



**THE KINDERGARTEN APPOINTMENTS REGULATIONS 1983,  
AMENDMENT NO. 2**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 10th day of November 1987

Present:

THE RIGHT HON. DAVID LANGE 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.

REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Kindergarten Appointments Regulations 1983, Amendment No. 2, and shall be read together with and deemed part of the Kindergarten Appointments Regulations 1983\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

**2. Only qualified teachers to be appointed**—Regulation 10 of the principal regulations is hereby amended by adding the following subclause:

“(4) Notwithstanding subclause (1) of this regulation, any person may be appointed to a position at a kindergarten in a special unit established under section 98 of the Education Act 1964 if approved by the Director-General as suitable to teach such a class.”

**3. Appointment of senior teachers and senior head teachers**—Regulation 18 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) No person shall be appointed or reappointed to a position as senior teacher or senior head teacher if, at the time the position is to be taken up, that person during the previous 7 years will have held for 6 years or more a position, or 2 or more positions, as senior teacher or senior head teacher.”

**4. Transfers**—Regulation 19 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Subject to subclauses (2) and (3) of this regulation, any Association may at any time fill—

“(a) A vacant permanent position at a kindergarten under its control, by appointing to it a teacher already holding a position as a permanently appointed teacher at a kindergarten under its control:

“(b) A vacant relieving position under its control, by appointing to it a teacher already holding a position as a relieving teacher at a kindergarten under its control.”

**5. Appeal Board established**—(1) Regulation 21 (1) of the principal regulations is hereby amended—

(a) By omitting the words “who shall be appointed by the Minister”:

(b) By adding to paragraph (a) the words “appointed by the Minister”:

(c) By omitting from paragraphs (b) and (c) the word “nominated” and substituting, in each case, the word “appointed”.

(2) The said regulation 21 is hereby further amended by adding the following subclause:

“(5) For each member of the Appeal Board an alternate shall be appointed, on the same terms and conditions as that member; and every such alternate may act in place of the member whose alternate that alternate is, whenever that member is unavailable.”

**6. Notice of appeal**—(1) Regulation 25 of the principal regulations is hereby amended by revoking subclause (4) (as amended by regulation 4 (1) of the Kindergarten Appointments Regulations 1983, Amendment No. 1), and substituting the following subclause:

“(4) Within 10 days of being notified under subclause (3) of this regulation, the Association shall forward to the Appeal Board the application forms and referees’ reports of the appellant and the appointee.”

(2) Regulation 27 (1) (a) of the principal regulations is hereby consequentially amended by—

(a) Inserting, after the word, “appellant,” where it first occurs, the word “and”; and

(b) Omitting the words “, and the statement made by the Association”.

(3) So much of the Schedule to the Kindergarten Appointments Regulations 1983, Amendment No. 1 as relates to regulation 25 (4) b) of the principal regulations is hereby consequentially revoked.

MARIE SHROFF,  
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 made miscellaneous amendments to the Kindergarten Appointments Regulations 1983. They allow untrained teachers (with appropriate experience) to be appointed to positions at kindergartens involving the teaching of special classes; make clear that no teacher can have more than 2 consecutive 3-year appointments to the same position as Senior Teacher or Senior Head Teacher in a kindergarten; restrict the power to appoint kindergarten teachers by way of transfer, by allowing only the transfer of relieving teachers to relieving positions; provide for those members of the Kindergarten Teachers Appeal Board who are at present appointed by the Minister on the nomination of the New Zealand Free Kindergarten Union (Inc.) or the New Zealand Free Kindergarten Teachers Association (Inc.) to be appointed by those bodies directly; provide for the appointment of alternates to members of the Kindergarten Teachers Appeal Board; and dispense with the preparation by Associations of brief written statements for use in appeals.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 12 November 1987.  
These regulations are administered in the Department of Education.