

1977/149



**THE EDUCATION (SALARIES AND STAFFING) REGULATIONS
1957, AMENDMENT NO. 15**

—

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 13th day of June 1977

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to 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.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Education (Salaries and Staffing) Regulations 1957, Amendment No. 15, and shall be read together with and deemed part of the Education (Salaries and Staffing) Regulations 1957* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Relieving teachers—The principal regulations are hereby amended by revoking regulation 36 (as inserted by regulation 5 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 14), and substituting the following regulation:

*S.R. 1957/119

Amendment No. 1:	S.R. 1960/112
Amendment No. 2:	S.R. 1961/54
Amendment No. 3:	S.R. 1964/14 (<i>Revoked by S.R. 1973/29</i>)
Amendment No. 4:	S.R. 1965/161
Amendment No. 5:	S.R. 1966/46
Amendment No. 6:	S.R. 1967/25
Amendment No. 7:	S.R. 1967/281 (<i>Revoked by S.R. 1976/304</i>)
Amendment No. 8:	S.R. 1968/22
Amendment No. 9:	S.R. 1969/59 (<i>Revoked by S.R. 1972/175</i>)
Amendment No. 10:	S.R. 1970/59 (<i>Revoked by S.R. 1976/128</i>)
Amendment No. 11:	S.R. 1972/175
Amendment No. 12:	S.R. 1973/29 (<i>Revoked by S.R. 1976/304</i>)
Amendment No. 13:	S.R. 1976/129
Amendment No. 14:	S.R. 1976/304

“36. (1) Where the Principal of a school to which this Part of these regulations applies certifies that without the employment of a relieving teacher the duties of a full-time position that has temporarily become vacant cannot adequately be performed, and that the person proposed to be appointed as a relieving teacher is competent to perform those duties, the Board controlling that school may, in accordance with this regulation, appoint that person as a relieving teacher to fill that position.

“(2) No relieving teacher shall be appointed for a period of less than 1 day.

“(3) No Board shall engage an uncertificated or superannuated teacher as a relieving teacher if a suitable certificated teacher is available to carry out the relieving duties.

“(4) The authority to engage relieving teachers under this regulation shall include authority, if the Board so approves in any case where leave has been granted a teacher for a period of not less than a year, to appoint a relieving teacher under the provisions of Parts IV and V of the Education (Assessment, Classification, and Appointment) Regulations 1976* as if the teacher were being permanently appointed to the position.

“(5) Any teacher who is appointed a relieving teacher under subclause (4) of this regulation shall be granted the necessary leave by his employing Board, and the Board may fill any position from which the leave was granted in accordance with subclause (4).

“(6) The Principal of every school to which this Part of these regulations applies shall keep a daily record of all teachers absent from, and all relieving teachers employed to fill temporarily vacant positions in, his school; and shall every week that the school is open forward to the Board, on a form provided by the Director-General for the purpose, a return of the matters so recorded in respect of that week.”

3. Relieving teachers in secondary schools—The principal regulations are further amended by revoking regulation 57, and substituting the following regulation:

“57. (1) Where the Principal of a secondary school certifies that without the employment of a relieving teacher the duties of a full-time position that has temporarily become vacant cannot adequately be performed, and that the person proposed to be appointed as a relieving teacher is competent to perform those duties, the Controlling Authority of that school may, in accordance with these regulations, appoint that person as a relieving teacher to fill that position.

“(2) No relieving teacher shall be appointed for a period of less than 1 day.

“(3) No relieving teacher shall be appointed in any year after the date of the sitting of the first paper in the School Certificate Examination for that year unless the District Senior Inspector has certified that the appointment is essential to the proper running of the school.

“(4) No Controlling Authority shall engage an unqualified or superannuated teacher as a relieving teacher if a suitably qualified teacher is available to carry out the relieving duties.

“(5) The Controlling Authority shall notify the Director-General in writing of the engagement and qualifications of every full-time relieving teacher within 1 month of the date on which the relieving teacher commenced his duties.

“(6) No relieving teacher shall be engaged for longer than the period of leave of absence of the permanent teacher or the minimum period necessary to secure the services of a permanent teacher:

“Provided that if the Controlling Authority does not, within 3 months after the first advertisement of a vacancy, receive an application from a teacher with the necessary qualifications for the position advertised, it may, with the approval of the Director-General, continue to fill the position with a relieving teacher without further advertisement for a period not exceeding 1 year.

“(7) In the event of a teacher holding a position of responsibility being granted leave of absence for a period of 6 months or more, the Controlling Authority after advertisement may, with the approval of the Director-General, make a temporary appointment to the vacancy.

“(8) Any teacher who is appointed a relieving teacher under subclause (7) of this regulation shall be granted the necessary leave by his Controlling Authority, and the Controlling Authority may fill any position from which the leave was granted in accordance with subclause (7).

“(9) The Principal of every secondary school shall keep a daily record of all teachers absent from, and all relieving teachers employed to fill temporarily vacant positions in, his school; and shall every week that the school is open forward to the Controlling Authority, on a form provided by the Director-General for the purpose, a return of the matters so recorded in respect of that week.”

4. Revocation—The Education (Salaries and Staffing) Regulations 1957, Amendment No. 13, are hereby revoked.

P. G. MILLEN,
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 have the effect of restoring the teacher day-relief scheme.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 June 1977.

These regulations are administered in the Department of Education.