



**THE EDUCATION (SALARIES AND STAFFING) REGULATIONS
1957, AMENDMENT NO. 25**

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 9th day of September
1985

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.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Education (Salaries and Staffing) Regulations 1957, Amendment No. 25, 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 9th day of September 1985.

2. Alteration of grading roll—Regulation 23 of the principal regulations (as substituted by regulation 5 of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 14 and amended by regulation 2 (2) of the Education (Salaries and Staffing) Regulations 1957, Amendment No. 22) is hereby further amended by adding, as subclause (2), the following subclause:

* S.R. 1957/119 (Reprinted with Amendments Nos. 1-20: S.R. 1981/217)
Amendment No. 21: S.R. 1981/271
Amendment No. 22: S.R. 1982/5
Amendment No. 23: S.R. 1984/27
Amendment No. 24: S.R. 1984/283

“(2) The Minister may approve a weighting under subclause (1) (b) of this regulation to have effect on and after any day he thinks fit; and on and after that day these regulations shall apply to the staffing entitlement of the school or department concerned as if that weighting had been approved immediately before the calculation of the grading roll for that school or department for the year in which that day falls.”

3. Transitional—(1) This regulation shall apply to a school or department on the day on and after which a weighting under regulation 23 (1) (b) of the principal regulations is approved in respect of its grading roll.

(2) Notwithstanding anything in the principal regulations, where—

(a) Immediately before a school or department to which this regulation applies became such a school or department, any position at that school or department was required to be held by a teacher of a particular grade and was so held; and

(b) By virtue only of the new entitlement arising from the application of the weighting concerned to the grading roll of that school or department, that position will be required to be filled by a teacher of a higher grade,—

that position shall not be advertised, and its holder shall retain it.

(3) Where,—

(a) By virtue of becoming a school or department to which this regulation applies, any school or department will become entitled to an additional position of a particular category and salary grade; and

(b) There is employed at that school or department any protected teacher who, immediately before becoming a protected teacher had held a position of the same category and salary grade,—

regulation 59H of the Education (Assessment, Classification, and Appointment) Regulations 1976* shall have effect as if that position were a position from which a teacher who was not a protected teacher has resigned.

* S.R. 1976/287

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 relate to the Minister of Education's power under regulation 23 (b) of the principal regulations to approve a special weighting to be applied to the calculation of the grading rolls of schools and departments with special educational needs. The regulations amend the principal regulations to provide that the weighting may be approved so as to have effect from any day the Minister thinks fit, rather than just from the commencement of the school year as at present.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 September 1985.

These regulations are administered in the Department of Education.