



Reprint under section 7 of the Regulations Act 1936 of the School Committees Administration Regulations 1965 (S.R. 1965/149), as amended by the following enactments:

- Amendment No. 1, S.R. 1967/60
- Amendment No. 2, S.R. 1969/97
- Amendment No. 3, S.R. 1973/173
- Amendment No. 4, S.R. 1976/310
- Amendment No. 5, S.R. 1979/63

THE SCHOOL COMMITTEES ADMINISTRATION REGULATIONS 1965 (REPRINT)

H. E. BARROWCLOUGH, Administrator of the Government
By his Deputy
J. D. HUTCHISON

ORDER IN COUNCIL

At the Government House at Wellington this 1st day of September 1965

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL
PURSUANT to the Education Act 1964, His Excellency the Administrator of
the Government, acting by and with the advice and consent of the
Executive Council, hereby makes the following regulations.

ANALYSIS

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COMMITTEES</p> <p>3. Committees for State primary schools</p> <p>4. Committees for intermediate schools</p> <p style="text-align: center;">PART III—ELECTION OF MEMBERS</p> <p style="text-align: center;"><i>State Primary Schools</i></p> <p>5. Members to be elected</p> <p>6. Biennial meetings of householders</p> <p>7. Nominations for election</p> <p>8,9. <i>Revoked</i></p> <p>10. Election of members</p> <p>11. Ballot</p> <p>12. Voting</p> <p>13. Disputes and informalities</p> <p>14. Failure to elect Committee</p> <p>15. In absence of Committee Commissioners may be appointed</p> | <p>16. Appointment of Commissioners not to prevent subsequent elections</p> <p>17. Term of office of Committees</p> <p>18. Election to fill vacancies on Committee</p> <p style="text-align: center;"><i>School Committees of Intermediate Schools</i></p> <p>19. First election of Committee</p> <p>20. Elections to be held at biennial meetings</p> <p>21. Conduct of elections</p> <p>22. Committee for new intermediate school may be convened</p> <p>23. Committee to report</p> <p>24. Term of office of Committees</p> <p>25. Election to fill vacancies on Committee</p> <p style="text-align: center;">PART IV—CONDUCT OF BUSINESS</p> <p>26. Meetings of Committees</p> <p>27. Minutes</p> <p>28. Secretary and treasurer</p> <p style="text-align: center;">PART V—SCHOOL FUND</p> <p>29. School Fund</p> <p>30. Audit of Committee Accounts</p> <p>31. Revocations
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the School Committees Administration Regulations 1965.

(2) These regulations shall come into force on the date to be appointed for the commencement of the Education Act 1964 by the Governor-General by Proclamation.

(3) These regulations are divided into Parts as follows:

Part I—Preliminary.

Part II—Membership of School Committees.

Part III—Election of members.

Part IV—Conduct of Business.

Part V—School Fund.

The Education Act 1964 was brought into force on 15 October 1965 (see S.R. 1965/174)

PART I—PRELIMINARY

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

“The Act” means the Education Act 1964:

“Board”, in relation to any school or to the Committee or Commissioners for any school, means the Education Board of the education district in which the school is situated:

[“Committee” or “School Committee” means the School Committee elected for a school district or for a special school or for an intermediate school; and includes a committee convened by the Board when a new intermediate school is about to be established:]

[“Elector”, in relation to the election of members of the School Committee of an intermediate school, means a person qualified under subsection (1) of section 41 of the Act to elect members to the Committee.]

“Committee” or “School Committee”: This definition was substituted by regulation 2 of S.R. 1976/310 for the original definition (as amended by regulation 2 (1) of S.R. 1973/173).

“Elector”: This definition was inserted by regulation 2 (3) of S.R. 1973/173.

Definitions of “Department”, “Director-General”, “Householder”, “School district”, and “State primary school” were revoked by regulation 2 (2) of S.R. 1973/173.

PART II—MEMBERSHIP OF SCHOOL COMMITTEES

3. Committees for State primary schools—(1) For every school district of a State primary school other than an intermediate school there shall be a School Committee consisting of not less than 5 nor more than 9 householders.

(2) Where the average daily roll number at the school or schools in the school district for the first 4 weeks of the third term of the year immediately preceding the year in which any biennial meeting of householders is held did not exceed 100 children, the number of members of the School Committee to be elected at that meeting shall be 5; where that roll number was over 100 and not over 200, the number of members to be elected as aforesaid shall be 7; and where the roll number was over 200, the number of members to be elected as aforesaid shall be 9.

[4. Committees for intermediate schools—(1) For each intermediate school there shall be a School Committee consisting of 9 members elected in accordance with these regulations.

(2) For each intermediate school about to be established for which a School Committee is convened, the Committee shall consist of 9 members elected or appointed in accordance with these regulations.

(3) Notwithstanding anything in subclause (1) or subclause (2) of this regulation, the Minister may, where he considers it necessary, by notice in the *Gazette*, increase or reduce the number of members to be elected or appointed in accordance with these regulations to any School Committee.]

This regulation was substituted for the original regulation 4 by regulation 3 of S.R. 1973/173.

PART III—ELECTION OF MEMBERS *State Primary Schools*

5. Members to be elected—The members of each School Committee for a school district of a State primary school other than an intermediate school shall be elected at the biennial meeting of householders in the school district:

Provided that, where a school district is constituted for a newly established school or a reopened school, the Board or (in the case of a Maori school district) the Director-General shall, unless it or he appoints one or more Commissioners in accordance with regulation 15 of these regulations, fix a time and a place for the first election of members of the Committee for the school district.

6. Biennial meetings of householders—(1) In the year 1967, and in every second year thereafter, there shall be a biennial meeting of householders in each school district of a State primary school other than an intermediate school.

[(2) The Board, or (in the case of the school districts of Maori schools) the Director-General, shall fix the day in each such year for the biennial meeting of householders in each school district, being a day not earlier than the second Wednesday in April and not later than the first Wednesday in May:

[[Provided that in the case of an election of members of the Committee of a special school, that day shall not be fixed except after consultation with the existing Committee.]]]

(3) At each such biennial meeting a Chairman shall be chosen, and the Committee shall give a full account of its proceedings for the period of 2 years ending with the last day of January preceding the meeting.

(4) At every such biennial meeting, the Chairman shall have a deliberative vote, and [(except as provided in paragraph (c) of regulation 12 of these regulations)] in case of an equality of votes shall also have a casting vote.

Subs. (2) was substituted for the original subs. (2) by regulation 3 of S.R. 1976/310.

In subs. (2) the proviso was substituted for the former proviso by regulation 2 of the School Committees Administration Regulations 1965, Amendment No. 5 (S.R. 1979/63).

In subs. (4) the words in square brackets were inserted by regulation 2 of S.R. 1967/60.

[7. Nominations for election—At every biennial meeting the Chairman of the meeting shall call on householders present at the meeting to nominate householders for election to serve on the Committee for the 2 years next ensuing. Every nominee present at the meeting shall forthwith

inform the Chairman by word of mouth whether he accepts nomination or not. The nomination of any nominee not present at the meeting shall be received by the Chairman only if the Chairman receives at the time of nomination acceptance in writing by the nominee to his nomination.】

This regulation was substituted for the original regulation 7 by regulation 4 (1) of S.R. 1973/173.

8,9. Revoked by regulation 4 (2) of S.R. 1973/173.

10. Election of members—(1) At each such biennial meeting, the householders present shall proceed to elect a new Committee for the 2 years next ensuing, as hereinafter provided, and may re-elect any of the persons going out of office, if duly qualified and nominated, to be members of the new Committee.

【(2) The Chairman shall, after receiving all nominations in accordance with these regulations, read or cause to be read a complete list of the persons nominated for election. The meeting shall then proceed to elect the required number of persons to serve on the Committee.】

(3) *Revoked by regulation 5 of S.R. 1973/173.*

(4) If the number of duly nominated candidates is equal to the number of persons to be elected, the Chairman shall declare that those candidates have been duly elected.

(5) If the number of duly nominated candidates is in excess of the number of persons to be elected, a ballot shall be taken, and up to the required number those candidates shall be declared duly elected for whom a preference has been proved by the number of the votes respectively recorded in their favour.

(6) If the number of candidates duly nominated is less than the number required to be elected, the candidates duly nominated shall be declared duly elected; and the Board or the Director-General, as the case may be, shall appoint such householders as it or he deems fit to make up the number of members of the Committee to the number required, and every member appointed in accordance with this provision shall be deemed to have been duly elected.

Subclause (2) was substituted for the original subclauses (2) and (3) by regulation 5 of S.R. 1973/173.

11. Ballot—(1) If a ballot is required to be had, every householder present at the meeting who wishes to vote shall apply to the Chairman for a voting paper; and the Chairman, if satisfied that the householder is duly qualified to vote, shall give the householder a blank voting paper. After blank voting papers have been distributed to all householders wishing to vote and qualified to do so, the Chairman shall prominently display by writing on a blackboard, or other means, the names of all duly nominated candidates, and shall call upon the householders to complete their voting papers by writing thereon the names of those candidates. When the Chairman is satisfied that all electors have completed their voting papers in this way, he shall ask them, without leaving the room or place of election, to strike out any names they wish on their voting paper, but so as not to leave more names on the paper than the number of committeemen to be elected. Each elector, on recording his vote in this way, shall fold the voting paper so that its contents cannot be seen, and shall then return the same to the Chairman or, if a ballot box is provided, put the same into the ballot box in the presence of the Chairman.

(2) As soon as all the householders present who desire to vote have recorded their votes, the Chairman shall declare the ballot closed, and

hand the ballot-papers to the scrutineers, if any are appointed by the meeting; or, if no scrutineers are appointed, shall himself open the ballot-papers, and, counting the votes given for each candidate, shall ascertain and declare the result of the election.

12. Voting—At every election for a Committee for any such district—

- (a) No person shall be entitled to vote in respect of more qualifications than one, although he possesses them:
- (b) Every elector may vote for any number of candidates at an election not exceeding the number of members of the Committee then to be elected, but no elector may give for any 1 candidate more than 1 vote:
- [(c) If by reason of an equality of votes given for 2 or more candidates the election is not complete, the Chairman shall decide by lot which candidate or candidates shall be elected, and thereby complete the election.]

Paragraph (c) was substituted for the original para. (c) by regulation 3 of S.R. 1967/60.

13. Disputes and informalities—(1) If any dispute arises respecting the validity of the proceedings at the biennial or other election of any member of any such Committee, the matter in dispute shall be submitted to the judgment of the Board of the district (or, in the case of the Committee for the school district of a Maori school, to the judgment of the Director-General), whose decision thereon shall be final and conclusive.

(2) In any case when a representation has been made to the Board or to the Director-General that the proceedings at any election meeting have not been strictly formal or legal, the Board or Director-General, as the case may be, need not call for another election if in its or his opinion the informality was not wilful and did not really affect the result of the election.

[14. Failure to elect Committee—If from any cause whatever the householders in any school district fail to elect a Committee on the biennial day of meeting, the Board if it thinks fit or, in the case of the school district for a Maori school, the Director-General if he thinks fit, may fix another time for the election of a Committee for the school district; and the like notice of the meeting, with the necessary change of date for the election, shall be given, and the like proceedings taken at the meeting, as are prescribed by these regulations for the biennial election.]

This regulation was substituted for the original regulation 14 by regulation 6 of S.R. 1973/173.

15. In absence of Committee Commissioners may be appointed—If after the last-mentioned meeting the householders neglect or refuse to elect a Committee, or if the Board or the Director-General in the exercise of the discretion given under regulation 14 hereof makes no provision for such a meeting, or if in any case where a school has been newly established or has been reopened, there is no Committee for the school, the Board or the Director-General, as the case may be, may appoint one or more Commissioners, who shall hold office until the election of a Committee, unless, in the case of any Commissioner, he is removed from office by the Board before that date. Any such Commissioner or Commissioners shall have all the powers and shall perform all the duties by law assigned to a School Committee.

16. Appointment of Commissioners not to prevent subsequent elections—The appointment of a Commissioner or Commissioners in accordance with regulation 15 of these regulations shall not prevent the Board if it thinks fit (or, in the case of the school district for a Maori school, the Director-General, if he thinks fit) from subsequently fixing a time for the [election] of a Committee for the school district, to hold office until the election of a new Committee at the next biennial meeting of householders. The provisions of regulation 14 of these regulations relating to the proceedings to be taken for the election of a Committee shall apply also to the election of any such Committee.

The word “election” was substituted for the words “nominations and election respectively” by regulation 7 of S.R. 1973/173.

17. Term of office of Committees—Every Committee elected as aforesaid shall hold office until the election of a new Committee, or the appointment of a Commissioner or Commissioners: and if any vacancy occurs by death or otherwise in any Committee the remaining members of the Committee, being not less than a quorum, shall elect a qualified person to fill such a vacancy.

18. Election to fill vacancies on Committee—If by any means the number of members of any such Committee is reduced to less than the number required for a quorum, or if a majority of the members of any such Committee send in their resignations to the Board or to the Director-General, as the case may be, the Board or Director-General may direct an election to be held to fill up the vacancies; and the proceedings in connection with any such election shall be the same as in the case of a biennial election.

School Committees of Intermediate Schools

19. First election of Committee—The first election of the members of the School Committee of a newly established intermediate school shall be held at a meeting of the [electors] to be held on a date as soon as possible after the opening of the school, to be fixed by the Board.

The word “electors” was substituted for the words “parents or guardians of the pupils attending the school” by regulation 8 of S.R. 1973/173.

[20. Elections to be held at biennial meetings—An election of the members of each School Committee for an intermediate school shall be held at the biennial meeting of electors to be held on a date fixed by the Board in the first week of the month of May in 1975 and in every second year thereafter:

Provided that, if the members of a Committee for a newly established intermediate school, or the members of a Committee convened in accordance with regulation 22 of these regulations, have been in office for less than 1 year on the date of the biennial meeting of electors, those members shall continue to hold office until the election of a new Committee at the following biennial meeting of electors.]

This regulation was substituted for the original regulation 20 by regulation 9 of S.R. 1973/173.

21. Conduct of elections—Every election of the members of the Committee of an intermediate school [, including any election for the purposes of regulation 22 of these regulations,] shall be conducted by the Board in such manner as the Board, with the approval of the Minister, may determine.

The words in square brackets were inserted by regulation 10 of S.R. 1973/173.

[22. Committee for new intermediate school may be convened— Notwithstanding anything in regulation 19 of these regulations, if a new intermediate school is about to be established, the Board may with the approval of the Minister convene a Committee to take office before the school opens. The members of the Committee may, as the Minister approves, be elected by those persons who would be electors were the school open, or be suitable persons appointed by the Board, or be a proportion of each.]

This regulation was substituted for the original regulation 22 by regulation 11 of S.R. 1973/173.

23. Committee to report—At the biennial meeting of [electors] for the purpose of electing members of the Committee for the ensuing 2 years, the Committee shall give a full account of its proceedings for the previous 2 years.

The word "electors" was substituted for the words "parents or guardians of the pupils attending an intermediate school" by regulation 12 of S.R. 1973/173.

[24. Term of office of Committees—(1) Every Committee elected for an intermediate school in accordance with regulation 20 of these regulations, and every Committee convened by the Board in accordance with regulation 22 of these regulations, shall hold office until the election of a new Committee.

(2) If any vacancy in membership occurs by death or otherwise in any Committee, in the case of a Committee elected in accordance with regulation 20 of these regulations the remaining members of the Committee shall elect a parent or guardian eligible as an elector to fill the vacancy, and in the case of a Committee convened under regulation 22 of these regulations the Board shall appoint a suitable person to fill the vacancy.]

This regulation was substituted for the original regulation 24 by regulation 13 of S.R. 1973/173.

25. Election to fill vacancies on Committee—If a majority of the members of a Committee elected for an intermediate school send in their resignations to the Board, the Board may direct an election to be held to fill up the vacancies; and the proceedings in connection with any such election shall be the same as in the case of a biennial election.

PART IV—CONDUCT OF BUSINESS

26. Meetings of Committees—(1) A School Committee shall hold its meetings at such times and places as the Committee from time to time appoints:

Provided that a Committee shall hold its first meeting after election at a time and place to be fixed by the Board or (in the case of a Committee for the school district of a Maori School) by the Director-General:

Provided also that a special meeting of a Committee shall be convened at the request of 2 or more of the members or by order of the Chairman thereof.

(2) At its first meeting, or as soon thereafter as conveniently may be, the Committee shall elect one of its members to be Chairman until the next election of the Committee.

(3) The Chairman shall preside at all meetings of the Committee at which he is present, and if he ceases to be a member of the Committee he shall cease to be the Chairman.

(4) If the Chairman resigns his office, or ceases to be a member of the Committee, the Committee shall, as soon thereafter as conveniently may be, elect another member of the Committee to be Chairman in his stead.

(5) If at any meeting of the Committee the Chairman is not present, one of the members present shall be elected Chairman of the meeting by the majority of the votes of the members present and voting thereat.

(6) The quorum at each meeting of the Committee shall be 3 in the case of a Committee of 5 members, 4 in the case of a Committee of 7 members, and 5 in the case of a Committee of 9 members; and no business shall be transacted at any meeting unless there is a quorum present thereat.

(7) The Chairman shall have a deliberative and also a casting vote at every such meeting, and the decision of the majority of the members present and voting on any question shall be final and conclusive thereon.

27. Minutes—Minutes of the proceedings of every Committee shall be regularly entered in a book to be kept for that purpose, and at every meeting of the Committee the minutes of the preceding meeting shall be presented for confirmation by resolution of the Committee, and signed by the Chairman of the meeting at which they are confirmed; and the minutes when so signed shall for all purposes be held to be a true statement and record of the proceedings of the Committee.

28. Secretary and treasurer—(1) Every Committee may appoint one of its own members or some other qualified person to be its secretary and treasurer, or may appoint such a person to be its secretary and another such person to be its treasurer. The secretary shall convene all meetings of the Committee by causing at least 3 days' previous notice to be given to each member thereof, and shall attend the meetings of the Committee, and take minutes of the proceedings, and do whatever may be required of him in accordance with these regulations.

(2) The secretary and treasurer, or a person holding either office, shall not receive any remuneration from Government funds for his services if he is a member of the Committee.

PART V—SCHOOL FUND

[29. School Fund—(1) Except as otherwise provided in subclause (2) of this regulation, all money comprising the School Fund received by or belonging to a Committee shall be paid into such bank or trustee savings bank as the Committee from time to time appoints, or into the Post Office Savings Bank, to an account to be called The (*Name*) School Account.

(2) A Committee may, with the approval of the Board, open an account for any special purpose at such bank or trustee savings bank as the Committee from time to time appoints, or at the Post Office Savings Bank, and all money received for that purpose shall then be paid to that account.

(3) No money paid by a School Committee to any bank, trustee savings bank, or into the Post Office Savings Bank in accordance with subclauses (1) and (2) of this regulation shall be drawn out of that bank, trustee savings bank, or Post Office Savings Bank except by authority of the Committee and by cheque or written order, as the case may be, signed by the Treasurer appointed by the Committee, and by such one or more members of the Committee as the Committee may from time to time authorise to sign cheques or written orders.]

This regulation was substituted for the original regulation 29 by regulation 2 of S.R. 1969/97.

30. Audit of Committee accounts—(1) The annual accounts of a Committee shall be audited by an auditor or auditors appointed for the purpose.

(2) The auditor or auditors shall be appointed, in the case of Committees of State primary schools other than Maori schools, by the Board of the district and, in the case of Committees of Maori schools, by the Director-General.

31. Revocations—The regulations specified in the Schedule hereto are hereby revoked.

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SCHEDULE
REGULATIONS REVOKED

Title or Subject-matter	Reference
Regulation 21 of the regulations for Intermediate Schools and Departments 1932	<i>Gazette</i> 1932, Vol. III, page 2773
The Intermediate Schools and Departments Regulations 1932, Amendment No. 3 ...	Statutory Regulations Serial Number S.R. 1939/246
The Education Amending Regulations 1946	S.R. 1946/190
The Intermediate Schools and Departments Regulations 1932, Amendment No. 5 ...	S.R. 1963/8

T. J. SHERRARD,
Clerk of the Executive Council.

Certified for the purposes of section 7 of the Regulations Act 1936, this 3rd day of April 1979.

J. K. McLAY, Attorney-General.

Issued under the authority of the Regulations Act 1936.
Date of notification of principal regulations in *Gazette*: 2 September 1965.
These regulations*are administered in the Department of Education.