

1982/5



**THE EDUCATION (SALARIES AND STAFFING)  
REGULATIONS 1957, AMENDMENT NO. 22**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 26th day of January 1982

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.

ANALYSIS

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| <ol style="list-style-type: none"> <li>1. Title and commencement</li> <li>2. New provisions substituted             <ol style="list-style-type: none"> <li>21A. Grading rolls for Intermediate Schools and departments</li> <li>22. Grading rolls for other schools</li> </ol> </li> <li>3. Application of Part IIIA</li> </ol> | } | <ol style="list-style-type: none"> <li>4. Determination of numerical staffing</li> <li>5. Additional staffing allowances</li> <li>6. Positions of responsibility</li> <li>7. Amendments to principal regulations consequential on abolition of Maori schools and district high schools Schedules</li> </ol> |
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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. 22, 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 28th day of January 1982.

\*S.R. 1957/119 (Reprinted with Amendments Nos. 1-20: S.R. 1981/217)  
Amendment No. 21: S.R. 1981/271

**2. New provisions substituted**—(1) The principal regulations are hereby amended by revoking regulations 20 and 22 (as substituted by regulation 5 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 14), and substituting the following regulations:

**“21A. Grading rolls for Intermediate Schools and departments**—(1) Every Board that is the controlling authority of an intermediate school or department shall—

“(a) Before the 2nd day of July in every year, estimate the likely roll of that school or department on the 1st day of March following that 2nd day of July; and

“(b) As soon as is practicable thereafter, inform the Director-General of its estimate.

“(2) Subject to subclause (3) of this regulation, the grading roll of an intermediate school or department in any year shall be the estimate made under subclause (1) (a) of this regulation in respect of the likely roll of that school or department on the 1st day of March in that year.

“(3) Where any Board that is the controlling authority of an intermediate school or department fails or refuses—

“(a) Before the 2nd day of July in any year to estimate the likely roll of that school or department on the 1st day of March following that 2nd day of July; or

“(b) Before the 1st day of August in any year to inform the Director-General of its estimate of that roll,—

the grading roll of that school or department in the year following that year shall be the Director-General’s estimate of the likely roll of that school or department on the 1st day of March in that following year, made after consultation with that Board.

**“22. Grading rolls for other schools**—(1) This regulation applies to all primary schools other than—

“(a) Intermediate schools and departments; and

“(b) Model schools whose pupils form part of the roll of a normal school.

“(2) For the purposes of this regulation, a child shall be treated as a first-year infant on any day if, and only if,—

“(a) That child had not attained the age of 7 years before the 2nd day of July in the year in which that day falls; and

“(b) That child enrolled for the first time at a State primary school during the year commencing on the 2nd day of July in the previous year.

“(3) The grading roll of a school to which this regulation applies, in any year after 1982, shall be the sum of—

“(a) The roll of that school on the 1st day of July in the previous year (or, if that school was closed on that day, on the first day thereafter when it was open); and

“(b) One quarter of the number of first-year infants enrolled at that school on that day (rounded up to the next whole number in the case of a fraction).

“(4) Where any school has in any year a grading roll to which there is applied a weighting approved under regulation 23 (b) of these regulations, the reference in subclause (3) (b) of this regulation to the

number of first-year infants enrolled at that school shall be read as a reference to that number as adjusted by the application of the appropriate weighting.”

(2) Regulations 23 and 25 of the principal regulations are hereby consequentially amended by omitting the expression “regulation 22”, and substituting, in each case, the expression “regulations 21A and 22”.

(3) The grading rolls for all schools and departments in the year 1982 shall be ascertained as if subclauses (1) and (2) of this regulation had not been made.

**3. Application of Part IIIA**—Regulation 29 of the principal regulations (as substituted by regulation 5 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 14) is hereby amended by omitting the words “the staffing of” and the words “the secondary departments of district high schools,”.

**4. Determination of numerical staffing**—(1) The principal regulations are hereby amended by revoking regulation 30 (as substituted by regulation 6 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 18), and substituting the following regulation:

“30. (1) As soon as is practicable after the grading roll for any year of any school or department to which this Part of these regulations applies has been ascertained, the Board controlling that school or department shall ascertain, in accordance with this regulation, the basic staffing entitlement of that school or department.

“(2) No Board shall make an appointment to any additional position established at any school or department under its control by virtue of the ascertaining of the basic staffing entitlement of that school or department until that Board has verified the grading roll from which that entitlement is derived.

“(3) The basic staffing entitlement in any year for any normal school that has a grading roll for that year that exceeds 150 shall be ascertained by dividing that roll by 29, and expressing the quotient correct to one decimal place.

“(4) The basic staffing entitlement in any year for an intermediate department that has a grading roll for that year that exceeds 155 shall be 1 fewer than the basic staffing entitlement of a full primary school having the same grading roll for that year.

“(5) Subject to subclause (6) of this regulation, the basic staffing entitlement in any year for any intermediate department that has a grading roll for that year that is less than 156 shall be the number specified in the second column of the Seventeenth Schedule to these regulations opposite to the reference in the first column of that schedule to that department’s grading roll for that year.

“(6) The basic staffing entitlement in any year after 1982 of any intermediate department—

“(a) Whose grading roll for that year is greater than 145 and less than 156, and whose grading roll for the previous year was greater than 155; or

“(b) Whose grading roll for that year is greater than 110 and less than 121, and whose grading roll for the previous year was greater than 120; or

- “(c) Whose grading roll for that year is greater than 80 and less than 91, and whose grading roll for the previous year was greater than 90; or
- “(d) Whose grading roll for that year is greater than 50 and less than 61, and whose grading roll for the previous year was greater than 60; or
- “(e) Whose grading roll for that year is greater than 23 and less than 29, and whose grading roll for the previous year was greater than 28—

shall be 1 greater than the number specified in the second column of the Seventeenth Schedule to these regulations opposite the reference in the first column of that schedule to that department's grading roll for that year.

“(7) Subject to subclause (8) of this regulation, the basic staffing entitlement in any year for any school (that is not an intermediate department) to which this Part of these regulations applies that has a grading roll for that year of less than 151 shall be the number specified in the second column of the Fourteenth Schedule to these regulations opposite the reference in the first column of that schedule to that school's grading roll for that year.

“(8) The basic staffing entitlement in any year of any school to which subclause (7) of this regulation applies—

- “(a) Whose grading roll for that year is greater than 115 and less than 126, and whose grading roll for the previous year was greater than 125; or
- “(b) Whose grading roll for that year is greater than 90 and less than 101, and whose grading roll for the previous year was greater than 100; or
- “(c) Whose grading roll for that year is greater than 65 and less than 76, and whose grading roll for the previous year was greater than 75; or
- “(d) Whose grading roll for that year is greater than 40 and less than 51, and whose grading roll for the previous year was greater than 50; or
- “(e) Whose grading roll for that year is greater than 20 and less than 26, and whose grading roll for the previous year was greater than 25—

shall be one greater than the number specified in the second column of the Fourteenth Schedule to these regulations opposite the reference in the first column of that schedule to that school's grading roll for that year.

“(9) The basic staffing entitlement in any year of any school or department to which this Part of these regulations applies whose basic staffing entitlement is not ascertainable by reference to subclauses (3) to (8) of this regulation shall be—

- “(a) Six, where its grading roll for that year is less than 187;
- “(b) Seven, where its grading roll for that year is more than 195 and less than 218;
- “(c) Eight, where its grading roll for that year is more than 230 and less than 249;
- “(d) The quotient (expressed correct to one decimal place) ascertained by dividing its grading roll for that year by 31 in every other case.

“(10) Notwithstanding subclauses (3), (4), and (9) of this regulation, where the whole number component of the basic staffing entitlement for any year of any school or department (ascertained in accordance with one of those subclauses) is less than the whole number component of that school or department’s basic staffing entitlement for the previous year (or, where that school or department had no basic staffing entitlement for the previous year, than the whole number component of a notional basic staffing entitlement for that previous year fixed by the Director-General for the purpose), that first-mentioned basic staffing entitlement shall be deemed to have been increased to the next whole number; but that increase shall be disregarded in the following year in ascertaining whether any whole-number component is less than any other.

“(11) Except as provided in these regulations, every position in the basic staffing entitlement of any school or department to which this Part of these regulations applies shall be in salary scale A.”

(2) The Fourteenth Schedule to the principal regulations (as substituted by regulation 5 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 19) is hereby amended by omitting the heading (as substituted by regulation 2 (1) of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 20), and substituting the heading: “STAFFING ENTITLEMENTS FOR PRIMARY SCHOOLS (OTHER THAN INTERMEDIATE DEPARTMENTS) WITH GRADING ROLLS BELOW 151”.

(3) The principal regulations are hereby amended by adding the schedule set out in the First Schedule to these regulations.

(4) The following provisions are hereby consequentially revoked:

- (a) Regulation 6 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 18;
- (b) Regulation 2 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 19;
- (c) Regulation 3 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 20;
- (d) Regulation 2 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 21.

**5. Additional staffing allowances**—Regulation 31 (h) of the principal regulations (as added by regulation 3 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 19) is hereby amended by omitting the words “is on the National Transfer list”, and substituting the words “holds a national priority right or a board priority right under the Education (Assessment, Classification, and Appointment) Regulations 1976\*”.

**6. Positions of responsibility**—Regulation 35 of the principal regulations (as substituted by regulation 5 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 21) is hereby amended by inserting, after subclause (2), the following subclause:

“(2A) Where, in any year, the basic staffing entitlement of a normal school is ascertained by reference to subclause (8) or subclause (10) of regulation 30 of these regulations, the reference in subclause (2) of this regulation to the grading roll of that school shall be deemed to be a reference to the sum of:

- “(a) That grading roll; and

“(b) The amount by which that basic staffing entitlement exceeds the basic staffing entitlement that school would have had for that year if it had been ascertained by reference to subclause (3) or subclause (7) (as the case requires) of that regulation, multiplied by 29 and divided by 26 (rounded up to the next whole number in the case of a fraction).”

**7. Amendments to principal regulations consequential on abolition of Maori schools and district high schools**—(1) The principal regulations are hereby amended in the manner indicated in the Second Schedule to these regulations.

(2) The provisions of the principal regulations specified in the Third Schedule to these regulations are hereby revoked.

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## SCHEDULES

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### FIRST SCHEDULE

Reg. 4 (3)

#### NEW SEVENTEENTH SCHEDULE ADDED TO PRINCIPAL REGULATIONS

#### “SEVENTEENTH SCHEDULE

“BASIC STAFFING ENTITLEMENT FOR INTERMEDIATE DEPARTMENTS WITH GRADING ROLLS BELOW 156

Grading Roll	Entitlement
9–28	1
29–60	2
61–90	3
91–120	4
121–155	5”

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### SECOND SCHEDULE

Reg. 7 (1)

#### AMENDMENTS TO PRINCIPAL REGULATIONS

Provision Amended	How Amended
Regulation 2 ...	... By omitting from the definition of the term “contributing school” the words “or a Maori school”. By omitting from the definition of the term “country service” the words “, Maori school”. By omitting the definition of the term “district high school”.

Reg. 7 (1)

SECOND SCHEDULE—*continued*AMENDMENTS TO PRINCIPAL REGULATIONS—*continued*

Provision Amended	How Amended
Regulation 2— <i>continued</i>	<p>By omitting from the definition of the term “full primary school” the words “or a Maori school”, and “; and includes the primary department of a district high school”.</p> <p>By omitting from the definition of the term “intermediate department”, the words “a combined school, or a district high school”, and substituting the words “or a combined school,”.</p> <p>By omitting from the definition of the term “intermediate department” the words “or Maori”.</p> <p>By omitting from the definition of the term “intermediate school” the words “or Maori”.</p> <p>By omitting the definition of the term “Maori school”.</p> <p>By revoking paragraph (d) of the definition of the term “post-primary school”.</p> <p>By omitting from the definition of the term “public school”, the words “and a district high school”.</p> <p>By omitting from the definition of the term “teacher” the words “or Maori school” and “a junior assistant in a Maori school,”.</p>
Regulation 5 (1)	... By omitting the words “any Maori school, or”.
Regulation 8 ...	... By omitting the words “or a junior assistant in a Maori school,”.
Regulation 12 (1) (a) (i)	By omitting the words “Maori school,”.
Regulation 12 (1) (b) (ii)	By omitting the words “or a junior assistant in a Maori school”.
Regulation 14 (7)	... By omitting the words “or to a junior assistant in a Maori school”.
Regulation 52 (1)	... By omitting the words “a district high school or”.
Regulation 59 (1)	... By omitting the words “or in the secondary department of a district high school”.

## THIRD SCHEDULE

Reg. 7 (2)

## PROVISIONS REVOKED

Regulations 30A, 41, 42, 43, and the Seventh Schedule.

P. G. MILLEN,  
Clerk of the Executive Council.

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**EXPLANATORY NOTE**

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

The principal effect of these regulations is to amend the Education (Salaries and Staffing) Regulations 1957 so as to diminish the effect of falling rolls on the staffing of State primary schools. First, the grading roll of a school for any year after 1982 is to be fixed on 1 July in the previous year rather than 30 September, and is to be augmented by a number equal to a quarter of the number of first-year infants enrolled at the school on that date. Secondly, as from 1982, where the basic staffing entitlement of a school with a grading roll exceeding 150 (ascertained in accordance with that grading roll) has a whole number component that is less than the whole number component of its entitlement during the previous year, its entitlement will be increased to the next whole number; and where the grading roll of a school is below 151, and has dropped into a grading range that would otherwise give it a basic staffing entitlement lower than the previous year's, its entitlement is increased by one if its roll falls within the upper half of that range.

The opportunity has been taken to omit from the principal regulations references to Maori schools and district high schools. Both classes of school have now been abolished.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 January 1982.

These regulations are administered in the Department of Education.