

[AS REPORTED FROM THE EDUCATION COMMITTEE.]

House of Representatives, 22nd October, 1936.

Hon. Mr. Fraser.

EDUCATION AMENDMENT.

ANALYSIS.

| Title. | |
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| 1. Short Title. | 6. Empowering Education Boards to expend moneys for maintenance or improvement of school-grounds. Repeal. |
| 2. "School age" defined. Consequential repeals. Commencement of this section. | 7. Special classes for infirm children may be conducted in private homes. |
| 3. Validation of Order in Council fixing basis of computation of grants to be made to Education Boards out of public moneys. | 8. Amending provisions as to appointment of teachers to fill advertised positions. |
| 4. Validation of Order in Council amending regulations as to training colleges. | 9. Discontinuance of "proficiency" examination, and of grant of certificates of proficiency and competency. |
| 5. Authorizing payment of honoraria to Chairmen of Education Boards. Consequential repeal. | 10. Salaries and allowances of student-teachers and part-time teachers in technical schools. |
| | 11. Officers of the Public Service engaged as teachers in the Education Service may be placed under control of Minister. |

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
5 of the same, as follows:—

1. This Act may be cited as the Education Amendment Act, 1936, and shall be read together with and deemed part of the Education Act, 1914 (hereinafter referred to as the principal Act).

Short Title.

See Reprint of Statutes, Vol. II, p. 1007

No. 76—2.

"School age" defined.

2. (1) Section two of the principal Act (as amended by section thirty-three of the Finance Act, 1932) is hereby amended by omitting from the definition of the term "school age" the word "six" and restoring the word "five".

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(2) No child who has not attained school age shall be enrolled in any public school or Native school, and no child over school age shall, without the special leave of the Committee, be allowed to attend any public school other than a district high school or an intermediate school or the intermediate department of any school.

Consequential repeals.

1932, No. 11
1932-33, No. 49

(3) Subsection three of section thirty-three of the Finance Act, 1932, and section eight of the Education Amendment Act, 1932-33, are hereby consequentially repealed.

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Commencement of this section.

(4) This section shall be deemed to have come into force on the first day of January, nineteen hundred and thirty-six.

Validation of Order in Council fixing basis of computation of grants to be made to Education Boards out of public moneys.

3. The Order in Council dated the twenty-seventh day of March, nineteen hundred and thirty-six, and published in the *Gazette* of the second day of April, nineteen hundred and thirty-six, at page six hundred and seventy-six (purporting to be made under the authority of the principal Act and relating to the computation of average attendances at schools during the year nineteen hundred and thirty-five), is hereby declared to be, and at all times since the making thereof to have been, valid.

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Validation of Order in Council amending regulations as to training colleges.

4. The Order in Council dated the first day of April, nineteen hundred and thirty-six, and published in the *Gazette* of the second day of the same month, at page six hundred and seventy-five (purporting to be made under the authority of the principal Act and relating to training colleges), is hereby declared to be, and at all times since the making thereof to have been, valid, and to have come into force, in accordance with the provisions thereof, on the first day of February, nineteen hundred and thirty-six.

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Authorizing payment of honoraria to Chairmen of Education Boards.

5. (1) The Minister may from time to time by writing under his hand authorize any Board to pay to its Chairman such sum by way of remuneration for his services as the Minister may approve, not exceeding in any year the sum of *one hundred and fifty pounds*. The total amount authorized to be paid under this section in any year by all Boards shall not exceed *seven hundred and eighty pounds*.

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(2) Any authority given under this section may be at any time in like manner varied or revoked, and until so varied or revoked shall continue in force from year to year according to its tenor.

5 (3) Payments under this section may be made by monthly or other instalments as the Minister may approve.

(4) This section is in substitution for section thirty-six of the Finance Act, 1925, and that section is
10 hereby accordingly repealed.

6. (1) The Board may in any year expend for the maintenance and improvement of school-grounds such proportion, as the Minister may approve, of the moneys available for expenditure during that year out of the
15 special fund kept by the Board pursuant to subsection six of section thirty-three of the principal Act for, *inter alia*, the maintenance and repair of schools and of teachers' residences.

(2) Any payments heretofore made by any Board
20 out of the special fund hereinbefore referred to, in excess of the limit fixed by section four of the Education Law Amendment Act, 1934-35, are hereby validated, and the said section four is hereby repealed.

7. Any special class established in accordance with
25 the first proviso to subsection two of section fifty-six of the principal Act may, if the Minister so directs or approves, be conducted in the home of any child or children in attendance at such class.

8. Section two of the Education Amendment Act,
30 1932-33, is hereby amended by repealing subsections five and six thereof, and substituting the following subsections:—

“(5) The Board may by advertisement invite
35 applications for appointment to any position under its control, and no appointment that involves an increase of the salary of the person appointed shall be made unless the position has been advertised by the Board in such manner as the Minister may require or approve.

“(6) Before making an appointment to any position
40 in respect of which applications have been invited by advertisement, the Board shall consult with the Senior Inspector and shall take into account the fitness for the vacant position of all teachers whose names have been forwarded to the Board by the Director pursuant to
45 the provisions of subsection four hereof and who have

“app. 1002”
1002b

Consequential
repeal.

See Reprint
of Statutes,
Vol. II, p. 1019

Empowering
Education
Boards to
expend
moneys for
maintenance
or improvement
of school-
grounds.

Ibid., p. 1021

Repeal.

1934-35, No. 46

Special classes
for infirm
children may
be conducted
in private
homes.

Amending
provisions as
to appointment
of teachers
to fill
advertised
positions.

1932-33, No. 49

applied for the position, and if the appointment would not involve an increase of salary shall appoint the most suitable of those teachers, unless it is of opinion that none of them is suitable to fill the vacant position."

Discontinuance of "proficiency" examination, and of grant of certificates of proficiency and competency.

9. (1) The examination heretofore known as "the proficiency examination" shall not be held at any time after the thirtieth day of September, nineteen hundred and thirty-seven, and the certificates heretofore known as "certificates of proficiency" or as "certificates of competency" shall not be issued after the said date. 5 10

(2) On the first day of February, nineteen hundred and thirty-eight, the principal Act shall be deemed to be consequentially amended as follows:—

(a) As to section sixty thereof, by omitting paragraph (e) of subsection one, and substituting the following paragraph:— 15

"(e) That the child has attained the age of thirteen years, and has satisfactorily completed, in accordance with regulations in that behalf, the work of Form II (as prescribed in the public-school syllabus)": 20

(b) As to subsection three of section eighty-eight thereof, by omitting from paragraph (a) the words "have obtained certificates of proficiency under the regulations of the public-school syllabus", and substituting the words "are qualified in accordance with regulations to be admitted to a secondary school": 25

(c) As to subsection four of section eighty-eight thereof, by omitting therefrom the words "holding certificates of proficiency" wherever they occur, and in each case substituting the words "qualified in accordance with regulations to attend such school": 30

(d) As to section ninety-seven thereof, by repealing the proviso to subsection one; by repealing subsection two; by omitting from subsection three the words "It may also admit pupils that have not obtained such certificate to a lower department of such secondary school", and substituting the words "A secondary school may also admit to a lower department thereof pupils who have not qualified for admission under subsection one hereof": 35 40

(e) By repealing section ninety-eight thereof. 45

10. (1) For the purposes of section thirty-four of the Education Amendment Act, 1920, the term "teachers" includes and at all times heretofore has included student-teachers and part-time teachers.

Salaries and allowances of student-teachers and part-time teachers in technical schools.

5 (2) Any regulations that may hereafter be made prescribing the salaries and allowances payable to student-teachers may, in so far as they prescribe salaries and allowances for the current year, be made retro-
10 spective to the first day of February, nineteen hundred and thirty-six.

Struck out.

15 11. (1) The Governor-General may by Order in Council declare that officers of the Public Service who are employed as teachers in any school under the control of the Education Department shall, on a date to be specified in the Order in Council in that behalf, cease to be subject to the Public Service Act, 1912, and thereafter the officers to whom such Order in Council relates shall be under the control of the Minister.

Officers of the Public Service engaged as teachers in the Education Service may be placed under control of Minister.

20 (2) The power conferred by this section shall not be deemed to be restricted or in any way affected by the provisions of section four of the Public Service Act, 1912.

25 (3) By the same or a subsequent Order in Council the Governor-General may make regulations with respect to—

See Reprint of Statutes, Vol. VII, p. 523

- 30 (a) The staffs of teachers to be employed in any school under the control of the Education Department:
- (b) The rates of salaries and allowances to be paid to teachers employed in any such school, and the conditions of their employment (including conditions as to leave of absence):
- (c) Any other matters in relation to such schools or to the teachers employed therein.