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(Mr. Macandrew.)

Otago Education.

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A BILL INTITULED

AN ACT to constitute a Board of Education for the Province of Otago, and to make other provision for Education in Otago. Title.

WHEREAS it is expedient to constitute a Board of Education for the Province of Otago, and to make other provision for education in the said province : Preamble.

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 shall be “The Otago Education Act, 1875.” Short Title.

2. The various Ordinances of the Superintendent and Provincial Council of the Province of Otago shall be and remain in force within Otago except where expressly repealed by this Act. Otago Ordinances to remain in force.

3. There shall be and there is hereby constituted a Board of Education for the Province of Otago, under the name of “The Otago Education Board” (hereinafter called “the said Board”), and the said Board shall be a corporation, and by such name shall have perpetual succession and a common seal, and may take hold purchase and acquire lands for the purposes of education in the said Province of Otago, and may do and suffer all such acts and things as bodies corporate may do and suffer, and may appear in all legal proceedings by its Chairman or Secretary. Board of Education incorporated.

Members of Board.

4. The said Board shall consist of nine members, who shall hold office for two years, except as hereinafter mentioned, and who shall be elected in manner hereinafter provided :

Provided always, that until the election of members under this Act, the Board of Education constituted under "The Otago Education Ordinance, 1864," shall be and continue to be the Board of Education for the said province ; and the persons at present members of the Board of Education of the said province shall be and continue members thereof, and shall be capable of doing and exercising all the functions conferred by this Act on the said Board constituted hereunder ; but after such election the Board of Education in the Province of Otago mentioned and referred to in the Otago Education Ordinances shall be taken to mean the Board of Education constituted by this Act.

Manner of election.

5. Two of the said nine members shall be elected by the Council of the Otago University, one of the said nine members shall be elected by the High School Board of Advice hereinafter constituted, and six of the said nine members shall be elected by the various School Committees in the said Province of Otago.

Time of election.

6. The first election of members of the said Board shall be held and take place in the month of March, one thousand eight hundred and seventy-six, and shall be conducted as follows :—The two members elected by the Council of the Otago University shall be elected by a majority of the Council present at a meeting to be held in the month of March, one thousand eight hundred and seventy-six, and not later than the fifteenth of the said month. The one member elected by the High School Board of Advice shall be elected by a majority of the members present at a meeting of the said High School Board of Advice in the month of March, one thousand eight hundred and seventy-six, and not later than the fifteenth of the said month. The six members elected by the School Committee shall be elected as follows :—

The various School Committees may send, addressed to the Secretary of the Board of Education in Otago, not later than the thirty-first of January, one thousand eight hundred and seventy-six, a list of not exceeding six persons whom they may consider fit persons to be nominated as members of the said Board ; and the Secretary shall, upon receipt of such list, publish the same in some newspaper or gazette circulating in Otago, and shall also forward to the various Committees in Otago a printed copy of all lists received by him ; and thereafter, in the month of March, one thousand eight hundred and seventy-six, and not later than the fifteenth of the said month, each School Committee may determine, by a majority of its members at any meeting of the Committee, which six persons, or any number less than six, it desires to be elected, and shall send such list to the Secretary of the Board of Education in Otago ; and the Secretary shall declare those six persons elected who shall have been chosen by the largest number of School Committees in the Province.

Evidence of election by officer of the Otago University.

7. A certificate under the hand of the Registrar, Chancellor, Vice-Chancellor, or other officer of the Otago University, that any persons have been elected members of the said Board, shall be conclusive evidence of such election.

Evidence of election by High School Board of Advice.

8. A certificate under the hand of the Chairman for the time being, or other proper officer of the High School Board of Advice, that a person has been elected by such High School Board of Advice, shall be conclusive evidence of such election.

Evidence of election by School Committees.

9. A certificate from the Secretary of the Board of Education, that a person or persons have been elected members of the said Board by the School Committees, shall be conclusive evidence of such election.

Retirement of members elected by School Committees.

10. One-half of the members of the said Board elected by the School Committees shall retire annually, and the members retiring at the end of the first year shall be determined by ballot, and in every

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subsequent year the members shall retire who shall have served longest upon such Board without re-election, and all retiring members shall be eligible for re-election.

11. The members elected by the High School Board of Advice and the Council of the Otago University shall retire every two years, and be eligible for re-election. Retirement of other members.

12. Re-election of members to fill up such vacancies as aforesaid shall take place in the same manner as is hereinafter appointed for election of the first members of the said Board, and in the month of March in each year. Re-election of members.

13. Should any member of the said Board die resign become of unsound mind, be adjudicated a bankrupt or insolvent, or make any deed of arrangement or composition with his creditors, or be absent from the meetings of the Board for six consecutive months without leave from the Board, or be convicted of any felony, he shall cease to be a member of the Board; but no act of the Board shall be questioned on the ground that the seat of any member of the Board is vacant, or that any supposed member thereof is incapable of being a member: Provided always, that in the event of any vacancy occurring from any of the aforesaid causes, or should a vacancy not be filled up by election in manner hereinbefore provided for election, the Board shall immediately appoint a person to fill such vacancy, provided that such person so appointed shall hold office so long as the vacating member would have held the same if no vacancy had occurred. Vacancies how caused.

14. All property both real and personal, immediately before the coming into operation of this Act, vested in or under the control of the Superintendent of the Province of Otago or of the Education Board of the said province, shall be vested in the Board of Education incorporated hereunder; and all lands reserved or set apart for educational purposes, or as sites for education buildings schools or school buildings in the said Province of Otago, shall be vested in and granted to the said Education Board constituted herein. Property vested in Board.

15. All moneys which, under the provisions of any Act or Ordinance were, at or immediately before the passing of this Act, due or owing to the Education Board of the Province of Otago constituted under the Educational Ordinances thereof, or to or by the Superintendent of such province, or to or by any other person on behalf of such Board, shall, be paid to or by, or be recoverable to or from, the said Board, constituted under this Act, as the case may be, and all contracts agreements covenants and securities before the passing of this Act entered into or made with or in favour of or by the Education Board of the said province, or with or in favour of or by the Superintendent of such province, which, immediately before the passing of this Act were in force, shall, on the election of the said Board hereunder, take effect, and may be proceeded on and enforced, as near as circumstances will admit, in favour of by and against and with reference to the said Board constituted under this Act. Moneys and contracts of late Board.

16. The Board constituted hereunder shall have power and authority to make such by-laws as it may deem necessary for regulating its proceedings, and for more effectually carrying out the provisions of this Act and the various Education Ordinances in force in the Province of Otago, and shall also have power to appoint a Chairman; and such Chairman, when appointed, shall hold office for one year, and shall have all the powers and authorities at present vested by any Education Ordinance in the Superintendent. Power to make by-laws and appoint Chairman.

17. The Board constituted hereunder shall have all the powers of leasing and managing land which the Superintendent of Otago has under and by virtue of the various Ordinances passed by the Superintendent and Provincial Council of Otago providing for managing and administering the education reserves in the said province, and the said Powers of leasing, &c.

Board shall have such powers of leasing and management as well in regard to the reserves vested in the Superintendent as in regard to the reserves set apart by the Superintendent and Provincial Council, whether granted by Her Majesty or not.

Board of Advice constituted.

18. There shall be and there is hereby constituted a Board of Advice for the better management of the High School of Otago and Girls' Provincial School of Otago, and such Board shall consist of the members of the present High School Board of Advice until the election hereinafter mentioned.

Members of Board of Advice.

19. The said High School Board of Advice shall consist of seven members, four of which members shall be elected by the Council of the Otago University, and three of which members shall be elected by the parents and guardians of the pupils attending the said High School for Boys and the Girls' Provincial School.

Duration of membership.

20. The members of the said Board of Advice shall hold office for two years, but shall be eligible for re-election.

Election of members.

21. The Council of the University shall, in the month of March next, and thereafter in March in every alternate year, elect four members, and the parents and guardians of the children attending the said High School of Otago and the Girls' Provincial School shall elect any three persons as members of the said Board of Advice, in the month of March next, and thereafter in every alternate year, at a meeting held at such place and at such time as the Board of Education shall fix.

Disqualification of members.

22. Vacancies shall occur in the said High School Board of Advice in any of the cases and things for which a vacancy in the Education Board shall occur, and the vacancy so occurring shall be filled by a member appointed by the Board to hold office until the next election.

Duties of High School Board of Advice.

23. The functions duties and powers of the High School Board of Advice shall be to generally manage the said High School and Girls' Provincial School, and to advise the Education Board as to the requirements and management of the said schools; but the said Board of Advice shall have no power to appoint or dismiss any teachers in the said school, and shall be bound to comply with such regulations as to the management of the said school as the Education Board shall make and determine.

Revenue and expenditure.

24. The rents issues profits and proceeds of all lands heretofore leased by the Superintendent under the authority of any Ordinance of the Superintendent and Provincial Council providing for the management and administration of education reserves, and of all lands hereafter to be leased sold or otherwise disposed of by the said Board, shall be paid to and received by the said Board in trust for educational purposes within the province; and all moneys (if any) to be paid to or received by the Board out of the Consolidated Revenue of the colony shall be held in trust by the said Board for educational purposes within the said province.