



EDUCATION ORDINANCE, No. 2, 1862.

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

No. 20.

ANALYSIS :

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AN ORDINANCE to amend the "*Education Ordinance, 1862.*" Title.

WHEREAS by the "*Education Ordinance, 1862,*" provision is made for levying rates upon lands and tenements within the Province of Southland for the purposes of the said Ordinance, and also for the recovery of such rates by distress and sale of the goods and chattels found upon such land in manner provided in the said Ordinance: And whereas it is expedient to fix a maximum limit for such assessments, and to make further provision for the recovery of such rates in certain cases, and in other respects to add to the provisions of the said recited Ordinance; Preamble

BE IT THEREFORE ENACTED by the Superintendent of the Province of Southland, with the advice and consent of the Provincial Council thereof, as follows:—

Short Title.

1. The short title of this Ordinance shall be the "Education Ordinance, No. 2, 1862."

Treasurer can recover Rates under provisions of "Sale for Non-payment of Rates Act, 1862."

2. It shall be lawful for the Treasurer of any District School Committee, in case of non-payment of any rates authorised to be levied within such district under the said recited Ordinance, to employ all such remedies, and to take all such steps for the recovery of the same as are given and provided by the "Sale for Non-payment of Rates Act, 1862," of the General Assembly of New Zealand.

Maximum of rates authorised to be levied under "Education Ordinance, 1862."

3. No rate authorised to be levied by the said recited Ordinance shall in any case in any one year exceed 1s. per acre on country lands, and 1s. in the pound on the annual value to let of lands and tenements situated in towns and villages.

Where District School Committee fail to appoint Teacher, Education Committee may appoint.

4. In case the School Committee of any district shall, within six months after all necessary School Buildings shall have been erected in such district, fail to appoint a Teacher for any School within such district or in case the office of Teacher in any School within such district, shall at any subsequent time be vacant for a period of six months consecutively, it shall be lawful for the Education Committee, upon being satisfied of such failure, or vacancy, to appoint a Teacher for such School; and such appointment shall be as valid to all intents and purposes as if made by such District School Committee.

School Buildings shall be insured.

5. It shall be the duty of the School Committee of every District within one month after the completion of the erection of any School Buildings, within such District, to insure and keep insured such Buildings in some respectable Insurance Office, to the extent of the full value thereof, or as near thereto as practicable, and in default thereof it shall be lawful for the Education Committee to authorise the Provincial Treasurer to effect and keep on foot such insurance, and the premium payable in respect thereof shall be repaid to such Provincial Treasurer, by the Treasurer of such School Committee, out of any funds in his possession, received in pursuance of the said recited Ordinance, within one month after the same shall have been paid.

Where District School Committee fail to make provision for payment of salary to Teacher, Provincial Treasurer may pay salary and recover amount paid.

6. Whenever the Education Committee shall be satisfied that the School Committee of any district has failed to make proper provision for the payment of a salary to any Teacher in such district, and shall thereupon certify such failure to the Provincial Treasurer, it shall be lawful for the Provincial Treasurer to pay such Teacher any sum which may then be due to him under any contract which may have been made with such Teacher, or in default of such contract, as the Education Committee shall recommend; and any sum so paid by the Provincial Treasurer may be recovered at the suit of the Provincial Treasurer rateably from the persons liable to be rated in such district in the manner provided

by the said recited Ordinance for the recovery of assessments and fees thereby authorised to be levied and taken, or, as provided by the "Sale for Non-payment of Rates Act, 1862."

7. Whenever a majority of the ratepayers in any district shall petition the Education Committee in writing for an extension of the area of such district, or the alteration of any of the boundaries thereof, and such extension or alteration shall not affect any other district then constituted, and the Education Committee shall thereupon recommend such proposed extension or alteration to the Superintendent, it shall be lawful for the Superintendent, upon receiving a resolution of the Provincial Council authorising him in that behalf, by proclamation in the *Provincial Government Gazette* to extend such district, and to abolish, alter, and vary the boundaries thereof accordingly.

Boundaries of districts may be altered upon petition of rate-payers.

8. Whenever a majority of the ratepayers within any districts which shall be contiguous to each other shall separately petition the Education Committee in writing for an extension of the area of their respective districts, or an alteration of the boundaries thereof, and such petitioners shall substantially agree as to such proposed extension or alteration, and the Education Committee shall recommend the same to the Superintendent, it shall be lawful for the Superintendent, upon receiving a resolution of the Provincial Council authorising him in that behalf, by proclamation in the *Provincial Government Gazette* to extend such districts, and abolish, alter, or vary the boundaries thereof accordingly.

Boundaries of contiguous districts may be altered upon petition of rate-payers.

9. It shall be lawful for the Superintendent and Education Committee, from time to time as occasion shall require, to establish Schools for the Education of Female Children above nine years of age, and also to appoint a Committee of not less than seven persons, of whom the majority shall be females, to manage and oversee such Schools, subject to the control and superintendence of the Education Committee.

Superintendent and Education Committee may establish Female Schools, and appoint Committee of Management.

10. It shall be lawful for the Education Committee to cause all necessary buildings to be erected for the accommodation of such Schools; the costs of erecting and maintaining such buildings to be paid out of any sums to be from time to time voted for educational purposes by the Provincial Council.

School Buildings to be erected. Costs, how to be paid.

11. The Teachers of such Schools shall be appointed by the Education Committee, and shall be paid, in addition to the School Fees, such sum, not exceeding £100 for any one teacher in one year, as shall be granted by the Education Committee out of any sums to be from time to time voted for educational purposes by the Provincial Council.

And appoint Teachers of such Schools.

12. It shall be lawful for the Education Committee from time to time to make regulations for the general management of such

May make regulations for

management of
such Schools.

Schools, which regulations shall prescribe the rates of School Fees payable in respect of the scholars, the hours, and times of attendance, the course of tuition, and such other matters and things touching the management and conduct of such Schools, as they shall think fit.

Repeal of Sec.
39 of "Educa-
tion Ordinance,
1862."

13. Section No. 39 of the said recited Ordinance is hereby repealed.

Ordinance to be
deemed part of
"Education
Ordinance,
1862."

14. This Ordinance shall be taken and deemed to be part of the said recited "Education Ordinance, 1862."

ROBERT STUART,
Speaker.

Passed the Provincial Council this Twenty-eighth day of October in the year of our Lord 1862.

H. A. GILLER,
Clerk of Council.

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereon.

J. A. R. MENZIES, -
Superintendent.

I hereby assent to this Ordinance this Twenty-second day of November, in the year of our Lord, One thousand eight hundred and sixty-two.

GEO. GREY,
Governor.