

Serial Number 1946/190



THE EDUCATION AMENDING REGULATIONS 1946

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 20th day of
November, 1946

Present :

THE RIGHT HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Education Act, 1914, and section 30 of the War Legislation Act, 1917, as extended by section 17 of the Finance Act (No. 4), 1940, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Education Amending Regulations 1946.

PART I.—EDUCATIONAL BURSARIES

2. This Part of these regulations shall be read together with and deemed part of the Educational Bursaries Regulations 1940* (in this Part referred to as the principal regulations).

3. Regulation 8 of the principal regulations is hereby amended by inserting, after the words "Special Bursary", the words "and of every Ordinary National Bursary in respect of which an allowance is paid in addition to the payment of tuition fees".

4. Regulation 21 of the principal regulations is hereby amended as follows:—

(a) By inserting in paragraph (a) of subclause (1), after the words "Higher Leaving Certificate", the words "or an endorsed School Certificate":

(b) By adding to subclause (1) the following:—

"or

"(c) Any person who has qualified for a Higher School Certificate in accordance with regulations under the Education Act, 1914".

* Statutory Regulations 1940, Serial number 1940/266, page 927.

Amendment No. 1: Statutory Regulations 1943, Serial number 1943/201, page 452.

Amendment No. 2: Statutory Regulations 1944, Serial number 1944/115, page 331.

5. Regulation 22 of the principal regulations is hereby amended by adding the following subclauses :—

“ (4) Where a Special Bursary is awarded to the former holder of an Ordinary National Bursary, the maximum term of the Special Bursary shall be computed as if it had commenced on the same date as the Ordinary National Bursary.

“ (5) A boarding-allowance shall not be paid to the holder of any Special Bursary unless the Director is satisfied either—

“ (a) That, in order to attend the nearest college affording tuition in the subjects appropriate to his course and year, the applicant would be obliged to live away from home or his usual place of residence ; or

“ (b) That the circumstances of the applicant are such that, though not obliged to live away from home or his usual place of residence, he will be unable to pursue his studies without the financial assistance afforded by the bursary.”

6. (1) Regulation 25 of the principal regulations is hereby amended by revoking paragraph (a) of subclause (1) (as amended by paragraph (a) of Regulation 4 of the Educational Bursaries Regulations 1940, Amendment No. 2) and paragraph (aa) of the same subclause (as inserted by paragraph (b) of Regulation 4 of the Educational Bursaries Regulations 1940, Amendment No. 2), and substituting the following paragraph :—

“ (a) He has been accredited for entrance to the University of New Zealand, or has passed the Entrance Examination of the University, or has passed the School Certificate Examination or some equivalent examination approved for the purpose by the Director, preference being given to candidates who have shown special proficiency in science subjects ; or ”.

(2) Regulation 4 of the Educational Bursaries Regulations 1940, Amendment No. 2, is hereby revoked.

7. (1) Regulation 26 of the principal regulations is hereby amended by revoking subclause (1) (as substituted by Regulation 5 of the Educational Bursaries Regulations 1940, Amendment No. 2), and substituting the following subclause :—

“ (1) Every applicant for a Bursary in Architecture shall, with his application, furnish evidence that he has been accredited for entrance to the University of New Zealand or has passed the Entrance Examination of the University or some equivalent examination approved for the purpose by the Director, preference being given to candidates who have shown special proficiency in drawing in the School Certificate Examination and in either mathematics or physics in the Entrance Examination of the University of New Zealand or in any equivalent examination approved by the Director.”

(2) Regulation 5 of the Educational Bursaries Regulations 1940, Amendment No. 2, is hereby revoked.

8. (1) Regulation 27 of the principal regulations is hereby amended by revoking subclause (1) (as substituted by Regulation 6 of the Educational Bursaries Regulations 1940, Amendment No. 2), and substituting the following subclause :—

“ (1) Every applicant for a Bursary in Engineering shall, with his application, furnish evidence that he has been accredited for entrance to the University of New Zealand or has passed the Entrance Examination of the University or some equivalent examination approved

for the purpose by the Director, preference being given to candidates who have shown special proficiency in either mathematics or physics in the Entrance Examination of the University of New Zealand or in any equivalent examination approved by the Director."

(2) Regulation 6 of the Educational Bursaries Regulations 1940, Amendment No. 2, is hereby revoked.

9. Regulation 29 of the principal regulations (as amended by Regulation 7 of the Educational Bursaries Regulations 1940, Amendment No. 2) is hereby further amended by omitting from subclause (1) the words "or has received a Higher Leaving Certificate under the Education Act, 1914".

10. Regulation 30 of the principal regulations (as appearing in the Educational Bursaries Regulations 1940, Amendment No. 1) is hereby amended by omitting from subclause (1) the words "or has received a Higher Leaving Certificate under the Education Act, 1914".

11. The principal regulations are hereby further amended by inserting, after Regulation 30 (as appearing in the Educational Bursaries Regulations 1940, Amendment No. 1), the following new regulation :—

“ Special Bursaries Examination

“ 31. (1) The Director shall in each year conduct a Special Bursaries Examination as a guide to the award of Special Bursaries in Agriculture, Architecture, Engineering, Home Science, and Science.

“ (2) Every candidate must apply to enter for the examination on the form provided by the Director. Subject to the provisions of the next succeeding subclause, the completed form must be received by the Director not later than the Monday immediately following the date fixed by regulations for the time being in force for the commencement of the third term in public post-primary schools, and the candidate must indicate on the form the subjects in which he desires to be examined.

“ (3) The form of application must be accompanied by a receipt for the payment of an examination fee of £1 at a money-order office of the Post and Telegraph Department :

“ Provided that a form of application to enter for the examination received by the Director not later than the 22nd day of October in any year shall be accepted if it is accompanied by a receipt for the payment as aforesaid of an examination fee of £2.

“ (4) The following shall be the subjects of the examination :—

“ (i) Mathematics.

“ (ii) Magnetism and electricity.

“ (iii) Heat and light.

“ (iv) Chemistry.

“ (v) Home science.

“ (vi) Botany.

“ (vii) Zoology.

“ (5) No candidate shall be examined both in chemistry and in home science.

“ (6) Subject to the provisions of subclause (5) hereof, a candidate for a Special Bursary in Agriculture, Engineering, Home Science, or Science shall present himself for examination in any three of the subjects specified in subclause (4) hereof; a candidate for a Special Bursary in Architecture shall present himself for examination in any two of those subjects, and shall also present himself for the paper in drawing in the School Certificate Examination.

“(7) Notwithstanding anything in this regulation to the contrary, but subject to the provisions of subclause (5) hereof, a candidate for a Special Bursary in Home Science may, in the year 1946 only, present herself for examination in any two of the subjects specified in subclause (4) hereof together with English.

“(8) The prescriptions for the subjects of the examination shall be those for the time being in force for the Entrance Examination of the University of New Zealand, and any candidate who enters for the examination in any science subject may be required to submit before the date of the examination a certificate from the Principal of the school attended that a course of practical instruction based on the prescription has been satisfactorily completed.”

12. The Second Schedule to the principal regulations is hereby amended as follows:—

(a) By inserting in the first column, after the words “ Ordinary National Bursary ”, the words “ awarded under paragraphs (a), (aa), or (b) of subclause (1) of Regulation 21 hereof, or under subclause (2) of that regulation ”:

(b) By omitting from the third column (opposite the reference to a National Boarding Bursary) the reference to “ £30 ”, and substituting a reference to “ £50 ”:

(c) By adding, after the words and references added by paragraph (c) of Regulation 2 of the Educational Bursaries Regulations 1940, Amendment No. 1, the following:—

(i) In the first column the words “ Ordinary National Bursary awarded under paragraph (c) of subsection (1) of Regulation 21 hereof ”:

(ii) In the second, third, fourth, and fifth columns (opposite the words mentioned in the last preceding subparagraph) a reference to “ £20 ”, “ £20 ”, “ Nil ”, and “ Nil ” respectively:

(iii) In the sixth column (opposite the same words) the words “ Medical students, five years ; other students, four years ”.

PART II.—WAR BURSARIES

13. This Part of these regulations shall be read together with and deemed part of the War Bursaries Regulations 1941* (in this Part referred to as the principal regulations).

14. Regulation 3 of the principal regulations is hereby amended by adding to subclause (1) the following paragraph:—

“(e) Children of any person who has at any time served outside New Zealand as a member of any of His Majesty’s Forces established in New Zealand and in respect of whose death or disablement a pension would be granted under the War Pensions Act, 1943, if a pension equivalent to the maximum amount payable under that Act had not already been granted by any Government within the British dominions (other than the Government of New Zealand).”

15. (1) This regulation shall apply to every child who—

(a) At any time after the 1st day of February, 1946 (being the date the War Bursary Regulations 1941, Amendment No. 1, came into force), whether before or after the commencement of these regulations, would be or would have been entitled

* Statutory Regulations 1941, Serial number 1941/141, page 444.

Amendment No. 1: Statutory Regulations 1945, Serial number 1945/162, page 398.

to apply for and be granted or to continue to hold a bursary under paragraph (c) of Regulation 4 of the principal regulations if that paragraph had not been revoked; and

- (b) Is not entitled to a grant for educational purposes under the Rehabilitation Act, 1941, or any regulations thereunder.

(2) Any child to whom this regulation applies shall be and shall be deemed to have always been entitled to apply for and be granted or to continue to hold a war bursary under paragraph (c) of Regulation 4 of the principal regulations as if that paragraph had not been revoked.

(3) With respect to any bursary applied for or held by any child to whom this regulation applies, the provisions of the principal regulations applicable thereto shall be read as if the War Bursary Regulations 1941, Amendment No. 1, had not been made:

Provided that, where the holder of any such bursary is enrolled at and attends any constituent college of the University or any University Agricultural College for full-time instruction and is taking a course approved by the Director for a degree or a diploma, the allowance payable to the holder of that bursary shall, as from the 1st day of February, 1946, be computed at the rate of £30 per annum instead of at the rate of £10 per annum.

PART III.—NATIVE SCHOOLS

16. This Part of these regulations shall be read together with and deemed part of the regulations relating to Native schools, made by Order in Council dated the 23rd day of June, 1931* (in this Part referred to as the principal regulations).

17. The principal regulations (as heretofore from time to time amended) are hereby further amended as follows:—

- (a) By omitting “£35” from Regulation 107, and substituting “£55 for a boy or £50 for a girl”:
- (b) By omitting “£35 per annum” from Regulation 110, and substituting “£55 per annum for a boy or £50 per annum for a girl”:
- (c) By omitting “£35” from Regulation 126, and substituting “£55”, and by omitting “£70” from the same regulation, and substituting “£110”:
- (d) By omitting “£35” from Regulation 130 (as substituted by subclause (5) of Regulation 4 of the Native School Regulations 1931, Amendment No. 3†), and substituting “£50”.

18. Regulation 5 of the Native School Regulations 1931, Amendment No. 3†, is hereby amended as follows:—

- (a) By omitting “thirty-five” and “eighteen”, and substituting “eighty” and “forty” respectively:
- (b) By omitting “£35”, and substituting “£55 for a boy or £50 for a girl”:
- (c) By omitting “boys and girls”, and substituting “pupils”.

19. (1) This regulation applies with respect to scholarships granted under Regulations 107, 110, or 124 of the principal regulations or Regulation 5 of the Native School Regulations 1931, Amendment No. 3†.

(2) Where any scholarship to which this regulation applies is held at a school where the annual charge for accommodation exceeds the annual value of the scholarship, the Minister of Education may, in

* Gazette, 25th June, 1931, Vol. II, page 1811.

† Statutory Regulations 1937, Serial number 1937/128, page 471.

his discretion, authorize the payment to or in respect of the holder of an amount (in addition to the value of the scholarship) not exceeding in any year the difference between the value of the scholarship and the charge made for accommodation.

(3) Any payment under this regulation may, as the Minister determines, be paid to the holder of the scholarship or may be paid on his behalf to the controlling authority of the school at which the scholarship is held.

(4) This regulation is in substitution for the Education (Scholarships to Maori Pupils) Emergency Regulations 1944,* and those regulations are hereby accordingly revoked.

PART IV.—MISCELLANEOUS

Intermediate Schools and Departments

20. (1) This regulation shall be read together with and deemed part of the regulations for intermediate schools and departments made by Order in Council dated the 15th day of December, 1932† (in this regulation referred to as the principal regulations).

(2) Clause 21 of the principal regulations is hereby further amended as follows:—

(a) By omitting from paragraph (a) of subclause (1) (as renumbered by subclause (3) of clause 1 of the amending regulations made by Order in Council dated the 19th day of June, 1933‡) and from paragraph (b) of subclause (1) (as inserted by the same amending regulations) the word “annually” wherever it occurs, and substituting in each case the word “biennially”:

(b) By omitting from subclause (2B) (as inserted by Regulation 4 of the Intermediate Schools and Departments Regulations 1932, Amendment No. 3§) the word “annual”, and substituting the word “biennial”; and by omitting from the same subclause the word “year” wherever it occurs, and substituting in each case the words “two years”.

(3) The committees elected for intermediate schools and departments in the year 1946 shall continue in office, subject to the provisions of the principal regulations, until new committees are elected in the year 1948.

Post-primary Instruction

21. Subclause (10) of Regulation 7 of the Education (Post-primary Instruction) Regulations 1945¶ is hereby amended as follows:—

(a) By omitting from the first line the words “for each subject”:

(b) By inserting in the third line, before the word “subject”, the word “one”:

(c) By omitting from the fourth line the words “or subjects”:

(d) By omitting from the fifth line the word “any”, and substituting the word “that”:

(e) By omitting from the fifth line the words “for that subject”.

Education Boards Grants

22. (1) Regulation 3 of the Education Board Grants Regulations 1946¶¶ is hereby amended by omitting “£2,900”, and substituting “£3,150”; and by omitting “£200”, and substituting “£220”.

* Statutory Regulations 1944, Serial number 1944/53, page 189.

† *Gazette*, 22nd December, 1932, Vol. III, page 2773.

‡ *Gazette*, 22nd June, 1933, Vol. II, page 1643.

§ Statutory Regulations 1939, Serial number 1939/246, page 990.

¶ Statutory Regulations 1945, Serial number 1945/143, page 342.

¶¶ Statutory Regulations 1946, Serial number 1946/19, page 34.

(2) Every amount paid to any Education Board as part of the annual grant payable to that Board under the said Regulation 3 shall, in respect of any period after the 1st day of April, 1946, be paid at a rate computed in accordance with the amended amounts provided for in subclause (1) hereof.

Post-primary School Grants

23. The Post-primary School Grants Regulations 1946* are hereby amended by adding to Regulation 3 the following subclause :—

“(5) Until the gross amount of the salaries paid in respect of any newly established school or technical class can be computed under subclauses (1) and (2) hereof, there shall be paid to the controlling authority having immediate control of that school or class such grant in respect thereof as the Minister may approve.”

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

* Statutory Regulations 1946, Serial number 1946/20, page 35.

Issued under the authority of the Regulations Act, 1936.
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These regulations are administered in the Education Department.