

1973/173



**THE SCHOOL COMMITTEES ADMINISTRATION
REGULATIONS 1965, AMENDMENT NO. 3**

—

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 2nd day of July 1973

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.

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ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Committees for intermediate schools 4. Election of members of School Committees 5. Procedure at elections 6. Failure to elect Committee 7. Board may still fix time for election | <ol style="list-style-type: none"> 8. First election of members of School Committee of intermediate school 9. Elections to be held at biennial meetings 10. Conduct of elections 11. School Committee for new intermediate school may be convened 12. Committee to report 13. Term of office 14. Savings |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the School Committees Administration Regulations 1965, Amendment No. 3, and shall be read together with and deemed part of the School Committees Administration Regulations 1965* (hereinafter referred to as the principal regulations).

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

*S.R. 1965/149
Amendment No. 1: S.R. 1967/60
Amendment No. 2: S.R. 1969/97

2. Interpretation—(1) Regulation 2 of the principal regulations is hereby amended by omitting from the definition of the term “Committee” the words “intermediate school:”, and substituting the words “intermediate school; and includes a committee convened by the Board when a new intermediate school is about to be established:”.

(2) The said regulation 2 is hereby further amended by revoking the definitions of the terms and expressions “Department”, “Director-General”, “Householder”, “School district”, and “State primary school”.

(3) The said regulation 2 is hereby further amended by inserting after the definition of the term “Committee” the following definition:

“‘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.”

3. Committees for intermediate schools—The principal regulations are hereby further amended by revoking regulation 4, and substituting the following regulation:

“4. (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.”

4. Election of members of School Committees—(1) The principal regulations are hereby further amended by revoking regulation 7, and substituting the following regulation:

“7. 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.”

(2) The principal regulations are hereby further amended by consequentially revoking regulations 8 and 9.

5. Procedure at elections—Regulation 10 of the principal regulations is hereby amended by revoking subclauses (2) and (3), and substituting the following subclause:

“(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.”

6. Failure to elect Committee—The principal regulations are hereby further amended by revoking regulation 14, and substituting the following regulation:

“14. 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.”

7. Board may still fix time for election—Regulation 16 of the principal regulations is hereby amended by omitting the words “nominations and election respectively”, and substituting the word “election”.

8. First election of members of School Committee of intermediate school—Regulation 19 of the principal regulations is hereby amended by omitting the words “parents or guardians of the pupils attending the school”, and substituting the word “electors”.

9. Elections to be held at biennial meetings—The principal regulations are hereby further amended by revoking regulation 20, and substituting the following regulation:

“20. 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.”

10. Conduct of elections—Regulation 21 of the principal regulations is hereby amended by inserting, after the word “school”, the words “, including any election for the purposes of regulation 22 of these regulations,”.

11. School Committee for new intermediate school may be convened—The principal regulations are hereby further amended by revoking regulation 22, and substituting the following regulation:

“22. 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.”

12. Committee to report—Regulation 23 of the principal regulations is hereby amended by omitting the words “parents or guardians of the pupils attending an intermediate school”, and substituting the word “electors”.

13. Term of office—The principal regulations are hereby further amended by revoking regulation 24, and substituting the following regulation:

“24. (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.”

14. Savings—Notwithstanding anything in these regulations, every School Committee in office at the commencement of these regulations shall continue to hold office until the election of a new Committee in accordance with these regulations.

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 amend the School Committees Administration Regulations 1965. Regulation 2 revokes the definitions of certain terms which are now more precisely defined in the Education Act 1964. The same regulation also amends the definition of the term “Committee”, and inserts a new definition of the term “elector”.

The main effect of the amendments made to the principal regulations by these regulations is threefold.

First, the principal regulations are amended consequentially on the amendment made to section 41 of the Act by section 6 of the Education Amendment Act 1968. Section 41 of the Act, as so amended, entitles parents and guardians of pupils attending any school that is determined by the Minister of Education to be a contributing school in relation to an intermediate school to vote at an election for members to the School Committee of that intermediate school.

Secondly, the principal regulations are amended consequentially on the amendment made to section 41 of the Act by section 3 of the Education Amendment Act 1972 whereby School Committees may be convened for new intermediate schools about to be established.

Thirdly, the principal regulations are amended to require that all nominations for members to be elected to School Committees be made orally at election meetings.

Other amendments made by these regulations relate to the filling of casual vacancies in the membership of School Committees. A savings clause is included.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 5 July 1973.

These regulations are administered in the Department of Education.