



THE TECHNICAL INSTITUTES REGULATIONS 1968

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 24th day of June 1968

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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REGULATIONS

PART I—PRELIMINARY

1. Title—These regulations may be cited as the Technical Institutes Regulations 1968.

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

“The Act” means the Education Act 1964:

“Approved class” means any class in a technical institute which has been recognised by the Director-General pursuant to section 91 of the Act and has been approved by him for the purpose of the staffing entitlement of the institute:

“Board” means a Board of Governors constituted under the Act for the control of a technical institute:

“Class contact hour”, in relation to any tutor, means a period of one hour spent in class instruction:

“Controlling authority”, in relation to any technical institute not under the control of the Department of Education, means the Board of Governors or other authority having immediate control of the institute:

“Directed class” means any class in which a majority of the students are apprentices required to attend in accordance with an apprenticeship order:

“Director-General” means the Director-General of Education; and includes any person for the time being directed under the State Services Act 1962 to exercise and perform the powers and duties of the Director-General:

“Minister” means the Minister of Education:

“Salary order” means a teachers determination made under the Education Act 1964, or a teachers order made under the Government Services Tribunal Act 1965, and relating to the salaries, allowances, or wages of those members of the education service who are employed in technical institutes:

“Staffing entitlement”, in relation to any technical institute in any year, means the total number of tutors assessed as the entitlement of that institute in respect of that year:

- “Student hour” means any hour during which a student enrolled at a technical institute attends an approved class of that institute:
- “Technical institute” means a technical institute established under Part III of the Act:
- “Tutor” means any person employed in a teaching position in a technical institute; and includes the Principal and Deputy Principal (if any) of a technical institute.

PART II—STAFFING ENTITLEMENT

3. Classification of approved classes—All approved classes shall be classified into three groups (to be called Group I, Group II, and Group III) in a schedule notified by the Director-General to controlling authorities of technical institutes; and the Director-General shall from time to time notify the controlling authorities of amendments to the schedule.

4. Determination of staffing entitlement—(1) Except as otherwise provided in subclause (5) of this regulation, the staffing entitlement of any technical institute for any year shall be based on the total number of weighted student hours assessed for that institute in accordance with regulation 5 of these regulations.

(2) In the case of every technical institute with a total of 200,000 or more weighted student hours so assessed, the staffing entitlement (in addition to the Principal or, in the case of a Grade III or Grade IV technical institute, in addition to the Principal and the Deputy Principal) shall be 25.3 tutors, including part-time tutors appointed instead of full-time tutors in accordance with the scale set out in regulation 14 of these regulations, together with additional tutors at the rate of one for each 12,250 weighted student hours by which the total number of weighted student hours for the institute exceeds 200,000 weighted student hours:

Provided that, in the case of a Grade I or Grade II technical institute, the staffing entitlement to which the technical institute is otherwise entitled shall be increased by .2 of a tutor.

(3) Where the total number of weighted student hours for any technical institute so assessed is less than 200,000, the staffing entitlement for the technical institute shall be such as the Director-General shall determine after consultation with the controlling authority.

(4) Notwithstanding anything in the foregoing provisions of this regulation, the staffing entitlement of any technical institute, as determined for any year in accordance with subclause (2) or subclause (3) of this regulation, may be increased by the employment of such additional tutors as the Director-General may approve, where new courses are being introduced in that year, or if the weighted student hours for all approved classes for the first period of the year exceed by 10 percent or more the total of those hours for the first period of the immediately preceding year, or if there are other special circumstances which, in the opinion of the Director-General, warrant an increase in the staffing entitlement.

(5) Where any technical institute is first established, the staffing entitlement of that institute shall, until such time as it can be determined in accordance with the foregoing provisions of this regulation, be determined by the Director-General after consultation with the controlling authority.

5. Assessment of student hours—(1) For the purposes of this regulation and of regulation 4 hereof—

“Assessment year” means the year immediately preceding the year for which the staffing entitlement is to be calculated:

“First period”, in relation to any year, means the period commencing on the 1st day of January and ending with the 31st day of March:

“Second period”, in relation to any year, means the period commencing on the 1st day of April and ending with the 31st day of July:

“Third period”, in relation to any year, means the period commencing on the 1st day of August and ending with the 31st day of December.

(2) The total weighted student hours for any technical institute shall, for the purposes of regulation 4 of these regulations, be calculated as follows:

- (a) In September of the assessment year, there shall be assessed separately, in respect of Group I, Group II, and Group III classes, the total number of student hours for the first two periods of the assessment year, and to the number of student hours so determined for each group shall be added in each case the number of hours deemed, in accordance with paragraph (b) of this subclause, to be the number of student hours for the group for the third period of the assessment year:
 - (b) In respect of the third period of the assessment year, the student hours shall in the case of each group be deemed to be the number of student hours in the third period of the immediately preceding year for that group increased or decreased (as the case may be) in the proportion which the total number of student hours in the first and second periods of the assessment year for that group bears to the total number of student hours in the same periods of the immediately preceding year for that group:
 - (c) The total number of weighted student hours shall be the sum of the following:
 - (i) The total number of student hours for Group I classes in the assessment year, as assessed in accordance with paragraphs (a) and (b) of this subclause:
 - (ii) The total number of student hours for Group II classes in the assessment year, as assessed in accordance with paragraphs (a) and (b) of this subclause, increased by one-third:
 - (iii) The total number of student hours for Group III classes in the assessment year, as assessed in accordance with paragraphs (a) and (b) of this subclause, increased by one-half.
- (3) In determining the number of student hours for the purposes of paragraphs (a) and (b) of subclause (2) of this regulation, the number of students attending approved classes shall be assessed subject to the following:
- (a) Where the Minister so approves, on representations being made to him by the controlling authority of a technical institute that the numbers in a class in any subject are small and it is desirable that the class should be fostered, the numbers in that class shall be deemed to be increased by one-half for such period as the Minister may determine:

- (b) Where the average roll in directed classes in any trade for any period is less than 13.6, the numbers in those classes shall, where the Director-General so approves, be deemed to be increased by one-twelfth for the period.

PART III—CLASSIFICATION OF INSTITUTES AND DEPARTMENTS

6. Classification of institutes—A technical institute shall be classified by the Director-General in one of four grades, namely, Grade I, Grade II, Grade III, and Grade IV, of which Grade IV shall be the highest.

7. Classification of departments—The Director-General may, on the application of the controlling authority of a technical institute, recognise any aggregation of classes in that institute as a department, and every department so recognised shall be classified by the Director-General in one of three grades, namely, Grade I, Grade II, and Grade III, of which Grade III shall be the highest.

PART IV—APPOINTMENT OF STAFF

8. Advertising of positions—(1) Except in the case of an appointment of a Head of Department as Deputy Principal under subclause (1) of regulation 11 of these regulations or of any appointment under regulation 14 or 15 of these regulations, no tutor shall be permanently appointed to a full-time teaching position in a technical institute unless applications for appointment to the position have been invited by the controlling authority by advertisement published in accordance with subclause (2) of this regulation at least 14 days before a date to be specified in the advertisement as the date of closing of applications.

(2) Every such advertisement shall be published in the *New Zealand Education Gazette* and in such other manner (if any) as the Director-General may in any case require.

9. Director-General to approve certain appointments—Except with the prior approval of the Director-General, no applicant for appointment to a teaching position in a technical institute shall be permanently appointed unless he has been classified as a secondary teacher and has had that classification confirmed in accordance with Part V of the Education (Assessment, Classification, and Appointment) Regulations 1965*, or is already permanently appointed as a tutor in a technical institute.

10. Appointment of Principal—(1) Where applications have been invited for appointment to the position of Principal of a technical institute, the controlling authority shall submit to the Director-General a list of the names of all the applicants, together with a statement of their several qualifications as appearing in their applications.

(2) At any time within 14 days after the date on which the list of applicants has been received by him, the Director-General may make to the controlling authority such comments as he thinks proper as to the fitness or otherwise of the several applicants for appointment to the position, and the controlling authority shall not select any applicant for appointment before it has considered any comments received by it from the Director-General:

Provided that if no comments have been received within the aforesaid period of 14 days the controlling authority may then proceed to select an applicant for appointment to the position.

(3) No appointment shall be made to the position of Principal of a technical institute except with the approval of the Minister.

11. Appointment of Deputy Principal—(1) The controlling authority of a technical institute which is classified in Grade I or II may, with the approval of the Director-General, select, on the recommendation of the Principal, one Head of Department in that institute for appointment to the position of Deputy Principal or may, in special circumstances where the Minister so approves, select some other person for appointment to that position, but any such appointment shall be terminated by the controlling authority if the technical institute is subsequently classified in a grade higher than Grade II.

(2) Subject to the approval of the Director-General, the controlling authority of a technical institute which is classified in Grade III or Grade IV may, on the recommendation of the Principal, appoint a Deputy Principal.

12. Appointment of Heads of Departments—Subject to the approval of the Director-General, the controlling authority of a technical institute may, on the recommendation of the Principal, appoint a Head of Department of the appropriate grade in respect of any department recognised by the Director-General in accordance with regulation 7 of these regulations.

13. Appointment of tutors—(1) In addition to the Principal (in the case of a technical institute which is classified in Grade I or Grade II) and in addition to the Principal and Deputy Principal (in the case of a technical institute which is classified in Grade III or Grade IV) the controlling authority of a technical institute may during any year appoint tutors, in accordance with the provisions of this regulation, in such numbers as it deems necessary:

Provided that the controlling authority of a technical institute shall, before making any such appointment, consult the Principal as to the suitability of the several applicants for the position.

(2) The total number of class contact hours for which the tutors are employed in any year shall not exceed the maximum number of class contact hours which could be required in the event of the employment throughout the year of a number of tutors equal to the staffing entitlement of the institute:

Provided that, for the purpose of this subclause, any full-time tutor employed throughout the year shall be deemed to have been employed for the maximum class contact hours for a tutor of his grade:

Provided also that, in assessing the total number of class contact hours for which tutors are employed in any year, the class contact hours of any newly appointed full-time tutor who has had no previous full-time teaching experience shall not be taken into account for the first four weeks following his appointment.

(3) Tutors not holding positions as Principal or Deputy Principal or as Head of Department shall be of four grades, namely, Grade I, Grade II, Grade III, and Senior Tutor; and, except in special circumstances where the Director-General on application being made to him by

the controlling authority approves otherwise in any year, the controlling authority of a technical institute shall employ tutors under subclause (1) of this regulation so that, when the staffing entitlement of the institute has been attained, the proportions in which tutors are employed in the various grades shall be as near as is practicable, in the opinion of the Director-General, to the following proportions:

Tutor, Grade I	.....	.....	.....	30 percent
Tutor, Grade II	.....	.....	.....	40 percent
Tutor, Grade III	.....	.....	.....	25 percent
Senior Tutor	.....	.....	.....	5 percent
Total	.....	.....	.....	100 percent

14. Part-time tutors—Notwithstanding anything in these regulations, the controlling authority of a technical institute may in any year appoint to such extent as it thinks fit part-time tutors instead of full-time tutors of various grades whom it is entitled to appoint under regulation 13 of these regulations, in accordance with the following scale:

In place of a Tutor, Grade I	—for 960 class contact hours.
In place of a Tutor, Grade II	—for 920 class contact hours.
In place of a Tutor, Grade III	—for 880 class contact hours.
In place of a Senior Tutor	—for 800 class contact hours.

15. Appointment of Course Supervisors—(1) Where the Director-General, on application being made to him by the controlling authority of a technical institute, approves the appointment of a Course Supervisor in respect of a particular course or area of study or other activity within a department of that institute, the controlling authority may, on the recommendation of the Principal, appoint a tutor of Grade I, Grade II, or Grade III to be a Course Supervisor of Grade I or Grade II in respect of the particular course or area of study or other activity within the Department.

(2) The Director-General may revoke any approval to the appointment of a Course Supervisor under subclause (1) of this regulation by giving one month's notice to the controlling authority of his intention to do so; and thereupon any appointment of a Course Supervisor previously made by the controlling authority pursuant to the approval shall be terminated from the expiry of the period of notice.

(3) Except as otherwise provided in subclause (2) of this regulation, a Course Supervisor shall be appointed for such period as the controlling authority determines in each case, but every such appointment shall be reviewed annually by the controlling authority and may be terminated by that authority by giving one month's notice in writing to the tutor.

(4) A tutor who is appointed a Course Supervisor in accordance with the foregoing provisions of this regulation shall have such responsibilities, under the direction of the Principal, Deputy Principal, or a Head of Department, pertaining to classes or related matters connected with the particular course or area of study or other activity within the institute or a department of that institute in respect of which he has been appointed as may from time to time be assigned to him.

16. Initial appointments—Notwithstanding anything in the foregoing provisions of these regulations, the controlling authority of a technical institute, with the concurrence of the Director-General, may, when making the initial appointments necessary on the establishment of a

technical institute, appoint a person permanently to any position in the institute other than that of Principal, Deputy Principal, or Head of Department, without inviting applications for appointment to the position:

Provided that no person shall be so appointed unless immediately before that appointment he was a full-time teacher in a secondary school or technical institute which, because of the establishment of the technical institute, has discontinued or is about to discontinue any technical class or classes.

17. Occasional lecturers—In addition to the full-time and part-time tutors who may be appointed in accordance with the provisions of these regulations, the controlling authority of a technical institute may from time to time engage, with the approval of the Director-General, a suitably qualified person for a particular lecture or series of lectures to students of the technical institute.

18. Salaries of Principals—(1) Except as otherwise provided in these regulations or in any salary order and without restricting anything so provided, Principals of technical institutes shall be paid the salaries specified in the First Schedule to these regulations.

(2) This regulation shall be deemed to have come into force on the 1st day of April 1967.

19. Payment for extra duties as relieving Principal—A permanent tutor who relieves in a higher position as Principal in a technical institute and performs the extra duties and undertakes the responsibilities of that higher position for a period of or exceeding 30 consecutive days shall be paid salary for the whole of that period as if he were permanently appointed to the higher position:

Provided that vacation periods or periods of special leave shall not be counted as part of, or deemed to interrupt, the qualifying period of 30 consecutive days if the tutor continues in the higher position as Principal after the vacation or period of special leave:

Provided also that, where the tutor is being paid additional salary for relieving in a higher position as Principal on the last day before commencing a period of vacation, he shall be paid the additional salary for that vacation for a period equal to one-fourth of the time he was employed in the higher position before the vacation, or until the end of the vacation, whichever is the shorter period:

Provided further that, with the prior consent of the Director-General and subject to the payments being for a period not exceeding one-fourth of the time during which the tutor was employed in the higher position, payment of the additional salary may be made during a period of leave which does not immediately follow a period in the higher position.

Conditions of Service

20. Tutors to serve probationary period—(1) Except in the case of a person who is permanently appointed to a position in a technical institute under regulation 16 of these regulations, every tutor appointed for the first time to a permanent teaching position in a technical institute shall serve a probationary period of one year in his position.

(2) The controlling authority may during any such probationary period terminate the appointment of the tutor so appointed by giving the person concerned one month's notice in writing, signed by the Chairman or the Secretary of the controlling authority, of its intention to terminate his appointment; and a tutor appointed for the first time to a permanent teaching position in a technical institute may during any such probationary period likewise terminate his appointment by giving to the controlling authority one month's notice in writing of his intention to do so.

(3) At the end of the probationary period, the controlling authority shall terminate or confirm the appointment:

Provided that the controlling authority may defer confirmation where it considers that there are special circumstances warranting this course.

21. Protection of tutors—The following provisions shall apply to tutors who have had their probationary appointment to a teaching position in a technical institute terminated in accordance with regulation 20 of these regulations and who were employed, immediately before taking up the appointment so terminated, in a permanent teaching position in a State primary school or a secondary school:

- (a) If the former teaching position was in a State primary school, the tutor shall be deemed for the purposes of regulation 37 of the Education (Assessment, Classification, and Appointment) Regulations 1965* to be a teacher available for transfer by virtue of the provisions of paragraph (a) of subclause (2) of regulation 36 of those regulations:
- (b) If the former teaching position was in a secondary school, the provisions of regulation 65 of the Education (Assessment, Classification, and Appointment) Regulations 1965 shall apply to the tutor as if he had lost his last position or was about to lose his position as a secondary teacher by reason of a fall in the attendance at the school or by reason of the reorganisation of the school:
- (c) For the purposes of subclause (1) of regulation 16 of the Education (Salaries and Staffing) Regulations 1957† the tutor shall be deemed to be a teacher holding a permanent position who is obliged through no fault of his own to transfer to another position in the Education service.

22. Termination of employment of part-time tutors—The employment of both part-time and relieving tutors may be terminated by the controlling authority without notice.

23. Compassionate grant on death of tutor—(1) In the event of the death of a tutor while employed in a permanent teaching position in a technical institute, including employment during any probationary period in accordance with subclause (1) of regulation 20 of these regulations, there may, with the approval of the controlling authority, be paid to a near relative of the tutor, or to some person approved by the controlling authority on behalf of a near relative of the tutor, an amount calculated as follows:

- (a) In the case of a tutor with 10 years' and under 20 years' service, a sum equal to one-twelfth of the annual salary computed at the total rate payable to the tutor at the time of his death:

*S.R. 1965/175

†S.R. 1957/119

(b) In the case of a tutor with 20 years' service or more, a sum equal to one-eighth of the annual salary computed at the total rate payable to the tutor at the time of his death.

(2) For the purposes of this regulation, the term "near relative" means the widow of a deceased male teacher, the widower of a deceased woman teacher who was supporting her husband immediately before her death, or any dependent child or children of the deceased teacher under the age of 18 years, and the term "service" means full-time service in a technical institute or any other service which is included in the service of a teacher for the purposes of the Education (Salaries and Staffing) Regulations 1957*.

24. Travelling expenses and travelling allowances—A tutor who is required to travel from the institute at which he is employed to another institute or otherwise away from his headquarters in the course of his duties may, with the prior approval of the Director-General, receive—

- (a) A refund of actual and reasonable fares incurred or a mileage allowance on a scale approved by the Director-General from time to time;
- (b) A travelling allowance on a scale approved by the Director-General from time to time, or, instead of an allowance, a refund of actual and reasonable expenses incurred.

25. Removal expenses—The provisions of regulation 16 of the Education (Salaries and Staffing) Regulations 1957* relating to removal expenses of teachers shall, with the necessary modifications, apply to every tutor while employed in a permanent teaching position in a technical institute, including employment during any probationary period in accordance with subclause (1) of regulation 20 of these regulations, as if every reference to a teacher was also a reference to a tutor in a technical institute and as if the education service referred to therein included also employment as a tutor in a technical institute.

26. Leave of absence—The provision of the Teachers' Leave of Absence Regulations 1951* relating to leave of absence of teachers shall, with the necessary modifications, apply to every tutor while employed in a permanent teaching position in a technical institute, including employment during any probationary period in accordance with subclause (1) of regulation 20 of these regulations, as if—

- (a) Every reference in those regulations to a teacher was also a reference to a tutor in a technical institute;
- (b) Every reference in those regulations to a board was also a reference to the controlling authority of a technical institute; and
- (c) The term "service" included full-time employment as a tutor in a technical institute:

Provided that, in the application of the provisions of the Teachers' Leave of Absence Regulations 1951† to any tutor in a technical institute, absence for any session (being a morning, afternoon, or evening session) in one day shall count as absence for one half-day but absence for two or more sessions in one day shall count as absence for one day.

*S.R. 1957/119

†S.R. 1951/128

Amendment No. 1: S.R. 1957/42
 Amendment No. 2: S.R. 1958/173
 Amendment No. 3: S.R. 1963/29
 Amendment No. 4: S.R. 1967/207

27. Overseas exchanges—The provisions of the regulations relating to exchange of New Zealand teachers with teachers from another part of the British Empire published in the *Gazette* on 8 November 1934 at page 3534 shall, with the necessary modifications, apply to tutors in technical institutes as if they were teachers employed in a secondary school of New Zealand.

28. Periods of duty—Every technical institute may, for 48 consecutive weeks in a year, be open for instruction on weekdays from 8 a.m. to 9.30 p.m. and on Saturdays from 8 a.m. to noon except in respect of those days on which the institute is closed in accordance with regulation 63 of these regulations; and any tutor may be required by the controlling authority of that institute to be on duty at any time when that institute is so open for up to 44 weeks in the year:

Provided that a technical institute may be open at times other than those specified where the controlling authority and the Director-General agree that special circumstances warrant that course, but the attendance of tutors at such other times shall be entirely voluntary.

29. Maximum weekly hours of duty—Except with the prior approval of the Director-General, no tutor shall undertake more than 36 hours of duty in any one week nor shall his hours of duty in any one week include more than 30 class contact hours; and, unless he consents or any conditions of employment agreed to at the time of his appointment otherwise specify, he may not be required to be on duty for more than 34 hours in any week.

30. Duties undertaken outside normal hours—Except where the Director-General otherwise approves, no tutor shall receive payments for duties undertaken in or on behalf of a technical institute, a secondary school within the meaning of the Act, the secondary department of a district high school established under the Act, the secondary department of any school established by the Minister to provide instruction by correspondence, or the New Zealand Technical Correspondence Institute at times other than his normal hours of duty in the technical institute in any week.

31. Total duty hours—(1) Subject to such adjustments as the Director-General may approve in respect of leave of absence granted to a tutor in accordance with regulation 26 of these regulations, the following provisions of this regulation shall apply to the hours of duty of tutors.

(2) A tutor may be required to be on duty for not more than 1,360 hours a year, which hours shall include in the cases stated not more than the following class contact hours:

Tutor, Grade I	.....	.....	.....	.....	960
Tutor, Grade II	.....	.....	.....	.....	920
Tutor, Grade III	.....	.....	.....	.....	880
Senior Tutor	.....	.....	.....	.....	800
Head of Department, Grade I	.....	.....	.....	.....	560
Head of Department, Grade II	.....	.....	.....	.....	480
Head of Department, Grade III	.....	.....	.....	.....	400
Deputy Principal, Grade I	.....	.....	.....	.....	360
Deputy Principal, Grade II	.....	.....	.....	.....	280

Provided that where a tutor has been appointed, in accordance with regulation 15 of these regulations, to be a Course Supervisor, the maximum number of class contact hours for which the tutor may be so required to be on duty in a year shall be reduced by 80 hours in the case of a Course Supervisor of Grade I and by 120 hours in the case of a Course Supervisor of Grade II.

(3) For the purpose of subclause (2) of this regulation, in determining the total number of hours, including class contact hours, in which a full-time tutor is on duty in any year, hours of duty shall be counted at the rate of three for two in the following cases:

- (a) Where a tutor works on any evening or evenings in a week,—
 - (i) In respect of any hours in excess of four worked after 5 p.m. on the first two of those evenings;
 - (ii) In respect of any hours worked after 5 p.m. on any subsequent evening in the week;
- (b) Where the hours of duty required of a tutor in a week are in excess of 34, in respect of the excess hours;
- (c) Where a tutor works on a Saturday, in respect of all hours so worked.

PART V—ADMINISTRATION OF TECHNICAL INSTITUTES

Conduct of Board Business

32. Annual meeting—A Board shall hold an annual meeting in the month of June (or in such other month as the Minister may approve) in each year, at such time and place as the Board decides:

Provided that in any year in which members of the Board are to be appointed or elected, other than for the purpose of filling an extraordinary vacancy, the annual meeting shall, unless the Minister otherwise approves, be held in the month in which the newly appointed or elected members take office.

33. Chairman to preside—Except as provided by regulation 40 of these regulations, at all meetings of a Board, the Chairman, or in his absence such member of the Board as the majority of the members assembled choose, shall preside, and the Chairman or presiding member shall have a deliberative vote, and in all cases of equality of votes shall also have a casting vote.

34. Quorum—At all meetings of a Board a majority of all the members then in office shall constitute a quorum.

35. Board may make bylaws—Subject to the provisions of these regulations, a Board may make, and may from time to time revoke, vary, or amend, bylaws for the conduct of business at its meetings, for determining how meetings shall be convened and where they shall be held, for the custody and use of the common seal, and for such other like matters as may be requisite for the conduct of the business of the Board.

36. Minutes of proceedings—Minutes of the proceedings of a Board shall be regularly entered in a proper book to be kept for that purpose, and at every regular meeting of the Board the minutes of the previous meeting and of any special meetings shall be presented for confirmation

by resolution of the Board and signed by the Chairman of the meeting at which they are confirmed; and the minutes when so signed shall be held for all purposes to be a true statement and record of the proceedings of the Board.

37. Board to act by resolution—All things required by the Act or by these or any other regulations made under the Act to be done by the Board shall be done in accordance with and in pursuance of a resolution passed by a majority of the votes of the members present at a meeting of the Board and voting thereon.

38. Election of Chairman—At the annual meeting a Board shall elect from its members a Chairman, who shall hold office until the commencement of the next annual meeting and who shall be eligible for re-election.

39. Chairman ceasing to be member—If the Chairman from any cause ceases to be a member of a Board or resigns the office of Chairman, the Board shall, as soon thereafter as conveniently may be, elect another member of the Board to be Chairman in his stead; and the Chairman so elected shall hold office only until the commencement of the next annual meeting.

40. Procedure at election of Chairman—During any election of a Chairman the Secretary of the Board shall preside, but shall have no vote; and in the event of an equality of voting he shall determine the election by lot.

41. Board may appoint standing or special committees—(1) A Board may from time to time appoint standing or special committees of one or more of its members, and may delegate to any such committee any of the duties and powers of the Board, either subject to confirmation or in a manner which does not require subsequent confirmation by the Board.

(2) Subject to any general or special directions given or conditions attached by the Board, any duties and powers so delegated to any committee may be performed and exercised by the committee with the same effect as if those duties and powers had been directly conferred by these regulations and not by delegation.

42. Board may revoke appointment of committee—(1) A Board shall in all cases have and retain the right to revoke any appointment of a committee and to revoke the delegation to any committee of any duty or power of the Board. No such delegation shall prevent the exercise of any power by the Board.

(2) Unless and until any such delegation is revoked, it shall continue in force according to its tenor.

43. Committee to act by quorum of members—Unless otherwise provided by the Board, every such committee may fix and act by a quorum of its members.

44. Minutes of committee's proceedings—The provisions of regulation 36 of these regulations (relating to minutes of proceedings) shall apply so far as they are applicable and with the necessary modifications, to any committee appointed by the Board.

45. Board may appoint Secretary—From time to time as may be necessary, a Board shall appoint a Secretary, and shall appoint him or some other person with authority to receive money on the Board's account. The Board shall forthwith inform the Minister of every such appointment. Where the Principal is appointed Secretary of the Board he shall not receive any additional remuneration in respect of that appointment.

46. Secretary may sign on behalf of Board—Any notice or other such document given or made by or on behalf of a Board shall be sufficiently authenticated if it is signed by the Secretary, or any person acting as Secretary, of the Board.

47. Board to maintain office—A Board shall from time to time provide and maintain at some convenient place an office on the outside of which the name of the Board shall be printed or affixed.

48. Service of notice on Board—Any notice or other such document shall be deemed to be served on a Board if addressed to the Board or to the Chairman or Secretary thereof and delivered at the Board's office during usual business hours to some person having charge of the office, or if sent by post in a prepaid registered letter addressed as aforesaid.

Accounts of Boards

49. Board to keep full accounts—(1) Every Board shall keep full and true accounts of all money received and expended by it.

(2) All money received by or belonging to the Board amounting to \$20 or upwards shall, within seven days after it has come into the hands of an officer of the Board or any other person authorised to receive money on behalf of the Board, be paid into such bank account or accounts as the Board from time to time determines.

(3) No such money shall be withdrawn from the bank except by authority of the Board and by cheque signed by two members of the Board duly authorised to sign cheques, or by cheque signed by the Secretary and by any member of the Board duly authorised to sign cheques, or by the Registrar and by any member of the Board so authorised:

Provided that it shall be lawful with the prior consent in writing of the Audit Office for any money to be paid by the Board by cheque signed by two officers of the Board duly authorised by the Board to sign cheques.

(4) Notwithstanding the provisions of subclause (3) of this regulation, it shall be lawful, with the prior consent in writing of the Audit Office and subject to such conditions as the Audit Office prescribes, for any money to be paid by the Board by cheque bearing facsimiles of the signatures of persons authorised by the Board to sign cheques, and every cheque bearing such facsimiles shall be deemed to have been duly signed in accordance with the provisions of this regulation.

50. Annual accounts of Board—(1) A Board shall, not later than the 30th day of April in every year, cause its accounts for the preceding financial year to be balanced, and shall prepare for that financial year, in a manner approved by the Minister,—

- (a) An income and expenditure account, an appropriation account, and a balance sheet:
 - (b) For each trust, special, and reserve fund, a receipts and payments account:
 - (c) For each hostel, a profit and loss account, an appropriation account, and a balance sheet:
 - (d) For any bookroom, cafeteria, or other trading activity operated by the Board, a trading account and an appropriation account:
 - (e) For any other financial activity of the Board, as the Minister may from time to time determine, a true statement of accounts.
- (2) The Secretary shall make returns to the Board of the amounts of revenue due and payable to the Board which are unpaid. Returns shall be made in such form and at such times as the Board may direct, but at least one return in every year shall be made not later than the 30th day of April in respect of amounts outstanding at the end of the previous financial year which are still unpaid at the date the return is made.

51. Application of capital fund—A Board may, out of any capital fund accumulated by it, or out of money coming into its hands by virtue of any Act or otherwise for the benefit of a technical institute under its control, being money for the application of which no express provision exists, expend any sum or sums in purchasing land for the benefit of the institute, and in erecting and maintaining suitable buildings and premises thereon for use for purposes of instruction, and may, subject to the approval of the Minister, expend any sum or sums in purchasing land and erecting and maintaining suitable buildings thereon for use as boarding houses for the students, or as residences for the tutors, or other officers employed in connection with the institute.

52. Transfer of credit balance in any trading account—At the end of each financial year every Board shall transfer not less than 90 percent of any credit balance in any trading account kept by it in respect of the technical institute or technical institutes under its control to the appropriation account kept by it in respect of the said institute or institutes.

53. Expenditure of credit balance in appropriation account—Out of any credit balance for the time being in the appropriation account kept by it in respect of the technical institute or institutes under its control, a Board may expend such money as it thinks fit for the benefit of the students of the said institute or institutes in such manner as it may determine:

Provided that no payment under this regulation shall be made from the said appropriation account in any financial year for any purpose if the payment would increase the amount which may be expended for that purpose in that year beyond the limit fixed by or pursuant to any Act or regulation.

54. Renewals Reserve Account—All money received by a Board for the purpose of meeting the replacement cost of plant and permanent equipment shall be credited by the Board, on receipt or as soon as practicable thereafter, to a Renewals Reserve Account and be deposited in a separate bank account or otherwise specially invested, and no charge shall be made against the account except for that purpose.

55. Depreciation reserve fund in respect of hostel or trading activity—Unless in any special case the Minister on the application of the Board agrees that no provision should be made, every Board that conducts a hostel or any trading activity shall make provision for depreciation by the establishment of a depreciation reserve fund for the replacement of furniture and equipment necessary for the proper conduct of the hostel or activity. All money credited to any such fund shall be deposited in a separate bank account or otherwise specially invested, and no charges shall be made against the account except for the purposes of the fund.

56. Reserve fund for hostel buildings—Out of any credit balance for the time being in the appropriation account kept by it in respect of a hostel or hostels under its control, a Board may establish a reserve fund for hostel buildings, and the money credited to that fund shall be deposited in a separate bank account or otherwise specially invested, and no charges shall be made against the account except for the purposes of the fund.

57. Restrictions on reserve funds—Except with the consent of the Minister, no reserve funds, other than those provided for in regulations 54, 55, and 56 of these regulations shall be established by any Board.

58. Principal to submit statement of accounts, etc.—The Principal of a technical institute shall submit or cause to be submitted to the Board, not later than the 30th day of April following the immediately preceding financial year, the following statements:

- (a) A statement of the accounts, duly audited to the satisfaction of the Board, in respect of any technical institute activity conducted by the teaching staff of the school; and
- (b) A statement of the manner in which the profits from any such activity have been disbursed for the benefit of the students.

59. Expenditure of grants for general expenses—All grants for general expenses payable to a Board in accordance with section 65 of the Act shall be expended for any or all of the following purposes in relation to a technical institute under its control but not in respect of any boarding establishment thereof:

- (a) Expenses of administration;
- (b) Furniture, equipment, and material for classes;
- (c) Libraries;
- (d) Cleaning and sanitary services, heating, lighting, ventilation, and water supply;
- (e) Maintenance, repair, and improvement of institute grounds;
- (f) Maintenance and repair of institute buildings other than any boarding establishment;
- (g) Travelling allowances and expenses of tutors and students in connection with their duties;
- (h) Refund of reasonable expenses incurred by any applicant for appointment to a position in a technical institute in appearing before the Board at its request;

- (i) Refund of reasonable expenses incurred by any tutor or other officer who attends an educational conference or meeting at the request of the Board and with the prior approval of the Minister, in the case of an educational conference or meeting overseas, or of the Director-General in any other case;
 - (j) Subscriptions to the Technical Education Association; or any other organisation approved by the Director-General for the purpose;
 - (k) Expenses of occasional lecturers and the fees of occasional lecturers other than of those engaged in accordance with regulation 17 of these regulations and in respect of whose fees a grant is payable under paragraph (a) of subsection (1) of section 65 of the Act; and
- (l) Expenses of graduation or inaugural ceremonies.

60. Application of certain provisions—Where the Minister has required a technical institute to be controlled by the governing body of some secondary school, the provisions of regulations 49 to 59 of these regulations shall apply to that governing body in respect of the control of the technical institute.

Management of Technical Institutes

61. Classes and courses in further education—There may be provided at each technical institute such classes and courses in further education as are from time to time recognised by the Director-General, pursuant to section 91 of the Act, for provision in the institute.

62. Powers of Principal—Subject to the general direction of the controlling authority, the Principal of a technical institute shall have the following powers:

- (a) He shall have the control of the buildings and premises of the establishment, and of the apparatus and furniture thereof;
- (b) He shall be responsible for the educational direction of the technical institute and for the organisation, general supervision, and oversight of its activities; and in this respect his duties shall include the management of the teaching and other staff, the advising of students as to classes and courses suitable to their general needs, consultation with employers and parents, and the co-ordination of the instruction given to students in classes with the requirements of examining bodies and the occupational needs of the students;
- (c) He shall be responsible for the discipline of the technical institute, and may suspend from attendance any student, reporting his action to the controlling authority at its next meeting, and the action of the Principal shall hold good until the controlling authority has come to some determination in regard to the matter. He shall not expel any student without the sanction of the controlling authority;
- (d) He shall have the power to recommend the appointment or dismissal of tutors or of other officers of the establishment, and to allot their several duties; and no tutor or other officer shall be appointed until the Principal has been consulted as to his suitability.

63. Technical institutes to be closed on certain days—(1) Except as otherwise provided in subclause (2) of this regulation, every technical institute shall be closed on the following days:

New Year's Day:

Good Friday:

Easter Monday:

Easter Tuesday:

Anzac Day (when this day falls on a day when the institute would normally be open):

The day appointed for the observance of the birthday of the reigning Sovereign:

Labour Day (the fourth Monday in October):

Christmas Day:

Boxing Day:

The day appointed for the observance of the Anniversary Day of the province.

(2) The Director-General may, on the application of the controlling authority, approve of a technical institute remaining open on any day on which the institute would otherwise be closed in accordance with subclause (1) of this regulation, if in his opinion there are special circumstances that make it necessary or desirable that the institute should remain open on that day.

(3) In addition to the days on which a technical institute is closed in accordance with the foregoing provisions of this regulation, the institute shall be closed on such special occasions as the controlling authority may in its discretion decide.

64. Revocations—The regulations specified in the Second Schedule to these regulations are hereby revoked.

SCHEDULES

FIRST SCHEDULE

Reg. 18

SALARIES PAYABLE TO PRINCIPALS

Grade of Institute	Salary On and After 1 April 1967 Until 9 July 1967	Salary On and After 10 July 1967 Until 31 March 1968	Salary On and After 1 April 1968
	£	\$	\$
I	2,880	5,760	6,070
II	3,145	6,290	6,660
III	3,415	6,830	7,240
IV	3,595	7,190	7,600

SECOND SCHEDULE

Reg. 64

REGULATIONS REVOKED

Title	Reference
The Technical Institutes (Staffing, Salaries, and Conditions of Service) Regulations 1964	Statutory Regulations Serial Number S.R. 1964/8
The Technical Institutes (Staffing, Salaries, and Conditions of Service) Regulations 1964, Amendment No. 1	S.R. 1964/117
The Technical Institutes (Staffing, Salaries, and Conditions of Service) Regulations 1964, Amendment No. 2	S.R. 1967/204

P. J. BROOKS,
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 consolidate and amend the Technical Institutes (Staffing, Salaries, and Conditions of Service) Regulations 1964 and the amendments thereto. The regulations govern the staffing entitlement of technical institutes, appointments and conditions of service of staff, salaries of Principals, and the administration of technical institutes, including the conduct of Board business, accounts of Boards, and the management of technical institutes. New matters are provisions in respect of travelling expenses and allowances, removal expenses, leave of absence, overseas exchanges of tutors, and the administration of technical institutes.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 27 June 1968.

These regulations are administered in the Department of Education.