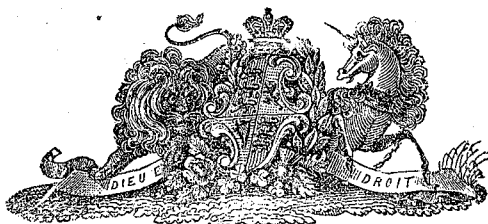


PROVINCE OF NELSON.



EDUCATION AMENDMENT ACT.

IN THE TWENTY-FIRST YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA,

SESSION V., No. 9.

ANALYSIS.

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| Title. Preamble. 1. Sections 2, 3, 6, 12, and 19 of recited Act repealed. 2. Rates to be levied. 3. Ratepayers to pay their Rates at places appointed for that purpose by the Superintendent. 4. Formation of Central Board. 5. How Vacancies occur, and in what manner the same to be filled up in Local Committees. 6. Rates may be sued for in the name of the Central Board. | 7. Appointment and payment of Secretary. 8. Ratepayers of any one District contributing not less than £50 to the Rates, under certain conditions, capable of forming separate Schools. 9. Sections 2, 3, 4, 5, 6, 7, and 8 to be construed as part of recited Act. 10. Central Board to be a Body Corporate. 11. Lands vested in Central Board not to be alienated for more than fourteen years, except as herein provided. 12. Short Title. |
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An ACT to amend an Act to promote Education in the Province of Nelson. Title.

WHEREAS an Act was passed by the Superintendent of the Province of Nelson, with the advice and consent of the Provincial Council thereof, Session III., No. 2, intituled "The Education Act, 1856:" And whereas it is expedient to amend the same as hereinafter provided: Be it therefore enacted, by the Superintendent of the Province of Nelson, with the advice and consent of the Provincial Council thereof, as follows:—

1. Sections numbered 2, 3, 6, 12, and 19 of the said recited Act shall be and the same are hereby repealed: Provided always, that nothing herein contained shall prevent the collecting or recovery of any rates imposed under the authority of the said recited Act, but that such rates, or so much thereof as are in arrear, may be collected and recovered in the same manner as if this Act had not been passed. Sections 2, 3, 6, 12, and 19 of recited Act repealed.

2. For raising the necessary funds for establishing and maintaining District Schools, and for otherwise carrying out the provisions hereof, Rates to be levied.

there shall be levied yearly upon every householder in each district established under the authority of this Act, a uniform rate of twenty shillings, and a further sum of five shillings for every child of such householder between the ages of five and fourteen years: Provided always that no person shall be liable to pay for more than four children, nor for any child residing more than three miles from any school established under this Act, nor for any child attending any school not established under this Act, in respect of whom such person shall produce to the Collector a certificate signed by the teacher of such school, showing that such child has attended during the three months previous to the levying of the rate.

Ratepayers to pay their Rates at places appointed for that purpose by the Superintendent.

3. The said rate shall be paid by the persons liable to the payment thereof, to some person or persons appointed by the Superintendent for that purpose, on a day and at a place to be fixed by the Superintendent, by public notice in some newspaper published or generally circulated in the province, not being less than twenty-one days from the time of giving such notice; and if the rate, or any part thereof, shall not be paid on the day so to be fixed for that purpose, the same may be recovered in a summary manner before any Justice or Justices of the Peace: Provided always that it shall be lawful for the Local Board for the district to excuse any person from the payment of such rate who may be deemed unable, through poverty, to pay the same, by furnishing the Superintendent with a list of persons so excused, on or before the day appointed for the payment of the rate.

Formation of Central Board.

4. There shall be a Central Board of Education, which shall consist of one person, to be from time to time appointed by each of the Local Committees (with whom also shall rest the power of at any time revoking such appointment), and one person to be appointed by the Superintendent, who shall be a member of the Executive Council of the province; any four of the members of which board shall be a quorum. Such board shall continue in office until the first Thursday in July in each year, on which day, at noon, the board shall meet, and the old board shall then deliver over to its successor all books, papers, accounts, and balances of money in its possession.

How vacancies occur, and in what manner the same to be filled up in Local Committees.

5. Whenever a vacancy shall occur in any Local Committee, it shall be lawful for such committee, by public advertisement, to summon a meeting of the ratepayers, for the purpose of electing a proper person to supply such vacancy; and any member of a Local Committee who shall absent himself, without leave, from three successive meetings, shall cease to be a member of the Local Committee.

Rates may be sued for in the

6. All rates in arrear may be sued for in the name of the Central Board of Education: Provided always that it shall be lawful to sue

for the full sum of two pounds, and that the proof that any person is not liable to pay the same shall rest with such person.

name of the
Central Board.

7. The Central Board shall have power to appoint its Secretary, and to pay him such remuneration as it shall think reasonable.

Appointment
and Payment
of Secretary.

8. Whenever any school shall have been established in any educational district, and any number of ratepayers resident in such district, contributing not less than fifty pounds per annum to the rates levied under the authority of this Act in such district, shall have appointed a committee of five persons for the management of such school, and provided a sufficient school-room, to the satisfaction of the Central Board, and shall signify in writing to the Central Board their desire to be constituted into a separate body for educational purposes, it shall be the duty of the Central Board, from time to time, to pay over to the committee for the time being the amount to be thereafter contributed by such ratepayers in such district, after deducting the expenses incurred in collecting the same; and it shall be lawful for the Central Board to grant such additional aid in books, school apparatus, and money, as to the Central Board shall seem expedient: Provided always that every such school shall be open to all children between the ages of five and fourteen years, without fee or payment, and to inspection in the same manner as other schools established under this Act; and any religious instruction given in such school shall be imparted at such hours that parents objecting thereto may be able to withdraw their children from the school at the time when it is given; and no such rates or grants shall be paid over to the committee as aforesaid, unless secular instruction shall be imparted in such school to the satisfaction of the Central Board.

Ratepayers of
any one Dis-
trict contri-
buting not less
than £50 to
the Rates, un-
der certain
conditions,
capable of
forming sepa-
rate Schools.

9. The sections hereinbefore contained, numbered respectively 2, 3, 4, 5, 6, 7, and 8, shall be read and construed as part of the recited Act, No. 2, of Session III.

Sections 2, 3,
4, 5, 6, 7, and
8 to be con-
strued as part
of recited Act.

10. The Central Board of Education, established under the authority of the said recited Act, and their successors, shall be deemed and taken to be a body corporate, and shall take and bear the name of "The Central Board of Education for the Province of Nelson," and by that name shall have perpetual succession, and shall have power to purchase such lands and tenements as may be deemed necessary for the purposes of the said recited Act.

Central Board
to be a Body
Corporate.

11. All lands and tenements purchased by the Central Board of Education, or which shall become vested in them, shall be held upon trust for the purposes of the said recited Act, with full power and authority to dispose of and manage the same for such purposes: Pro-

Lands vested
in Central
Board not to
be alienated
for more than
fourteen years

except as
herein pro-
vided.

vided always that no such lands or tenements shall be alienated by way of sale or mortgage, or by lease for any longer term than fourteen years, except by the authority of an Act of the Provincial Council of the said province to be passed in that behalf, nor except by deed signed by at least four members of the board and sealed with the seal of the board.

Short Title

12. This Act shall be termed and may cited as "The Education Amendment Act, 1858."