

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 27 May 1980

EDUCATION AMENDMENT (NO. 2) BILL

Proposed Amendments

Hon. Mr WELLINGTON, in Committee, to move the following amendment:

To insert, after clause 3, the following clause:

3A. Governing bodies of secondary schools—(1) Section 51 (1) of the principal Act is hereby amended by repealing paragraph (c), and substituting the following paragraph:

“(c) At least 5 members shall be elected by the parents of pupils attending schools controlled by that Board of Governors.”

(2) The said section 51 is hereby further amended by inserting, after subsection (1), the following subsection:

“(1A) Without limiting the generality of subsection (1) of this section, it is hereby declared that the constitution of the Board of Governors of any secondary school or secondary schools may provide—

“(a) For different members elected under paragraph (c) of that subsection to be elected by those parents of the pupils attending that school or those schools who reside in different geographically defined areas; or

“(b) In the case of a Board of Governors that controls 2 or more secondary schools, for different members so elected to be elected by the parents of pupils attending different secondary schools controlled by that Board of Governors.”

(3) For the avoidance of doubt it is hereby declared that where the Minister has, before the commencement of this Act, approved or varied the constitution of any Board of Governors, the following matters shall be deemed to have been, and to continue to be, as valid and effectual as if section 51 (1A) of the principal Act (as inserted by subsection (2) of this Act) had been in force at the time of that approval or variation:

(a) That approval or variation:

(b) The constitution of that Board of Governors as approved or varied:

- (c) The election of all members of that Board of Governors after that approval or variation:
- (d) All actions after that approval or variation of that Board of Governors and its members.

CERTIFICATE

EXPLANATORY NOTE

Clause 3A amends section 51 of the principal Act, which relates to the constitutions of Boards of Governors of secondary schools. Doubts have arisen as to the validity of those constitutions that provide for the election of parent representatives by means of a ward system or, in the case of a Board of Governors that controls 2 or more schools, by means of the election of particular representatives by the parents of pupils attending particular schools.

Subclauses (1) and (2) amend section 51 so as to allow such elections. *Subclause (3)* validates all such elections already held.
