

1975/251

**THE SECONDARY SCHOOL BOARDS ADMINISTRATION AND
EMPLOYMENT REGULATIONS 1965, AMENDMENT NO. 4**

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 28th day of October 1975

Present:

THE HON. R. J. TIZARD 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 Secondary School Boards Administration and Employment Regulations 1965, Amendment No. 4, and shall be read together with and deemed part of the Secondary School Boards Administration and Employment Regulations 1965* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force simultaneously with section 6 of the Education Amendment Act (No. 2) 1974.

2. Election of parents representatives to Boards—(1) Regulation 7 (1) of the principal regulations is hereby amended by inserting, after the words “parents of pupils”, the words “attending a school which has been opened”.

(2) The said regulation 7 is hereby further amended by inserting, after subclause (1), the following subclause:

“(1A) In every case of an election to be conducted pursuant to section 51 (3) of the Education Act 1964—

(a) The Minister shall give notice of the proposed election to the Returning Officer and to the controlling authority of each State primary school from which in his opinion the majority or a substantial proportion of the pupils in the Senior Division (as

defined in the Organisation and Inspection of State Primary Schools Regulations 1963) are likely to be enrolled at the newly established secondary school both in the year during which the school is opened and in the subsequent year:

- (b) If on the application to him by the proprietors or other controlling authority of any private primary school the Minister is satisfied that the majority or a substantial proportion of the pupils in the equivalent in that school of the Senior Division in a State primary school are likely to be enrolled at the newly established secondary school both in the year during which the school is opened and in the subsequent year he may authorise the parents of those pupils to participate in the election and in that case shall give notice of his approval to the Returning Officer:
- (c) The Returning Officer for an election conducted pursuant to this subclause shall be an officer of the Department of Education appointed for the purpose by the Director-General, and every such appointment shall be notified by the Director-General to the controlling authority of each school notified by the Minister or approved by the Minister to participate in the proposed election:
- (d) The controlling authority of each school so notified shall as soon as possible thereafter give the Returning Officer, in the case of a State primary school a list of the parents of children in the Senior Division (defined as aforesaid) of the school, and in the case of a private primary school a list of those parents who wish to participate in an election and have children in the equivalent in that school of the said Senior Division, containing sufficient details to enable him to prepare a roll in accordance with paragraph (2) of the First Schedule to these regulations:
- (e) Unless the Minister prescribes some other method, the method of conducting an election set out in the First Schedule to these regulations shall, with any necessary modifications, apply to an election conducted pursuant to this subclause:
- (f) Notwithstanding subclause (2) of this regulation, every election held pursuant to this subclause shall be held on a date approved by the Minister, being a date not more than 12 months earlier than the date on which the school is due to open:
- (g) Members elected pursuant to this subclause shall hold office for the same period as the other members of the Board and shall then be replaced by members elected pursuant to subclause (1) of this regulation:
- (h) Except as provided by this subclause, the provisions of these regulations relating to members elected by parents of pupils attending a school which has been opened shall, with any necessary modifications, apply to members elected pursuant to this subclause:
- (i) The cost of conducting an election pursuant to this subclause shall be met out of money appropriated from time to time by Parliament for the purpose."

3. Election of member by teachers—The principal regulations are hereby amended by inserting, after regulation 7, the following regulation—

“7A. (1) In every case where a member is to be elected by the teachers of all the schools controlled by the Board the election shall be conducted by the Board in such manner as the Board, with the approval of the Minister, may determine.

(2) Only a teacher within the meaning of the Education Act 1964 who at the time of the election is employed by the Board as a teacher in a school controlled by the Board shall be eligible to be nominated as a candidate or to nominate a candidate or to vote in an election conducted pursuant to subclause (1) of this regulation; and every such teacher shall so be eligible.

(3) Subject to subclause (4) of this regulation, the first such election shall be held on a date to be fixed by the Minister; and thereafter every such election shall be held on a day fixed by the Board in the month in each year in which the term of office of members is due to expire.

(4) Where the members of a Board do not all hold office for a term expiring on the same date, the term of office of the first person elected pursuant to this regulation shall expire on the next date on which other members of the Board go out of office; and the vacancy thus created shall be filled on the same date and for the same term as the vacancies created by the going out of office of those other members.”

4. Qualifications of members—Regulation 16 of the principal regulations is hereby amended by inserting after the words “or otherwise suffered the penalty imposed on him, or”, the words “, not being a member elected pursuant to regulation 7A of these regulations,”.

5. Tenure of office—(1) Regulation 21 of the principal regulations is hereby amended by inserting, after paragraph (g), the following paragraph:

“(h) Who was elected pursuant to regulation 7A of these regulations ceases to be employed by the Board as a teacher.”

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

“Provided that paragraph (g) of this regulation shall not apply to a member of the Board elected pursuant to regulation 7A of these regulations.”

6. Committees—(1) The principal regulations are hereby amended by revoking regulations 37, 38, and 39.

(2) Regulation 40 of the principal regulations is hereby amended by adding the words “pursuant to section 61A of the Education Act 1964”.

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, which come into force on the commencement of section 6 of the Education Amendment Act (No. 2) 1974, provide for the appointment of teacher representatives to the governing bodies of secondary schools, and parent representatives to the governing bodies of new secondary schools.

Parent representatives on the governing bodies of new secondary schools are to be elected by the parents of children at those primary schools a majority of whose senior pupils will go to the new school in the next 2 years.

A teacher representative is to be elected by the teachers at all schools controlled by a Board, and must be nominated by and be a member of that class.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 October 1975.

These regulations are administered in the Department of Education.