

1956/209

**THE WELLINGTON POST-PRIMARY SCHOOLS
REGULATIONS 1956**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 12th day of December 1956

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 7 of the Education Amendment Act 1953, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and (in respect of the establishment of the Wellington Post-primary Schools Council) on the recommendation of the Minister of Education after application to him by the Governors of the Wellington College and Girls' High School (being the governing body of the four schools to which at the date hereof the following regulations apply), hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Wellington Post-primary Schools Regulations 1956.

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

“Governor” means a Governor appointed or elected under these regulations:

“Minister” means the Minister of Education:

“Parent”, in relation to a pupil, includes both the father and the mother of the pupil, and also includes the pupil's guardian, and a householder with whom the pupil resides, but does not include a parent with whom the child does not normally reside:

“Returning Officer” means a Returning Officer appointed under these regulations:

“School” means a school to which these regulations apply.

3. These regulations shall apply to the following schools, namely—

- (a) Wellington College:
- (b) Wellington Girls' College:
- (c) Rongotai College:
- (d) Wellington East Girls' College.

4. For the purposes of section 7 of the Education Amendment Act 1953, there is hereby established, as from the 1st day of April 1957, a Post-primary Schools Council, to be known as the Wellington Post-primary Schools Council, in respect of the schools to which these regulations apply.

5. As from the 1st day of April 1957 the Board of Governors of Wellington College shall consist of—

- (a) One Governor appointed by the Governor-General;
- (b) One Governor appointed by the Wellington Education Board;
- (c) One Governor appointed by the Wellington City Council;
- (d) One Governor appointed by the Victoria University College Council;
- (e) One Governor appointed by the Old Pupils' Association of the school;
- (f) Four Governors elected by the parents of the pupils attending the school;
- (g) One Governor co-opted by the Board of Governors itself, if and when it thinks fit.

6. As from the 1st day of April 1957 the Board of Governors of Wellington Girls' College shall consist of—

- (a) Two Governors appointed by the Governor-General;
- (b) One Governor appointed by the Wellington Education Board;
- (c) One Governor appointed by the Wellington City Council;
- (d) One Governor appointed by the Old Pupils' Association of the school;
- (e) Four Governors elected by the parents of the pupils attending the school.

7. As from the 1st day of April 1957 the Board of Governors of Rongotai College shall consist of—

- (a) One Governor appointed by the Governor-General;
- (b) One Governor appointed by the Wellington Education Board;
- (c) One Governor appointed by the Wellington City Council;
- (d) One Governor appointed by the Victoria University College Council;
- (e) Two Governors appointed by the Old Pupils' Association of the school;
- (f) Four Governors elected by the parents of the pupils attending the school.

8. As from the 1st day of April 1957 the Board of Governors of Wellington East Girls' College shall consist of—

- (a) One Governor appointed by the Governor-General;
- (b) One Governor appointed by the Wellington Education Board;
- (c) One Governor appointed by the Victoria University College Council;
- (d) One Governor appointed by the Old Pupils' Association of the school;
- (e) Five Governors elected by the parents of the pupils attending the school;
- (f) One Governor co-opted by the Board of Governors itself, if and when it thinks fit.

9. (1) Except as otherwise provided in these regulations, the term of office of every Governor shall be three years, but every Governor shall, unless disqualified as hereinafter provided, continue in office until the appointment or election of his or her successor in office.

(2) The powers of the Board of Governors of any school shall not be affected by any vacancy in the membership thereof.

10. For the first election of Governors, the Governors of the Wellington College and Girls' High School, and for subsequent elections, the Wellington Post-primary Schools Council, shall appoint a Returning Officer.

11. The appointment of Governors to represent the Wellington Education Board, the Wellington City Council, the Victoria University College Council, and the Old Pupils' Association of each school shall be made by resolution passed by the body entitled to make the appointment at a meeting held, in the case of the first appointment, at any time after the commencement of these regulations and not later than the 31st day of March in the year 1957; and, in the case of appointments for subsequent terms of office, in the month of May in the year 1960, and in that month in every third year thereafter; and every such resolution shall be conveyed to the Returning Officer before the 1st day of the month immediately following the meeting.

12. (1) The first election of Governors by the parents of pupils attending each school shall be held at any time after the commencement of these regulations and not later than the 31st day of March in the year 1957, and such an election shall be held in the month of May in the year 1960 and in that month in every third year thereafter.

(2) At any time after the commencement of these regulations and not later than the 28th day of February in the year 1957, and in the month of April in the year 1960, and in the month of April in every third year thereafter, the Returning Officer shall prepare a roll and enter therein the name and address of every person qualified to be enrolled as a parent of a pupil of the school. The roll shall be closed at 5 p.m. on the tenth day before the day on which any election under this regulation is to be held, and shall continue to be closed until the election is completed.

(3) An advertisement relating to the election shall be published in a newspaper circulating in the City of Wellington not less than seventeen days before the date of the election, and shall contain—

- (a) The day and hour for the closing of nominations:
- (b) The number of Governors to be elected:
- (c) The day and hour for the closing of the election.

(4) Every candidate shall be nominated in writing by one or more parents entitled to vote for his election.

(5) Every nomination paper shall be in the form or to the effect following:

I, (*Name and address*), being a parent duly entered on the roll, do hereby nominate (*Name and address*) as a candidate for election to the Board of Governors of the (*Name*) School at the election to be held on the day of 19.....

Dated this day of 19.....

Signature of nominator:.....

Candidate's consent (*To be subscribed at foot of nomination paper*)

I hereby consent to my nomination.

Signature of candidate nominated:.....

(6) If the nomination paper does not bear the written consent of the candidate nominated, that consent may be given by him to the Returning Officer before the nominations are closed, and every nomination paper shall be void in so far as it concerns any candidate whose written consent is not duly given as aforesaid.

(7) Nominations shall close at noon on the tenth day before the day of election.

(8) If the number of nominations does not exceed the number of vacancies to be filled, the Returning Officer shall forthwith declare the candidates so nominated to be duly elected. If the number of candidates exceeds the number of vacancies to be filled he shall, as soon as the nominations are closed, prepare and post to each elector at his address as appearing on the roll a voting paper containing in alphabetical order of surnames a list of all the duly nominated candidates, which voting paper shall be in the form or to the effect following:

VOTING PAPER FOR USE AT ELECTION TO BE HELD ON THE DAY
OF 19 OF MEMBERS OF THE BOARD OF GOVERNORS
OF THE SCHOOL

Candidates

(Set out in alphabetical order of surnames the full name of every duly nominated candidate)

Directions

The voter is required to cross out the name or names of the candidate or candidates for whom he does not desire to vote. The number of vacancies is . The vote will therefore be informal if the names of at least candidates are not crossed out. The voting paper must be enclosed by the voter in a sealed envelope bearing on the inside the signature of the voter, and on the outside thereof the words "Voting paper", and if posted to the Returning Officer must be posted on or before the day of the election, or if delivered to him shall be delivered at his office at before the day of the election or not later than 5 o'clock on the afternoon of that day.

(9) The poll shall close at 5 o'clock on the afternoon of the day of the election, but all voting papers shall be included and counted which are not informal and are received by the Returning Officer in due course of post before the close of the fifth day after the day of the election.

(10) A voting paper shall be informal in any of the following cases, that is to say:

- (a) If the envelope in which it is forwarded to the Returning Officer is not duly signed by the parent; or
- (b) If the number of candidates for whom votes are given exceeds the total number of candidates for whom the person is entitled to vote; or
- (c) If the paper fails to indicate for whom the votes are intended to be given; or
- (d) If, being delivered to the Returning Officer, the sealed envelope containing the voting paper is not delivered at his office before the close of the poll; or

- (e) If, having been forwarded by post, the sealed envelope containing the voting paper is not received at the office of the Returning Officer before the close of the fifth day after the day of the election; or if, from the post mark on the envelope or otherwise, the Returning Officer is satisfied that it was not posted until after the day of the election.

(11) On the sixth day after the day of the election the Returning Officer shall open and examine all voting papers duly delivered to him or received by him through the post as aforesaid, and after rejecting all informal voting papers, shall ascertain the candidates (being the total number to be elected) who have received the greatest number of votes, and shall declare those candidates to be elected.

(12) Any candidate shall have the right to appoint a scrutineer to watch on his behalf the opening and examination of voting papers and to check the counting thereof.

(13) If, by reason of an equality of votes given for two or more candidates, the election is not complete, the Returning Officer shall decide by lot, in the presence of two other persons, which candidate or candidates shall be elected, and thereby complete the election.

(14) If any dispute or question arises touching the regularity of any election, the dispute shall be determined by the Director of Education, whose decision shall be final.

13. Within fourteen days after the election or appointment of a Governor, the Returning Officer shall forward to the Minister a notification of the name and address of the Governor.

14. Subject to the provisions of these regulations, every Governor elected or appointed under these regulations shall come into office upon his election or appointment.

15. In any case in which an election or an appointment of Governors as hereinbefore provided has not been held or made, the Minister may, in his discretion, fix a time and place for the election or appointment of the Governors, and the foregoing provisions of these regulations shall thereupon be observed, so far as they are applicable and with the necessary modifications, as if the time and place for the election or appointment had been fixed as therein provided; or, in the alternative, in any such case the Minister, in his discretion, may appoint a Governor or Governors to fill the vacancy or vacancies.

16. No person shall be eligible to become or remain a member of the Board of Governors of any school if he is an alien or a mentally defective person, or a bankrupt who has not obtained his discharge or whose discharge is for the time being suspended or is subject to conditions not yet fulfilled, or if he has been convicted of any offence punishable by death or with imprisonment for three years or upwards unless he has received a free pardon or has served his sentence or has otherwise suffered the penalty imposed upon him.

17. If any Governor dies or resigns his office by writing under his hand addressed to the Secretary of the Board of Governors or is absent without leave from the meetings of his Board for three consecutive months or while holding office becomes ineligible to remain a member under regulation 16 of these regulations, his office shall be thereby vacated and a casual vacancy shall be deemed to exist.

18. Every person elected or appointed to a casual vacancy shall hold office for the remainder of the term of office of the Governor whom he replaces.

19. Every casual vacancy shall be filled in the same manner and by the same appointing or electing authority as appointed or elected the Governor who is replaced.

T. J. SHERRARD,
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 are made for the purposes of section 7 of the Education Amendment Act 1953, and establish the Wellington Post-primary Schools Council in respect of Wellington College, Wellington Girls' College, Rongotai College, and Wellington East Girls' College. The regulations also establish a Board of Governors for each of the four colleges.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 13 December 1956.

These regulations are administered in the Department of Education.