Repeal.

(3.) Section thirty-four of the principal Act is hereby repealed.

Amendment of provisions as to election of School Committees.

6. (1.) Sections forty-one and forty-two of the principal Act and the Third Schedule thereto are hereby respectively amended by omitting the word "resident" wherever it occurs therein.

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(2.) The Third Schedule to the principal Act is hereby further amended as follows:—

(a.) By inserting, after the words "to elect a Committee" in clause ten, the words "or if the Board in the exercise of its discretion under the last preceding clause, makes no provision for such a meeting"; and

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(b.) By omitting from clause twelve the words "to reside in the school district," and substituting the words "to be a householder of the school district."

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Alteration of date on which School Committees' accounts to be balanced.

7. (1.) Section fifty-two of the principal Act is hereby amended by omitting from subsection one the word "December," and substituting the word "February."

(2.) Section fifty-three of the principal Act is hereby amended by omitting from subsection one the word "December," and substituting the word "February."

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8. (1.) If at any time the grading of any school is altered, pursuant to the provisions of the principal Act in that behalf, no teacher employed therein shall by reason of the alteration be entitled, subject to the provisions hereinafter contained, to claim any increase of salary in respect of his position in that school.

Provisions applicable in cases where grade of school raised.

(2.) At any time within one month after such alteration in the grading of the school the Board may notify the teacher of its intention to transfer him to another position, and the Board may, subject to the provisions of this section, transfer that teacher accordingly. Such notice may be a notice of intention to transfer the teacher to a position specified in the notice or may be a notice in general terms of intention to transfer him to a position not then ascertained and determined.

(3.) If such transfer is not actually effected within six months from the date of the alteration in the grading of the school, the teacher shall be entitled to claim the higher salary (if any) attached to his position in that school as from the date when the alteration of the grading was effected.

(4.) The power of transfer conferred on a Board by this section is in addition to the power conferred by subsection three of section seventy-one of the principal Act, and may be exercised by the Board on the ground that any other teacher is more suitable for, or has a better claim to be appointed to, the position than the teacher whom the Board proposes so to transfer.

(5.) The provisions of the principal Act as to proposals to transfer teachers and as to appeals therefrom shall apply to transfers under this section.

9. Section ninety-seven of the principal Act is hereby amended by omitting from subsection two the words "Standard V or."

Section 97 of principal Act (relating to admission of pupils to secondary school-) amended.

10. Section one hundred and five of the principal Act is hereby amended by omitting the first proviso to subsection one, and substituting the following proviso:—

"Provided that no scholarship shall be tenable after the end of the year in which the holder has attained the age of seventeen years in the case of a junior scholarship, or nineteen years in the case of a senior scholarship."

Section 105 principal Act (relating to age of scholarship-holders,) amended.

11. Section one hundred and fifteen of the principal Act is hereby amended by repealing subsection two, and substituting the following subsection:—

Annual grants payable in respect of technical high schools.

(2.) There shall be paid in respect of every technical high school such annual grant as may be prescribed in that behalf not exceeding in any case—

"(a.) A grant of five hundred pounds; and

"(b.) A further grant calculated at a rate not exceeding fifteen pounds in respect of each free pupil and ten pounds in respect of every other pupil in attendance at the school."

12. (1.) Section one hundred and twenty-three of the principal Act is hereby amended by inserting, after the words "this Part of this Act" in paragraph (a), the words "or by students taking an agricultural, domestic, or other technical or industrial course at any university or college affiliated with the New Zealand University, or

Section 123 of principal Act (providing, *inter alia*, for scholarships for students attending technical schools extended.

at any agricultural college or other ~~place of public instruction~~ Government institution approved for the purpose by the Minister."

(2.) Section one hundred and twenty-three of the principal Act is hereby further amended by omitting from paragraph (b) the words "erection, acquisition, equipment, or maintenance of buildings," and substituting the words "acquisition of land or buildings, or the erection, equipment, or maintenance of buildings." 5

Appointment of  
Inspectors of  
Schools.

13. (1.) There may be appointed from time to time such Inspectors of Schools as may be deemed necessary for the purposes of the principal Act. The Inspectors so appointed shall be of such grades, and shall have such distinctive designations as may be determined in that behalf. 10

(2.) The Inspectors so appointed shall be permanent officers of the Public Service, within the meaning of the Public Service Act, 1912, and shall be paid such salaries and allowances as may be lawfully appointed in that behalf. 15

(3.) All Inspectors appointed under section one hundred and thirty-one of the principal Act and in office on the passing of this Act shall be deemed to have been appointed under this section.

(4.) All references in the principal Act to a Senior Inspector shall be deemed to be references to such Inspectors appointed under this section as may be lawfully appointed to discharge the duties of a Senior Inspector. 20

Repeals.

(5.) Section one hundred and thirty-one of the principal Act is hereby amended by repealing subsections one and two thereof. 25

(6.) The Twelfth Schedule to the principal Act is hereby repealed.

(7.) This section shall be deemed to have been in force on and after the first day of April, nineteen hundred and *nineteen*.

Additional power to  
make regulations  
prescribing salaries  
of teachers and  
grading of schools,  
&c.

14. (1.) Notwithstanding anything to the contrary in the principal Act, the Governor-General may by Order in Council make regulations,— 30

- (a.) For the grading of public and Native schools;
- (b.) Prescribing the number and grades of teachers to be employed in such schools, and also the number of pupil-teachers and probationers; 35
- (c.) Requiring that certain positions in such schools be filled only by male teachers or by female teachers, as the case may be;
- (d.) Prescribing rates of salaries, allowances, and increments that may be paid to any teachers (including relieving teachers and temporary teachers), pupil-teachers, probationers, and training-college students, and the conditions of such payment; 40
- (e.) Prescribing conditions subject to which leave of absence may be granted to teachers, pupil-teachers, probationers, and training-college students, and authorizing, subject to such conditions as may be prescribed, the payment of salaries or allowances, in whole or in part, during such leave; and 45
- (f.) Prescribing rates of allowances that may be paid towards the cost of or incidental to the removal of teachers on transfer from one school to another. 50

(2.) No regulation under this section shall be invalid because it deals with any matter provided for in the principal Act or is contrary to the provisions of that Act. Saving.

5 (3.) A teacher employed in a public school or a Native school at the passing of this Act shall not, as long as he remains in the same position, receive a rate of salary lower than the rate of salary of which he is in receipt at that date.

(4.) Any regulations under this section prescribing rates of salaries, allowances, and increments may operate as on and after the 10 first day of April, nineteen hundred and *nineteen*.

(5.) Section thirty-seven of the Appropriation Act, 1918, is hereby repealed. Repeal.

15 (6.) All regulations in force on the passing of this Act under the said section thirty-seven shall be deemed to have been made under this section.

15. (1.) The Eighth Schedule to the principal Act is hereby repealed, and the *First* Schedule to this Act substituted therefor. Eighth Schedule to principal Act repealed, and First Schedule hereto substituted.

(2.) This section shall be deemed to have been in force on and after the first day of April, nineteen hundred and *nineteen*.

20 16. (1.) The Tenth Schedule to the principal Act is hereby repealed, and the *Second* Schedule to this Act substituted therefor. Tenth Schedule to principal Act repealed, and Second Schedule hereto substituted.

(2.) This section shall be deemed to have been in force on and after the first day of April, nineteen hundred and *nineteen*.

25 17. The enactments mentioned in the *Third* Schedule hereto are hereby amended in the manner indicated in that Schedule. Consequential amendments.

Schedules.

## SCHEDULES.

## FIRST SCHEDULE.

SCALE OF ALLOWANCES PAYABLE TO EDUCATION BOARDS IN RESPECT OF INCIDENTAL EXPENSES OF SCHOOL COMMITTEES.

Yearly Average Attendance.	Annual Grant.	Yearly Average Attendance.	Annual Grant.
1-8	13s. for each pupil	401-440	£ 120 s. 0 d. 0
9-20	13 0 0	441-480	128 0 0
21-35	20 0 0	481-520	136 0 0
36-80	31 0 0	521-560	144 0 0
81-120	42 0 0	561-600	152 0 0
121-160	52 0 0	601-640	160 0 0
161-200	62 0 0	641-680	168 0 0
201-240	72 0 0	681-720	176 0 0
241-280	82 0 0	721-760	184 0 0
281-320	92 0 0	761-800	192 0 0
321-360	102 0 0	801-840	200 0 0
361-400	112 0 0	With an additional £8 for each 40 or part of 40 in average attendance above 840.	

## SECOND SCHEDULE.

SCALE OF GRANTS TO SECONDARY SCHOOLS ON ACCOUNT OF FREE PUPILS (UNDER SECTION 100 (1) OF PRINCIPAL ACT).

*Struck out.*

- (1.) To the governing body of each boys' school or mixed school:—
- An annual grant of £500; and
  - A capitation allowance calculated at the rate of £15 for each free pupil in attendance at the school, diminished by the net annual income derived from endowments; and
  - A further capitation allowance, calculated at a rate to be prescribed by regulations, not exceeding sixpence and not less than threepence for every hour of attendance of a free pupil attending the school as a part-time pupil.
- (2.) To the governing body of each girls' school established before the passing of this Act, or established after the passing of this Act, with the consent of the Minister,—
- An annual grant of £400; and
  - A capitation allowance calculated at the rate of £14 (in the case of a girls' school with separate endowments) or £15 (in the case of any other girls' school), diminished in every case by the net annual income derived from endowments; and
  - A further capitation allowance calculated at a rate to be prescribed by regulations, not exceeding sixpence and not less than threepence for every hour of attendance of a free pupil attending the school as a part-time pupil.
- (3.) Notwithstanding the foregoing provisions of this Schedule, the capitation allowance payable to any school under paragraph (b) of clause (1) hereof, or under paragraph (b) of clause (2) hereof, shall be reduced by one-fourth part thereof in respect of any period during which the salaries of the teachers and the number of full-time assistants of such school may be less than the salaries and numbers prescribed by regulations in that behalf.

*New.*

- (1.) To the governing body of any secondary school or secondary schools—
- (a.) An annual grant of £500 for each boys' school or mixed school under its control; and
  - (b.) An annual grant of £400 for each separate girls' school under its control, established before the passing of this Act or established with the consent of the Minister after the passing of this Act; and
  - (c.) A capitation allowance, calculated at the rate of £14 per annum for each free pupil in attendance at a girls' school with separate endowments, and £15 for each free pupil in attendance at any other school, diminished by a sum equal to the net annual income derived from endowments; and
  - (d.) A further capitation allowance calculated at a rate to be prescribed by regulations, not exceeding 6d. and not less than 3d. for every hour of attendance of a free pupil attending the school as a part-time pupil.
- (2.) Notwithstanding the foregoing provisions of this Schedule, the capitation allowance payable to the governing body of any secondary school under paragraph (c) of the *last preceding* clause shall be reduced by one-fourth part thereof in respect of any period during which the salaries of the teachers and the number of full-time assistants of such school are not in conformity with regulations in that behalf.

## THIRD SCHEDULE.

## ENACTMENTS AMENDED.

Title of Enactment.	Nature of Amendment.
1914, No. 56.—The Education Act, 1914.	<p>Sections 75, 76, and 77: By repealing these sections.</p> <p>Section 78: By omitting from subsection (1) the words "In addition to the teachers and pupil-teachers provided for by the Fifth Schedule hereto."</p> <p>Section 79: By repealing subsections (1), (2), (3), (4), (5), (6), (9), and (10).</p> <p>Section 80: By repealing the section.</p> <p>Section 81: By omitting from subsection (1) the words "the house allowance prescribed in the Sixth Schedule hereto," and substituting the words "such house allowance as may be prescribed"</p> <p>Section 85: By repealing the section.</p> <p>Fourth, Fifth, Sixth, and Seventh Schedules: By repealing these schedules.</p>
1916, No. 13.—The War Legislation Amendment Act, 1916	Sections 15 and 16: By repealing these sections.
1917, No. 28.—The Statute Law Amendment Act, 1917	<p>Section 2: By omitting from the proviso to subsection (3) the words "in the Fifth Schedule to the said Act."</p> <p>Section 3: By repealing subsection (2).</p> <p>Sections 6, 7, and 8: By repealing these sections.</p>
1918, No. 10.—The War Legislation and Statute Law Amendment Act, 1918	Section 36: By omitting from subsection (1) all words down to, but exclusive of the words "there may from time to time be appointed." By omitting from subsection (2) the words "not exceeding a salary of Grade V, as provided in Part I of the Fourth Schedule to the principal Act." By repealing subsection (3).