

1966/86



THE CHRISTCHURCH SECONDARY SCHOOLS REGULATIONS
1966

BERNARD FERGUSSON, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 1st day of June 1966

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 57 of the Education Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Christchurch Secondary Schools Regulations 1966.

2. In these regulations, unless the context otherwise requires,—

“Governor” means a Governor appointed or elected under these regulations:

“Minister” means the Minister of Education:

“Parent of a pupil” includes both the father and mother of a pupil; and also includes a pupil’s guardian, and a householder with whom a pupil resides; but does not include a parent with whom a child does not normally reside:

“Returning Officer” means a Returning Officer appointed under these regulations:

“School” means a school to which these regulations apply.

3. These regulations shall apply to the following schools, namely:

- (a) The Christchurch Boys’ High School:
- (b) The Christchurch Girls’ High School:
- (c) The Avonside Girls’ High School:
- (d) The Linwood High School:
- (e) The Papanui High School:
- (f) The Cashmere High School:
- (g) The Shirley Boys’ High School:
- (h) The Riccarton High School:
- (i) The Aranui High School:
- (j) The Burnside High School:
- (k) The Hillmorton High School:
- (l) The Mairehau High School:
- (m) The Hagley High School.

4. (1) For the purposes of section 57 of the Education Act 1964, there shall be, in respect of the schools to which these regulations apply, a Secondary Schools Council which shall be called the Christchurch Secondary Schools Council.

(2) The Christchurch Secondary Schools Council is hereby declared to be the same Council as the Christchurch Post-Primary Schools Council existing immediately before the commencement of these regulations; and every reference in any enactment or document to the Christchurch Post-primary Schools Council shall hereafter be read as a reference to the Christchurch Secondary Schools Council.

5. (1) Except as otherwise provided in regulation 7 of these regulations, the Board of Governors of each of the following schools, namely, the Christchurch Boys' High School, the Christchurch Girls' High School, the Avonside Girls' High School, the Linwood High School, the Cashmere High School, the Shirley Boys' High School, the Riccarton High School, the Aranui High School, the Burnside High School, the Hillmorton High School, the Mairehau High School, and the Hagley High School, shall consist of:

- (a) One Governor appointed by the Canterbury Education Board:
- (b) Two Governors appointed by the Council of the University of Canterbury:
- (c) Two Governors appointed by the Old Pupils' Association of the school:
- (d) Four Governors elected by the parents of the pupils attending the school, of which Governors at least one shall be a woman in the case of the Christchurch Girls' High School, the Avonside Girls' High School, the Linwood High School, the Cashmere High School, the Riccarton High School, the Aranui High School, the Burnside High School, the Hillmorton High School, the Mairehau High School, and the Hagley High School.

(2) Where an Old Pupils' Association has not been formed or has ceased to exist, the two Governors to be appointed to the Board of Governors of that school under paragraph (c) of subclause (1) of this regulation shall be co-opted by the Board itself; and all the provisions of these regulations relating to appointments by the Old Pupils' Association of the school shall apply so far as they are applicable and with the necessary modifications to appointments so made in each case by the Board itself.

6. The Board of Governors of the Papanui High School shall consist of:

- (a) One Governor appointed by the Canterbury Education Board:
- (b) One Governor appointed by the Council of the University of Canterbury:
- (c) One Governor appointed by the Old Pupils' Association of the School:
- (d) Three Governors elected by the parents of the pupils attending the school, of which Governors at least one shall be a woman:
- (e) One Governor appointed by the Christchurch City Council and the Waimairi County Council:
- (f) Two Governors elected by the associations of employers in local industries:
- (g) Two Governors elected by the associations of employees in local industries.

7. Until the 31st day of March in the year 1967, the Board of Governors of Hagley High School shall consist of the members of the Board of Governors of the Christchurch West High School, as that Board was constituted immediately prior to the commencement of these regulations, together with the following members of the Board of Governors of the Christchurch Technical College, as that Board was constituted immediately before the commencement of these regulations:

- (a) The Governor appointed by the Canterbury Education Board;
- (b) The Governor appointed by the Council of the University of Canterbury;
- (c) The Governor appointed by the Old Pupils' Association of the school;
- (d) The three Governors elected by the parents of the pupils attending the school;
- (e) Two other Governors appointed for the purpose by the Board from its remaining members.

8. (1) Except as otherwise provided in these regulations, every Governor shall hold office until the 31st day of March in the third year after the year of his election or appointment, and if on that 31st day of March the appointment or election of his successor has not been notified to the Board, he shall continue to hold office until the date on which that appointment or election is so notified.

(2) The powers of the Board of Governors of any school shall not be affected by any vacancy in the membership thereof.

9. The Christchurch Secondary Schools Council shall appoint a Returning Officer for each election.

10. (1) The appointment of Governors to represent the Canterbury Education Board, the Council of the University of Canterbury, and the Old Pupils' Association of each school shall be made by resolution of the body entitled to make the appointment. Every such resolution shall be passed at a meeting held (where in the case of any school the appointments are being made for the first time) in such month as the Christchurch Secondary Schools Council shall fix for the purpose, or (in the case of regular triennial appointments) in the month of March of the year in which the Governors so appointed are to assume office. Notice of every such appointment shall be conveyed to the Returning Officer within 14 days of the date on which the appointment was made, in the case of a first appointment, and before the 1st day of April of the year in which the appointed Governor is to assume office, in the case of a regular triennial appointment.

(2) The appointment of a Governor to represent the Christchurch City Council and the Waimairi County Council on the Board of Governors of the Papanui High School shall be made by resolution passed by each of the Councils, in the case of a regular triennial appointment, at a meeting held in the month of March of the year in which the Governor so appointed is to assume office, and shall be conveyed to the Returning Officer before the 1st day of April following the meeting.

11. (1) In every case where a Governor is to be elected by associations of employers in local industries, every such Governor shall be elected by an electing committee in accordance with the provisions of this regulation.

(2) The first such election shall be held on a date to be fixed by the Christchurch Secondary Schools Council; and thereafter such an election shall be held in the month of March in each year in which the term of office of Governors is due to expire in terms of regulation 8 of these regulations.

(3) Each local association of employers recognised for the purpose by the Minister shall be entitled to appoint one member of the electing committee for the election of the representatives of the associations of employers in local industries.

(4) Every association which appoints a member of an electing committee shall give notice in writing to the Returning Officer as soon as reasonably possible thereafter of the name and address of the person so appointed.

(5) In the month immediately preceding that in which an election is to be held in accordance with subclause (2) of this regulation, the Returning Officer shall give notice by advertisement in a newspaper circulating in the city of Christchurch of the intention to hold a meeting of the electing committee in the following month. The notice shall call for applications from associations of employers to be recognised by the Minister for the purpose of sending a representative to meetings of the electing committee.

(6) The Returning Officer shall act as secretary of the electing committee in person or by deputy and shall convene a meeting of the committee whenever necessary for the purposes of these regulations.

12. The provisions of regulation 11 of these regulations shall apply, so far as they are applicable and with the necessary modifications, to the election of Governors by associations of employees in local industries.

13. (1) The election of Governors by the parents of pupils attending each school shall be held in the month of March in each year in which the term of office of Governors is due to expire in terms of regulation 8 of these regulations:

Provided that where, in the case of any school, an election of Governors by the parents of pupils attending the school is to be held for the first time, the Christchurch Secondary Schools Board shall fix the date of that first election.

(2) In the month immediately preceding that in which an election is to be held in accordance with subclause (1) of this regulation, the Returning Officer shall prepare a roll and shall enter therein the name and address of every person qualified to be enrolled as a parent of a pupil of the school. The roll shall be closed at 5 p.m. on the fourteenth day before the day on which any election under this regulation is to be held, and shall continue to be closed until the election is completed.

(3) An advertisement relating to the election shall be published in a newspaper circulating in the City of Christchurch not less than 21 days before the date of the election, and shall contain:

- (a) The day and hour for the closing of nominations:
- (b) The number of Governors to be elected:
- (c) The day and hour for the closing of the election.

(4) Every candidate shall be nominated in writing by one or more parents entitled to vote for his election.

(5) Every nomination paper shall be in the form or to the effect following:

I, [*Name and address*], being a parent duly entered on the roll, do hereby nominate [*Name and address*] as a candidate for election to the Board of Governors of the [*Name*] School at the election to be held on the day of 19.....

Dated this day of 19.....

Signature of nominator:.....

Candidate's consent [*to be subscribed at foot of nomination paper*]:

I hereby consent to my nomination.

Signature of candidate nominated:

(6) If the nomination paper does not bear the written consent of the candidate nominated, that consent may be given by him to the Returning Officer before the nominations are closed, and every nomination paper shall be void in so far as it concerns any candidate whose written consent is not duly given as aforesaid.

(7) Nominations shall close at noon on the fourteenth day before the day of election.

(8) If the number of nominations does not exceed the number of vacancies to be filled and the number of men candidates does not exceed the number of vacancies that can be filled by men, the Returning Officer shall forthwith declare the candidates so nominated to be duly elected. In all other cases he shall, as soon as the nominations are closed, prepare and post to each elector at his address as appearing on the roll a voting paper containing in alphabetical order of surnames a list of all the duly nominated candidates, which voting paper shall be in the form or to the effect following:

VOTING PAPER FOR USE AT ELECTION TO BE HELD
ON THE DAY OF 19..... OF MEMBERS OF
THE BOARD OF GOVERNORS OF THE SCHOOL

CANDIDATES

[*Set out, in alphabetical order of surnames, the full name of every duly nominated candidate.*]

DIRECTIONS

The voter is required to cross out the name or names of the candidate or candidates for whom he does not desire to vote. The number of vacancies is, of which cannot be filled by a man. The vote will therefore be informal if the names of at least men, or at least men and women, are not crossed out. The voting paper must be enclosed by the voter in a sealed envelope bearing on the outside thereof the words "Voting paper", and if posted to the Returning Officer must be posted on or before the day of the election, or if delivered to him shall be delivered at his office at before the day of the election or not later than 5 o'clock on the afternoon of that day.

(9) The poll shall close at 5 o'clock on the afternoon of the day of the election, but all voting papers shall be included and counted which are not informal and are received by the Returning Officer in due course of post before the close of the third day after the day of the election.

(10) A voting paper shall be informal in any of the following cases, that is to say:

- (a) If the number of candidates whose names are not crossed out exceeds the total number of candidates for whom the person is entitled to vote, or the number of male candidates whose names are not crossed out exceeds the number of male candidates for whom the person is entitled to vote, or if in any other way the paper fails to indicate clearly for whom the vote is intended to be given; or
- (b) If, being delivered to the Returning Officer, the sealed envelope containing the voting paper is not delivered at his office before the close of the poll; or
- (c) If, having been forwarded by post, the sealed envelope containing the voting paper is not received at the office of the Returning Officer before the close of the third day after the day of the election; or if, from the postmark on the envelope or otherwise, the Returning Officer is satisfied that it was not posted until after the day of the election.

(11) On the fourth day after the day of the election the Returning Officer shall open and examine all voting papers duly delivered to him or received by him through the post as aforesaid, and after rejecting all informal voting papers shall prepare a list of the candidates placed in the order of the numbers of votes received by them respectively. Any candidate shall have the right to appoint a scrutineer to watch on his behalf the opening and examination of voting papers and to check the counting thereof.

(12) The Returning Officer shall ascertain the candidates (not exceeding the total number to be elected) who have received the greatest number of votes and shall, except as otherwise provided in subclause (13) of this regulation, declare those candidates to be elected.

(13) Where in any case one of the Governors to be elected by the parents of pupils of a school is to be a woman and, if the provisions of subclause (12) of this regulation were applied, no woman candidate would be elected, the following provisions shall then apply:

- (a) The provisions of subclause (12) of this regulation shall apply only to the election of Governors other than the Governor who is to be a woman:
- (b) The Returning Officer shall declare to be elected as the remaining Governor the woman candidate who has received the greatest number of votes:
- (c) If there is no woman candidate, no election shall be made of the remaining Governor.

(14) If, by reason of an equality of votes given for two or more candidates, the election is not complete, the Returning Officer shall decide by lot, in the presence of two other persons, which candidate or candidates shall be elected, and thereby complete the election.

(15) If any dispute or question arises touching the regularity of any election, the dispute shall be determined by the Director-General of Education, whose decision shall be final.

14. Within 14 days after the date of the election of or the appointment of a Governor, the Returning Officer shall forward to the Minister a notification of the name and address of the Governor.

15. Every Governor appointed or elected otherwise than upon a casual vacancy shall assume office on the 1st day of April in the year of his appointment or election, or as soon thereafter as his appointment or election has been notified to the Board:

Provided that, in the case of the first appointment and election of Governors for a school, the Christchurch Secondary Schools Council shall fix the date on which those Governors shall assume office.

16. In any case in which an appointment or election of a Governor or Governors as hereinbefore provided has not been held or made, the Minister may, in his discretion, fix a time and place for the appointment or the election of the Governor or Governors, and the foregoing provisions of these regulations shall thereupon be observed, so far as they are applicable and with the necessary modifications, as if the time and place for the appointment or election had been fixed as therein provided; or, in the alternative, in any such case the Minister, in his discretion, may appoint a Governor or Governors to fill the vacancy or vacancies.

17. No person shall be eligible to become a member of the Board of Governors of any school if he is a mentally defective person within the meaning of the Mental Health Act 1911, or a bankrupt who has not obtained his discharge or whose discharge is for the time being suspended or is subject to conditions not yet fulfilled, or if he has been convicted of any offence punishable by imprisonment unless he has received a free pardon or has served his sentence or otherwise suffered the penalty imposed on him, or if he receives any salary from the Board of Governors or holds any office or employment under the Board of Governors to which any fees, salary, or emoluments are attached.

18. If any Governor—

- (a) Dies; or
- (b) Resigns his office by writing under his hand delivered to the Board of Governors or the Chairman or the Secretary thereof; or
- (c) Is absent without leave from the meetings of the Board of Governors for three consecutive months; or
- (d) Becomes a mentally defective person within the meaning of the Mental Health Act 1911; or
- (e) Is adjudged a bankrupt; or
- (f) Is convicted of any offence punishable by imprisonment; or
- (g) Commences to receive any salary from the Board of Governors or to hold any office or employment under the Board of Governors to which any fees, salary, or emoluments are attached,—

he shall thereupon cease to be a member, and the vacancy thereby created shall be deemed to be a casual vacancy.

19. Every person appointed or elected to fill a casual vacancy shall hold office for the remainder of the term of office of the Governor whom he replaces.

20. Subject to the provisions of regulation 21 of these regulations, every casual vacancy shall be filled in the same manner and by the same appointing or electing authority as appointed or elected the Governor who is replaced.

21. (1) On the occurrence of a casual vacancy for a parents' representative, the Board of Governors may by resolution determine—

- (a) That the vacancy shall be filled by holding an election in the required manner; or
- (b) That the vacancy shall be filled by appointment by the Board of a person qualified to be so elected.
- (2) In any case where a Board of Governors determines to fill a vacancy by appointment as aforesaid, it shall, within 14 days after the date of the making of that determination, cause notice of that vacancy and determination to be published as an advertisement in a newspaper circulating in the city of Christchurch, and shall not fill that vacancy by appointment until one month from the date of the publication of the advertisement, or if within that month more than 10 per cent of the parents of pupils entitled to vote in an election to fill the vacancy have requested that a poll of electors be held.
- (3) The Board may not fill by appointment as aforesaid more than one casual vacancy for a parents' representative at any time, nor more than three such vacancies in any one term of office.
- (4) Any person who is appointed to fill a casual vacancy on a Board of Governors in accordance with this regulation shall for all purposes be deemed to have been elected to that Board of Governors.

22. The regulations specified in the Schedule hereto are hereby revoked.

Reg. 22

SCHEDULE
REGULATIONS REVOKED

Title or Subject-matter	Serial Number
The Christchurch Post-Primary Schools Boards of Governors Regulations 1954	S.R. 1954/87
The Christchurch Post-Primary Schools Boards of Governors Regulations 1954, Amendment No. 1	S.R. 1956/193
The Christchurch Post-Primary Schools Boards of Governors Regulations 1954, Amendment No. 2	S.R. 1957/159
The Christchurch Post-Primary Schools Boards of Governors Regulations 1954, Amendment No. 3	S.R. 1958/153
The Christchurch Post-Primary Schools Boards of Governors Regulations 1954, Amendment No. 4	S.R. 1960/105
The Christchurch Post-Primary Schools Boards of Governors Regulations 1954, Amendment No. 5	S.R. 1961/146

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations consolidate and bring up to date the Christchurch Post-Primary Schools Boards of Governors Regulations 1954 and their amendments. They constitute Boards of Governors for the 13 schools mentioned in regulation 3, and also constitute (for the purposes of section 57 of the Education Act 1964) the Christchurch Secondary Schools Council in respect of those schools.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 2 June 1966.

These regulations are administered in the Department of Education.