

1969/24

THE EDUCATION (ASSESSMENT, CLASSIFICATION, AND APPOINTMENT) REGULATIONS 1965, AMENDMENT NO. 3

—
 ARTHUR PORRITT, Governor-General
 ORDER IN COUNCIL

At the Government Buildings at Wellington this 3rd day of March 1969

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING 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—These regulations may be cited as the Education (Assessment, Classification, and Appointment) Regulations 1965, Amendment No. 3, and shall be read together with and deemed part of the Education (Assessment, Classification, and Appointment) Regulations 1965* (hereinafter referred to as the principal regulations).

2. Filling of upgraded positions—(1) The principal regulations are hereby amended by revoking regulation 40, as amended by regulation 3 of the Education (Assessment, Classification, and Appointment) Regulations 1965, Amendment No. 2, and substituting the following regulation:

“40. (1) If at any time the grade of salary attached to the position of any primary teacher in a school is raised, the Education Board shall forthwith notify the teacher that he may be transferred and shall take the first opportunity to invite applications by advertisement for appointment to the position.

“(2) Notwithstanding the notice of transfer, the teacher shall, if he is the holder of a current personal report, be deemed to be an applicant for the position so advertised, whether or not he applies therefor: but, if some other applicant is to be appointed, the Board shall then take the first opportunity of transferring the teacher to another position, and no appointment shall be made until the teacher has been so transferred:

*S.R. 1965/175
 Amendment No. 1: S.R. 1966/211
 Amendment No. 2: S.R. 1968/222

Provided that if it has not been possible for an appointment to be made within 6 months from the date on which applications were invited by advertisement for appointment to the position, the Board shall then readvertise the position.

“(3) Notwithstanding anything in regulation 42 of these regulations, the following special provisions shall apply in connection with all appointments to positions for which applications are invited by advertisement in accordance with this regulation:

“(a) The Appointments Committee shall recommend for appointment the teacher holding the position if no other applicant has a higher general assessment on his personal report; but in every other case the Appointments Committee shall, after having regard to the interests of the school and the claims of other applicants as well as the claims of the teacher holding the position, recommend for appointment the applicant it considers most suitable for the position:

“(b) For the purpose of enabling the Appointments Committee to have regard to the interests of the school in relation to the claims of each applicant, the Board may place before the Appointments Committee information relevant to the interests of the school, and the Board shall provide that information in any case where it is requested by the Appointments Committee to do so.

“(4) The power of transfer conferred on a Board by this regulation shall be regarded as being exercised in accordance with the provisions of paragraph (a) of subclause (2) of regulation 36 of these regulations.”

(2) Regulation 3 of the Education (Assessment, Classification, and Appointment) Regulations 1965, Amendment No. 2, is hereby consequentially revoked.

P. J. BROOKS,
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 revise regulation 40 of the principal regulations so as to provide explicitly for the considerations to be taken into account when appointments are being made to upgrade teaching positions.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 6 March 1969.
These regulations are administered in the Department of Education.