

1906

**1976/325**



**THE EDUCATION (FORMS I TO VII SCHOOLS)  
REGULATIONS 1976**

DENIS BLUNDELL, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 20th day of December 1976

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 87 and 165 of the Education Act 1964 and to the Private Schools Conditional Integration Act 1975, 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 (Forms I to VII Schools) Regulations 1976.

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

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

(a) Words and expressions that are defined in the Education Act 1964 shall have the meanings so defined:

(b) Other words and expressions that are defined in the Private Schools Conditional Integration Act 1975 shall have the meanings so defined.

**3. Application of regulations**—These regulations shall apply to every composite school that—

(a) Provides primary education and secondary education for—

(i) Pupils who are eligible to attend classes in the Senior Division of a State primary school (as defined in the Organisation and Inspection of State Primary Schools Regulations 1963\*); and

- (ii) Pupils who are entitled to receive secondary education;  
and
- (b) Provides no other primary education.

**4. Control**—Subject to the provisions of these regulations, every school to which these regulations apply shall, as the Minister may (by notice in the *Gazette*) for the time being require, be controlled by a Board of Governors constituted pursuant to section 51 or section 57 of the Education Act 1964, or by the Education Board of the district, or by a Secondary Schools Council, or by the governing body of some other secondary school or schools, or by the Director-General pursuant to section 106A of the Education Act 1964:

Provided that, in giving any such notice in respect of an integrated school to which these regulations apply, the Minister shall have regard to the requirements of section 25 of the Private Schools Conditional Integration Act 1975, and shall be bound by any provision relating to the composition of the controlling authority of that school that may be recorded in the integration agreement relating to that school.

**5. Saving of existing controlling authorities**—Notwithstanding anything in regulation 4 of these regulations, every school to which these regulations apply, being a school that was established before the commencement of these regulations, shall, without further notice by the Minister of the form of control, continue until such a notice is given by the Minister to be controlled by the controlling authority that had the control of the school immediately before the commencement of these regulations:

Provided that, in the case of an integrated school to which these regulations apply, the composition of the controlling authority, on and after the effective date of the integration agreement relating to that school, shall be that provided by that agreement or, if there is no such provision, as determined by the Minister pursuant to regulation 4 of these regulations.

**6. Change of controlling authority**—Subject to the provisions of an integration agreement relating to any integrated school to which these regulations apply, the Minister may from time to time, by notice in the *Gazette*, require a school to which these regulations apply to be removed from the control of its existing controlling authority and be placed under the control of any other controlling authority specified in regulation 4 of these regulations except the Director-General.

**7. Delegation of control to special Committee**—The provisions of section 53 of the Education Act 1964, so far as they relate to delegation of powers to a special Committee, shall apply to any school to which these regulations apply that is not controlled by its own Board of Governors as if the school were a secondary school.

**8. Member of controlling authority to represent Proprietors of integrated school**—The controlling authority of every integrated school to which these regulations apply shall have at least one member who is appointed on the nomination of the Proprietors of the school.

**9. Teachers**—(1) Every teacher in any school to which these regulations apply shall on appointment be a secondary teacher, and the provisions of the Education (Assessment, Classification, and Appointment) Regulations 1976\* shall apply accordingly.

(2) Every appointment of a teacher to any teaching position in any school to which these regulations apply shall be made in accordance with the provisions of the Education (Assessment, Classification, and Appointment) Regulations 1976\* applicable to appointments to teaching positions in a secondary school.

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

\*S.R. 1976/287

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#### EXPLANATORY NOTE

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

These regulations make provision for the control of Forms I to VII schools (including composite schools of that nature). Regulation 9 declares that every teacher in any school to which the regulations apply shall be a secondary teacher, and the Education (Assessment, Classification, and Appointment) Regulations 1976 shall apply accordingly.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 December 1976.

These regulations are administered in the Department of Education.