

1904.  
NEW ZEALAND.

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## “ THE STATUTES COMPILATION ACT, 1902 ” :

MEMORANDUM BY THE SOLICITOR-GENERAL ON THE EDUCATION ACTS COMPILATION BILL,  
1904.

*Presented to both Houses of the General Assembly by Act.*

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### MEMORANDUM.

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THE alterations in wording and omissions from the Acts compiled are as follows:—

“The Education Act, 1877,” No. 21:—

Sections 2 (relating to the date of commencement of the Act) and 3 (repealing prior Acts) are omitted.

The interpretation clause (section 4) is made to include definitions given in various amendment Acts. The definition of “outlying district” is altered to exclude town districts.

Section 5 (dividing the Act into Parts) is made to include Part V., “Manual and Technical Instruction,” and Part VI., “Public-school Teachers’ Incorporation and Court of Appeal.”

In section 8 the words “Except where otherwise provided by this Act” are added at the beginning.

In section 9 the reference to “The Neglected and Criminal Children Act, 1867,” is altered to “The Industrial Schools Act, 1882,” the Act now in force.

In section 12 the schedule of Education Boards includes all existing Boards. The reference to “The Counties Act, 1876,” is altered to “The Counties Act, 1886,” and the last paragraph is omitted.

In section 15 the words “second Monday in August first following the coming into operation of this Act” are substituted for “thirty-first day of March, one thousand eight hundred and seventy-nine,” and the words “and month” are omitted; the references to members retiring from office in the years 1879 and 1880 are omitted.

Section 16 (relating to elections to fill ordinary vacancies) is omitted, being superseded by section 5 of “The Education Boards Election Act, 1900.”

In section 18 the words “In the case of education or school districts hereafter constituted” are added at the beginning; and the words “for such districts” are substituted for “under this Act.”

In section 19 the word “education” is inserted after “Where a new.”

In section 21 the words “or any crime punishable by death or imprisonment with hard labour for any term of three years or upwards” are substituted for the word “felony.”

In section 25 the words “then existing education district” are substituted for “district constituted by any Act or Ordinance hereby repealed or otherwise”; the words “upon the thirty-first day of March next” and the words “Where the limits of a district as existing immediately before the coming into operation of this Act have been altered hereby, all such property within such altered limits shall, on the thirty-first day of March, vest in the Board of the district where such property is situate,” are omitted.

In section 30 the words “then existing education district” are substituted for “district under the provisions of any Act hereby repealed or otherwise.”

In sections 35, 38, 46, 55, and 62 the words “‘The Education Act, 1877,’ or any Act or Ordinance thereby repealed,” are substituted for the references to the Acts or Ordinances repealed by that Act.

In section 49 the proper reference to “The Magistrates’ Courts Act, 1893,” is given in lieu of “The Resident Magistrates Act, 1867.”

“The Education Act, 1877,” No. 21—*continued*.

In section 58 the words “not less than five nor more than nine householders” are substituted for “seven householders.”

In section 59 the words “or any crime punishable by death or imprisonment with hard labour for any term of three years or upwards” are substituted for “felony or.”

In section 62 the words “be deemed to have been elected under this Act, and shall” are inserted before “continue in office”; and the second paragraph is omitted as referring only to the first election under the Act of 1877.

In section 70 the words “at all meetings three members shall form a quorum, and” are omitted, being superseded by section 5 of “The School Committees Election Act, 1891.”

In section 85 the provision for physical training is omitted, as being superseded by “The Physical Drill in Public and Native Schools Act, 1901.”

In section 104 the reference is altered to “The Rating Act, 1894.”

The First Schedule (list of repeals) is omitted.

The Second Schedule (education districts) describes the districts as now existing.

“The Education Districts Act, 1882,” No. 54:—

Section 2 (defining “education district”) is omitted, as the definition is covered by that in the principal Act.

Section 4 (declaring Hawera County to be in Wanganui Education District) is omitted, effect being given to the section in the Second Schedule, which describes the education districts of the colony.

Sections 5 and 6 (indemnifying the Wanganui Education Board for past actions in relation to the Hawera County) are also omitted.

In section 8 the second paragraph (validating acts of Boards in relation to boroughs within their respective districts) is omitted.

“The Wellington and Wanganui Education Districts Act, 1886,” and “The Westland and Grey Education Boards Act, 1892,” are omitted, effect being given to such of their provisions as are in force in the schedule of education districts.

“The School Committees Election Act, 1891,” No. 36:—

In section 2 the definition of “district” is dropped as conflicting with the definition in the principal Act—the words “school district” have been substituted for “district” throughout the Act. The remaining definitions are incorporated in the main interpretation clause (section 2 of the compilation).

In section 5 the words “notwithstanding anything contained in the said Act” are omitted.

Section 19 (amending a section of the principal Act) is omitted, effect being given thereto in section 166 of the compilation.

Section 20 (repealing certain enactments) is omitted.

“The Public-school Teachers Incorporation and Court of Appeal Act, 1895,” No. 48:—

Section 2 is omitted.

In section 3 (interpretation clause) the definitions of “Board,” “district,” “Minister,” and “prescribed,” are omitted, being contained in the main interpretation clause (section 2) of the compilation.

The words “this Part of this Act” are substituted for “this Act” wherever necessary throughout the Act.

“The Public-school Teachers Incorporation and Court of Appeal Act Amendment Act, 1897,” No. 13:—

In section 2 the words “this Part of this Act” are substituted for “The Public-school Teachers Incorporation and Court of Appeal Act, 1895.”

In section 3 the words “this Act” are substituted for “the aforesaid Act.”

Section 4 (modifying the principal Act) is omitted.

“The Education Boards Election Act, 1900,” No. 16:—

In section 2 “this Act” is substituted for “the principal Act.”

In section 5 the words “first following the coming into operation of this Act” are substituted for “in the year one thousand nine hundred and one.”

In section 15 “Stipendiary” before “Magistrate’s Court” is omitted.

Section 21 (continuing in office the then existing members of the Board until August) and section 24 (modifying the principal Act where there is conflict) are omitted.

Section 23 (giving power to make regulations) is modified by adding the words “with respect to the election of members of Boards.”

“The Manual and Technical Instruction Act, 1900,” No. 39:—

In section 2, and where necessary throughout the Act, the words “this Part of this Act” are substituted for “this Act.”

In section 3 the reference to “section eighty-four of the principal Act” is appropriately given as “section one hundred and thirty-five hereof.”

Section 9: In the proviso to subsection (1) the words “under the principal Act” are omitted.

Section 20 (repealing the Act of 1895) is omitted.

“The Physical Drill in Public and Native Schools Act, 1901,” No. 17:—

Section 7 (relating to the commencement of the Act) is omitted.

“The Education Boards Election Act, 1901,” No. 29:—

Section 4 and subsection (2) of section 7, repealing parts of “The Education Boards Election Act, 1900,” are omitted.

“The Public-school Teachers’ Salaries Act, 1901,” No. 38 :—

In section 3 “this Act” is substituted for “the principal Act,” and the provisoes are omitted.

In section 4 the second proviso is omitted.

In section 5 the first part, repealing section 8, (2), of principal Act is omitted.

Section 10 (giving power to make regulations) is modified by substituting the words “of sections fifty-nine to sixty-two hereof” in lieu of the words “this Act.”

Section 11 (repealing a prior Act) is omitted.

In the Second Schedule, Part I., note (j), “£80” has been altered to “£85,” as the former is evidently a misprint.

“The School Attendance Act, 1901,” No. 54 :—

In section 3 the words “the principal Act and of” are omitted, and in subsection (5) the words “relating to the attendance of children at school” are inserted after the words “this Act.”

In section 4, subsections (1) and (5), the words “under the principal Act” are omitted.

In section 12 the words “sections one hundred and forty-four or one hundred and forty-five hereof” are substituted for “this Act.”

Section 14 (repealing “The School Attendance Act, 1894”) is omitted.

“The Manual and Technical Instruction Act, 1902,” No. 13 :—

Section 2 (amending the principal Act in various particulars) is omitted, effect being given to each amendment in its proper place.

In section 3 “section seven of the principal Act” becomes “this section.”

Subsection (2) of section 4 (repealing section eleven of the principal Act) is omitted.

“The School Committees’ Funds Act, 1903,” No. 60 :—

In section 2 the words “the last preceding section” are substituted for “The Education Act, 1877.”

In section 3 the word “section” is substituted for “Act.”

“The School Committees Election Act, 1903,” No. 72 :—

Sections 2 and 3 are omitted, effect being given to the amendments made therein in sections 103 and 112 of the compilation.

“The Secondary Schools Act, 1903,” No. 73 :—

Proper cross-references have been made throughout the Act.

Section 7 is omitted, effect being given thereto in section 168 of the compilation.

Section 9 is altered to cover the existing circumstances.

Section 17 (amending “The Education Reserves Act, 1877”) is omitted, and is not included in the list of Acts compiled.

“The National Scholarships Act, 1903,” No. 84 :—

No alteration has been made in this Act, except that in section 9 the words “sections seventy-two to seventy-eight hereof” are substituted for “this Act.”

In addition to the foregoing alterations, the Long and Short Titles of the Compilation Act take the place of the corresponding titles to the original Act (“The Education Act, 1877”).

Moreover, a reference to the compiled Acts is made in subsection (1) of section 1; a list of these Acts is inserted as the First Schedule; and the schedules to the Acts compiled are inserted in their proper order and renumbered.

Subject to the alterations above referred to, I hereby certify that the annexed compilation, intituled “The Education Acts Compilation Act, 1904,” is a true and correct compilation of the respective Acts specified in the First Schedule thereto.

FRED. FITCHETT, Solicitor-General.

Crown Law Offices, Wellington, 10th August, 1904.

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[Compiled by the Solicitor-General, under the provisions of "The Statutes Compilation Act, 1902," pursuant to the resolution of both Houses of the General Assembly dated the 21st day of November, 1903.]

## EDUCATION ACTS COMPILATION.

### ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. Interpretation.</li> <li>3. Division of Act.</li> </ol> <p style="text-align: center;">PART I.</p> <p style="text-align: center;">DEPARTMENT OF EDUCATION.</p> <ol style="list-style-type: none"> <li>4. Minister of Education.</li> <li>5. Secretary, Inspector, and officers of Department.</li> <li>6. Expenses of administration to be appropriated by General Assembly.</li> <li>7. Act not to interfere with Industrial Schools Act.</li> <li>8. Act not to be binding on Maoris.</li> <li>9. Provision for Sundays and holidays.</li> </ol> <p style="text-align: center;">PART II.</p> <p style="text-align: center;">EDUCATION BOARDS.</p> <p style="text-align: center;"><i>Education Districts.</i></p> <ol style="list-style-type: none"> <li>10. Education districts. Boroughs included in existing education districts. As to boroughs, &amp;c., on boundaries of districts. Redefinition of education districts, or constitution of new counties therein.</li> </ol> <p style="text-align: center;"><i>Constitution of Boards.</i></p> <ol style="list-style-type: none"> <li>11. Education Boards.</li> <li>12. Boards to be elected under this Act.</li> <li>13. Electors.</li> <li>14. Returning Officer.</li> <li>15. Date of election for ordinary vacancy. Election on extraordinary vacancy.</li> <li>16. Procedure with respect to elections.</li> <li>17. Duties of Returning Officer.</li> <li>18. Mode of voting.</li> <li>19. When voting-paper to be returned.</li> <li>20. When poll to close.</li> <li>21. Informal voting-papers.</li> <li>22. Scrutineers may be appointed.</li> <li>23. Returning Officer to count votes and declare candidates elected.</li> <li>24. How voting-papers to be dealt with. Penalty.</li> <li>25. How election determined in case of equality of votes.</li> <li>26. Notification of result of election.</li> <li>27. Declaration of secrecy. Disclosure of certain facts an offence.</li> <li>28. Magistrate to determine disputed election.</li> <li>29. Form of nomination and voting papers.</li> <li>30. When members to take office.</li> <li>31. Annual retirement of three members of Board.</li> <li>32. First elections may be postponed.</li> </ol> | <ol style="list-style-type: none"> <li>33. Conduct of elections for new districts.</li> <li>34. Where required number of persons not nominated.</li> <li>35. Qualification for members of Board.</li> <li>36. Disqualification of members.</li> <li>37. Provision for vacancy in Board.</li> <li>38. Acts of Board not to be questioned for informality, &amp;c.</li> <li>39. Boards incorporated.</li> <li>40. Regulations.</li> </ol> <p style="text-align: center;"><i>Property of Boards.</i></p> <ol style="list-style-type: none"> <li>41. Property acquired to vest in Boards constituted by this Act. Provision in respect of new districts.</li> </ol> <p style="text-align: center;"><i>Secretary and Officers of Boards.</i></p> <ol style="list-style-type: none"> <li>42. Boards may appoint Secretary and other officers.</li> <li>43. Duties of Secretary.</li> </ol> <p style="text-align: center;"><i>Meetings of Boards.</i></p> <ol style="list-style-type: none"> <li>44. First and other meetings of Boards.</li> <li>45. Quorum of Boards. Chairman to be elected. Election of Chairman.</li> <li>46. Minutes to be kept.</li> </ol> <p style="text-align: center;"><i>Powers and Duties of Boards.</i></p> <ol style="list-style-type: none"> <li>47. General powers and duties of Boards.</li> <li>48. Provision when school districts divided. School year.</li> <li>49. Public notice to be given when school district formed.</li> <li>50. Trustees of school may agree to place same under control of Board.</li> </ol> <p style="text-align: center;"><i>Board Fund.</i></p> <ol style="list-style-type: none"> <li>51. Board to make annual estimate of moneys required for current year.</li> <li>52. Provision for deduction from grants in aid in certain cases.</li> <li>53. Funds of Boards.</li> <li>54. Board Fund, of what to consist.</li> <li>55. Disposal of Fund.</li> <li>56. Accounts to be kept. Accounts to be audited.</li> </ol> <p style="text-align: center;"><i>Appointment of Teachers.</i></p> <ol style="list-style-type: none"> <li>57. Appointment and removal of teachers.</li> <li>58. Teachers of schools in office to continue in same.</li> <li>59. Complement of teaching staff.</li> <li>60. Teachers' salaries.</li> <li>61. Head teacher's residence.</li> <li>62. Rents, house allowances.</li> <li>63. Duration of appointment of school-teacher. Summary dismissal in certain cases.</li> </ol> |
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Title.	AN ACT to compile certain Acts relating to the Education of the People of New Zealand.	
	BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—	5
Short Title.	1. (1.) The Short Title of this Act shall be "The Education Acts Compilation Act, 1904." (2.) This Act is a compilation of the Acts mentioned in the <i>First Schedule</i> hereto.	
Interpretation. 1877, No. 21, sec. 4	2. In the interpretation of this Act, and except where there is something in the context repugnant thereto or inconsistent therewith, the following words and expressions shall mean or include the matters following :—	10
	"Board" means the Education Board of any district constituted under this Act :	15
	"Committee" means the School Committee elected for a school district :	
	"District" means an education district constituted under this Act :	
1891, No. 36, sec. 2	"Dwellinghouse" means a permanent structure, and shall not include a tent or other temporary shelter :	20
	"Gazette" means the <i>New Zealand Gazette</i> , and "gazetted" means published in such <i>Gazette</i> :	
Ibid, sec. 2	"Householder" means and includes— (a.) Every adult male or female person who has for the period of three months next before the day of election resided in any dwellinghouse within the school district as owner or tenant thereof; and (b.) If not qualified under the previous subsection, includes the father wherever resident, or, if he be dead or absent from the colony, the guardian or other person, wherever resident, who has the actual custody of any child attending any State school situated within such district; and (c.) In school districts situated within a proclaimed mining district, means and includes every holder of a miner's right having for the period of three months next before the day of election resided in the district, and not being an alien :	25
	"Inspector" means any person appointed to be an Inspector of Schools under this Act :	30
	"Minister" means the Minister of Education appointed for the purposes of this Act :	
	"Outlying district" means a district not included within the jurisdiction of a Road Board, Town Board, or Borough Council :	35
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- “Parent” includes guardian, and the householder in whose family a child resides : 1901, No. 54, sec.
- “Prescribed” means prescribed by this Act, or by regulations under this Act :
- 5 “Property” means real and personal property of every description :
- “Public conveyance” includes any coach or ferry, or other means of public conveyance by which a child may obtain free transit for the purpose of attending school : *Ibid*, sec. 2
- 10 “Public notice” or “publicly notified” means that a notice shall be published in some newspaper circulating in the district :
- “Public school” means any school established or constituted under the provisions of this Act subject to the control and management of the Board :
- 15 “Regulations” mean regulations made under this Act :
- “Resident householder” means a householder resident in the district : 1891, No. 36, sec. 2
- 20 “School district” means a district under the jurisdiction of a School Committee :
- “Schoolhouse” includes the schoolmaster’s residence and land attached thereto, outbuildings, and apparatus and appliances for instruction in gymnastics and physical training :
- 25 “Teacher” means any schoolmaster or schoolmistress, or assistant schoolmaster or schoolmistress, or other person engaged in teaching in any public school, except pupil-teachers.
3. The provisions of this Act are divided into Parts relating to the following subject-matters :— *Division of Act. 1877, No. 21, sec. 5*
- 30 PART I.—Department of Education.
- PART II.—Education Boards.
- PART III.—School Districts : School Committees and their Duties.
- 35 PART IV.—Public Schools and Management thereof.
- PART V.—Manual and Technical Instruction.
- PART VI.—Public-school Teachers’ Incorporation and Court of Appeal.

## PART I.

## 40 DEPARTMENT OF EDUCATION.

4. The Governor may from time to time appoint any Minister of the Crown to be Minister of Education. *Minister of Education. Ibid, sec. 6*

The Minister shall have the control and direction of the Department of Education, as constituted under Part I. of this Act, and the officers of that Department, and, subject to the provisions hereinafter contained, shall generally administer this Act.

45 5. The Governor may from time to time appoint and remove a Secretary to the Department of Education, and such Inspector of Schools, clerks, and other officers as may be deemed necessary. *Secretary, Inspector, and officers of Department. Ibid, sec. 7*

Expenses of administration to be appropriated by General Assembly. 1877, No. 21, sec. 8

6. (1.) Except where otherwise provided by this Act, all moneys required for the administration of this Act by the Department shall be defrayed out of moneys to be from time to time appropriated by the General Assembly for the following purposes :—

5

(a.) In payment of salaries and other expenses of the Department of Education.

1901, No. 38, sec. 5

(b.) (i.) In payment to the Board of every district of a sum sufficient to pay the salaries of teachers and pupil-teachers in the district in accordance with this Act; and

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(ii.) In payment to the Board of every district of a sum of two hundred and fifty pounds per annum, together with a sum of eleven shillings and threepence per annum for each child in average daily attendance at a public school :

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Provided that the Governor may at any time, by Order in Council, declare that, in lieu of the payments last named, there shall be thereafter paid to the Board of every district the sum of twelve shillings per annum for each child in average daily attendance; and, in addition, to every Board having less than eight thousand children in average daily attendance, a sum of two hundred and fifty pounds per annum.

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The average daily attendance shall be computed in manner prescribed by regulations.

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(c.) For the establishment and maintenance of normal or training schools, and in grants to Boards for the maintenance of such schools already established and under their control.

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(d.) For the erection of schoolhouses, and for any other purpose for which such moneys may be applied or appropriated.

(2.) Subject to any such appropriation, regulations may be made prescribing the times and manner at and in which such moneys shall be paid or applied.

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Act not to interfere with Industrial Schools Act. 1877, No. 21, sec. 9

7. Nothing in this Act shall be construed to interfere with or affect the provisions of "The Industrial Schools Act, 1882," or any Act amending the same, nor with any industrial or reformatory school established or which may be established under any Act or Ordinance.

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Act not to be binding on Maoris. Ibid, sec. 10

8. Nothing in this Act shall be binding on any Maori; but any Maori shall be at liberty to send his children to a public school under this Act, subject to the regulations for the time being in force in such school.

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The word "Maori" shall include every person of the aboriginal race of New Zealand and every person one of whose parents was a native of such race: But no half-caste shall be deemed to be a Maori within the interpretation of this Act unless he shall be living as a member of some Native tribe or community.

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9. When the day on which anything is by this Act required to be done falls on a Sunday, Good Friday, Christmas Day, New Year's Day, or any proclaimed or customary public holiday, then such thing shall be done on the day following. Provision for Sundays and holidays. 1877, No. 21, sec. 11

5

PART II.

EDUCATION BOARDS.

*Education Districts.*

10. (1.) The divisions of the colony described in the *Second* Schedule hereto shall be and are hereby constituted education districts for the purposes of this Act, and shall be called by the names set over each such description. Education districts. Ibid, sec. 12

15 (2.) The several education districts constituted under "The Education Act, 1877," and intended to be described in the *Second* Schedule thereto shall, as from the date when the said Act came into operation, be deemed to have included and shall hereafter include in their boundaries all boroughs within the territorial area comprised in the description of the several counties mentioned in the said Schedule, although such boroughs do not actually form part of such counties. Boroughs included in existing education districts. 1882, No. 54, sec. 8

20 (3.) In any case where a borough or town district shall be intersected by the boundary of any education district now or hereafter constituted, the Governor may by Order in Council direct that such borough or town district shall form part of such education district as he may think fit. As to boroughs, &c. on boundaries of districts. Ibid, sec. 7

25 (4.) Where the boundaries of any county comprised in an education district shall be altered under "The Counties Act, 1886," such alteration shall operate with respect to any district constituted under this Act, and shall take effect accordingly. 1877, No. 21, sec. 12

30 (5.) Where the boundaries of any county comprised in an education district are altered by the creation of a new county, then, and in any such case, if the new county and the remaining part or parts of the county or counties from which it has been severed,— Redefinition of education districts, or constitution of new counties therein. 1882, No. 54, sec. 8

35 (a.) Are all comprised within the same education district, then such new county shall be, and be deemed to be, as and from the date of its constitution, included within and form part of the district wherein are comprised the county or counties from which it has been severed :

40 (b.) Are partly in one district and partly in another, or others, then the Governor, by Order in Council, may redefine any of such last-mentioned districts, and may declare in which of such districts shall be comprised the new county or any part thereof.

*Constitution of Boards.*

45 11. There shall be for every district an Education Board, consisting of nine members. Education Boards. 1877, No. 21, sec. 13

12. The members of the Education Board of each education district constituted under this Act shall hereafter be elected in manner provided by this Act. Boards to be elected under this Act. 1900, No. 16, sec. 2

- Electors.  
1900, No. 16, sec. 3
- Returning Officer.  
Ibid, sec. 4
- Date of election for  
ordinary vacancy.  
Ibid, sec. 5
- Election on extra-  
ordinary vacancy.  
1901, No. 29, sec. 7
- Procedure with  
respect to elections.  
Ibid, sec. 2
- Duties of Returning  
Officer.  
Ibid, sec. 3
- Mode of voting.  
1900, No. 16, sec. 9
- When voting-paper  
to be returned.  
Ibid, sec. 10
- When poll to close.  
Ibid, sec. 11
- Informal voting-  
papers.  
Ibid, sec. 12
13. The electors shall, in the case of each education district, be the members of the respective School Committees in each school district in such education district.
14. For the purpose of every election the Secretary of the Board shall be the Returning Officer. 5
15. (1.) In the case of every ordinary vacancy the election shall be held on the fourth Monday in July, and the first ordinary election shall be held on the fourth Monday in July first following the coming into operation of this Act.
- (2.) In the case of every extraordinary vacancy the election shall be held on a date to be fixed by the Board, being not later than the fiftieth day after the vacancy occurs. 10
16. (1.) Not later than thirty-eight days before the date of the election the Returning Officer shall, by advertisement in a newspaper circulating in the district, notify the number of vacancies, the date on which nominations will close, and the date on which the election will be held. 15
- (2.) Nominations shall close at five o'clock on the afternoon of the twenty-second day before the date of the election.
- (3.) No person shall be eligible as a candidate for election unless he is nominated in writing by at least two electors, and the nomination-paper, bearing the candidate's consent in writing, is received by the Returning Officer before the nominations are closed. 20
17. Not later than the seventeenth day before the date of the election the Returning Officer shall notify in manner aforesaid— 25
- (a.) The number of members to be elected;
- (b.) The full name of every duly nominated candidate; and
- (c.) The day on which the elections will be held, and hour at which the poll will be closed;
- and shall also forward to the Chairman of each School Committee in the district a sufficient supply of voting-papers for the use of such of the electors as are members of that Committee. 30
18. The elector shall indicate his vote by drawing a line through the names of all the candidates for whom he does not desire to vote, and shall then sign the voting-paper, and post or deliver the same to the Returning Officer in a closed envelope bearing on the outside thereof the words "Voting Paper." 35
19. The voting-paper, if delivered to the Returning Officer, shall be delivered at the office of the Board before the day of the election, or not later than five o'clock in the afternoon of the day of the election, and, if posted to him, shall be posted to him not later than on that day. 40
20. The poll shall close at five o'clock in the afternoon of the day of the election; but all voting-papers shall be included and counted which are received by him in ordinary course of post before the close of the fourteenth day after the day of the election, and are enclosed in envelopes bearing the postmark of a day not being later than the day of the election. 45
21. A voting-paper shall be informal in any of the following cases :— 50
- (a.) If it is not duly signed by the elector.
- (b.) If the candidates whose names are left uncanceled exceed the total number to be elected.

(c.) If the elector votes more than once at the same election.

(d.) If, being delivered to the Returning Officer, it is not delivered before the close of the poll.

5 (e.) If, being posted to the Returning Officer, it does not reach him before the close of the fourteenth day after the day of the election, or if the envelope containing it does not bear the postmark of the day of the election or of a previous day.

10 22. Each candidate may, by writing under his hand, appoint one scrutineer, who may be present at the examination of the voting-papers as hereinafter mentioned. Scrutineers may be appointed. 1900, No. 16, sec. 13

15 23. On the fifteenth day after the day of the election the Returning Officer shall open and examine all the 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 (not exceeding the total number to be elected) who have received the greatest number of votes, and shall, by notice exhibited in the office of the Board, declare such candidates to be elected. Returning Officer to count votes and declare candidates elected. Ibid, sec. 14

20 24. The Returning Officer shall, immediately after counting the votes, seal up all voting-papers, and transmit the whole to the Clerk of the nearest Magistrate's Court, who shall keep the same for six months thereafter, and shall not open or permit to be opened such packet except on the order of some Court of competent jurisdiction, and shall at the end of six months effectually destroy the same; and if any person, save on the order of any such Court, opens any such packet, or destroys any of the contents thereof, he shall be liable to a penalty of *fifty* pounds for every such offence. How voting-papers to be dealt with. Ibid, sec. 15

25 25. If by reason of an equality of votes given for two or more candidates the election is not complete, the Returning Officer shall complete the election by lot in such manner as the Board directs. Penalty.

30 26. Forthwith after the completion of the election the Returning Officer shall notify in the *Gazette*, and also by advertisement in a newspaper published in the district, the names of the persons elected, the number of valid votes recorded for each candidate, the total number of valid votes recorded, and the total number of votes rejected as informal. How election determined in case of equality of votes. Ibid, sec. 16

35 27. (1.) At every election of a member of an Education Board the Returning Officer and every scrutineer shall, before entering on their respective duties, make and sign the declaration set forth in the *Third* Schedule hereto. Notification of result of election. Ibid, sec. 17

40 (2.) The declaration may be made and signed before a Justice of the Peace, or the Chairman of the Board, or, in the case of a scrutineer, before the Returning Officer.

45 (3.) Every such declaration shall be exempt from stamp duty.

50 (4.) Every Returning Officer or scrutineer who makes known the state of the poll, or gives or pretends to give any information by which the state of the poll may be known, before the final declaration thereof by the Returning Officer, or who makes known for which candidate any voter has voted, commits an offence, and is liable for each offence to a penalty not exceeding *fifty* pounds. Declaration of secrecy. 1901, No. 29, sec. 5

Magistrate to determine disputed election.  
1900, No. 16, sec. 18

28. If any dispute or question arises touching the regularity of any election, such dispute or question shall be determined by a Stipendiary Magistrate in manner provided by "The Regulation of Local Elections Act, 1876," all the provisions of which shall, *mutatis mutandis*, apply in so far as the same are applicable.

5

Form of nomination and voting papers.  
Ibid, sec. 19

29. Nomination-papers and voting-papers for the purposes of this Act shall be in the form in the *Third* Schedule hereto.

When members to take office.  
Ibid, sec. 20

30. The members elected at the ordinary annual election, as hereinbefore provided, shall take office on the second Monday in August following the day of election.

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Annual retirement of three members of Board.  
1877, No. 21, sec. 15

31. (1.) On the second Monday in August first following the coming into operation of this Act, and on the same day in every year thereafter, one-third of the members then in office shall retire.

(2.) The members to retire in each year shall be those who have served longest upon the Board without re-election.

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(3.) All retiring members shall be eligible for re-election.

First elections may be postponed.  
Ibid, sec. 18

32. In the case of education or school districts hereafter constituted, the Governor may, by Order in Council, postpone for a period not exceeding two months all or any first elections of School Committees or Education Boards for such districts, and all proceedings incident to any such election postponed as aforesaid shall be respectively postponed for the same period. In case of any such postponement, the members of the Board shall take office on such day as shall be fixed by the Governor in Council.

20

Conduct of elections for new districts.  
Ibid, sec. 19

33. Where a new education district has been constituted, all the proceedings in and about the first election of a Board for such new district shall be had and taken in the manner hereinbefore provided by the Board of the district of which such new district originally formed part, or, if the Governor in Council thinks fit so to order, by any other Board which can more conveniently conduct such election.

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Where required number of persons not nominated.  
Ibid, sec. 13 (8)

34. In the event of nine persons not being nominated as herein provided, the Board shall elect such a number of duly qualified persons as may be necessary to complete the number of the Board.

35

Qualification for members of Board.  
Ibid, sec. 20

35. Every person, male or female, of the full age of twenty-one years, and not disqualified as mentioned in the *next* section, resident in the education district shall be qualified to be a member of the Board.

Disqualification of members.  
Ibid, sec. 21

36. (1.) If any member shall, by writing under his hand addressed to the Chairman of the Board, resign his office, or shall die, or become of unsound mind, or be adjudicated a bankrupt, or execute any deed of composition or arrangement with his creditors, or be absent without leave from the meetings of the Board for three consecutive months, or be convicted of treason, perjury, or any infamous crime, or any crime punishable by death or imprisonment with hard labour for any term of three years or upwards, he shall immediately cease to be a member of the Board.

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(2.) If any member shall receive any salary from the Board or accept or hold any office or employment from or under the Board to which any salary, fees, or emoluments are attached, or shall be or become interested or concerned (except as a member of a registered or

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incorporated company) in any contract under which any money is to be paid by the Board, he shall immediately thereupon cease to be a member of the Board: Provided that it shall be lawful for the Board to pay any member residing at a distance from the ordinary place of meeting of the Board reasonable travelling-expenses.

37. (1.) If the place of any member of the Board shall become vacant for any of the causes aforesaid, such vacancy shall be deemed to be an extraordinary vacancy.

Provision for vacancy in Board, 1877, No. 21, sec. 22

(2.) The Chairman of the Board shall fix a day on or before which the Committees of the several school districts shall each transmit the name of a person qualified to fill such vacancy, and shall publicly notify the names so transmitted, and appoint a day on which each Committee shall send in the name of a person so notified, and a day on which the election shall be held.

(3.) All the proceedings in and about such election shall be conducted in the same manner as in the case of ordinary elections.

(4.) The member then elected shall retain his office so long as the vacating member would have retained the same if no such vacancy had occurred.

38. No act of the Board shall be questioned on the ground of any informality in the election of a member, nor on the ground that the seat of any member is vacant, or that any supposed member thereof is incapable of being a member.

Acts of Board not to be questioned for informality, &c. Ibid, sec. 23

39. Each Board shall be a body corporate under the name of "The Education Board of the District of [*naming it*]," and by such name shall have perpetual succession and a common seal, and may take and hold land for the purposes of this Act, and may do and suffer all such acts and things as bodies corporate may do and suffer.

Boards incorporated. Ibid, sec. 24

40. The Governor in Council may from time to time make such regulations as he thinks fit in order to give full effect to the purposes of this Act with respect to the election of members of Boards.

Regulations. 1900, No. 16, sec. 23

*Property of Boards.*

41. (1.) All real and personal property immediately before the coming into operation of this Act vested in, belonging to, or under the control of the Education Board of any then existing education district for educational purposes shall, on the coming into operation of this Act, be vested in the Education Board of such district constituted under this Act, to be held by it for the purposes of this Act within such district.

Property acquired to vest in Boards constituted by this Act. 1877, No. 21, sec. 25

(2.) Where a new district is constituted under this Act, all such property within or held in trust for educational purposes for such new district which was formerly vested in the Board of the original district shall vest in the Board of the new district.

Provision in respect of new districts.

(3.) Nothing in this section contained shall extend or apply to reserves for educational purposes which by or under any law or authority have been set apart as endowments for educational purposes in any district, but all such endowments shall in any of the cases hereinbefore provided for be dealt with in the manner provided by "The Education Reserves Act, 1877."

*Secretary and Officers of Boards.*

Boards may appoint  
Secretary and other  
officers.  
1877, No. 21, sec. 30

42. Every Board may from time to time appoint and remove a Secretary and Inspectors and such other officers as may be thought necessary, who shall receive such salary as the Board shall deem proper.

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Any person who at the time of the coming into operation of this Act holds office under an Education Board in any then existing education district shall, subject to removal as aforesaid and to any express provision of this Act, continue to hold such office.

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Duties of Secretary.  
Ibid, sec. 31

43. (1.) The Secretary to each Board shall attend all meetings of such Board, take minutes of its proceedings, and enter such minutes in a book to be provided for that purpose, and conduct the correspondence of the Board, and take charge of and preserve all letters papers, and documents relating to the business of the Board, and perform all such duties as may be required by the Board for carrying out the provisions of this Act.

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(2.) He shall also prepare under direction of the Board all reports, returns, and information relating to school matters which may be asked for by the Minister.

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*Meetings of Boards.*

First and other  
meetings of Boards.  
Ibid, sec. 32

44. The first meeting of each Board elected under the provisions of this Act shall be held at such time and place as the Minister shall appoint, and all subsequent meetings shall be held at such times and places as the Board may by any regulation in that behalf determine.

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But at least one meeting shall be held in every month after such first meeting, and a quorum of the Board, having duly met, may from time to time adjourn, to meet at such other time and place as they shall appoint.

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Quorum of Boards.  
Ibid, sec. 33

45. (1.) The powers given to Boards by this Act shall be exercised at meetings convened as aforesaid, at which meetings three members shall be a quorum.

Chairman to be  
elected.

(2.) Every Board shall at its first meeting, or as soon thereafter as conveniently may be, elect one of its number to be Chairman.

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Election of  
Chairman.  
1900, No. 16, sec. 22

(3.) At every meeting of an Education Board at which the Chairman is to be elected, the Secretary of the Board shall preside for the purposes of such election, but shall not vote, and, in the event of an equality of voting, he shall determine the election by lot.

1877, No. 21, sec. 33

(4.) On every question before the Board the decision of the majority shall be final and conclusive.

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(5.) The Chairman shall have a deliberative vote, and, in case the votes shall be equal, shall also have a casting-vote.

(6.) No resolution or decision come to at any meeting of a Board shall be revoked or altered at any subsequent meeting of such Board within twelve months from the passing thereof, unless notice of the intention to propose such revocation or alteration shall have been given at a previous meeting of the Board, and shall have been made known by the circular convening the meeting addressed to each member of the Board at his usual or last known place of abode.

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(7.) If the Chairman shall be absent from any meeting, the members present shall elect one of their number to preside in his stead at such meeting, and such presiding member shall have the same power at such meeting as the Chairman.

5 (8.) If the Chairman shall from any cause cease to be a member of the Board or resign 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.

10 46. Minutes of the proceedings of every Board shall be regularly entered in a book to be kept for that purpose, and at every meeting of the Board the minutes of the preceding meeting shall be read over and signed by the Chairman of the meeting at which the same shall be read, and the minutes when so signed shall for all purposes be held to be a true statement and record of the proceedings  
15 of the Board. Minutes to be kept. 1877, No. 21, sec. 34

*Powers and Duties of Boards.*

47. Subject to the provisions of this Act, the Board of each district shall establish and maintain public schools within the district, whether such schools have already been established under the provisions of "The Education Act, 1877," or any Act or Ordinance thereby repealed, or shall be established by the Board under the provisions of this Act; shall promote the establishment of school districts within such district, and define the limits thereof, with power to alter such limits as the Board shall see fit, and to divide any such school district into two or more school districts or parts of districts, or to combine two or more school districts or parts of such districts into one; shall appoint and remove officers and teachers in the manner provided by this Act; may establish scholarships, school libraries, and district high schools; shall raise the moneys required to be raised for the purposes of this Act, and administer the funds granted by the Education Department, and all other funds which may become the property of the Board; and generally shall have and exercise all the duties and functions imposed by this Act.

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30 General powers and duties of Boards. Ibid, sec. 35

35 48. (1.) When any school district shall be divided into two or more such districts, or two or more such districts or parts of districts shall be combined into one such district, then every such division of a school district and every such combination shall, for the purposes of this Act, be deemed a new school district, and the proceedings shall be taken in like manner as hereinafter provided for school districts originally constituted.

40 Provision when school districts divided. Ibid, sec. 36

(2.) The formation of any new district by the division or combination of any existing school district or districts shall take effect on and after the commencement of the school year next following the date on which the formation of such new school district shall have been agreed to by a resolution of the Board.

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A "school year" shall be from the first day of January to the thirty-first day of December, both days inclusive, in each year.

School year.

49. Whenever any new school district shall be formed by a Board pursuant to the provisions of this Act, the Board shall direct a public notice of the formation of such new district and of the bound-

50 Public notice to be given when school district formed. Ibid, sec. 37

daries thereof to be published, and every school district shall be held to be bounded as described in any such notice.

Trustees of school may agree to place same under control of Board.  
1877, No. 21, sec. 38

50. Any persons having the management and control of any school not established under "The Education Act, 1877," or any Act or Ordinance thereby repealed, may, with the consent of the persons in whom the school buildings, lands, and endowments pertaining thereto are vested, and with the assent of the Governor, agree with the Board of the district in which such school is that the said school shall be subject to the management and control of the Board, and that the said buildings, lands, and endowments shall be vested in such Board instead of such persons as aforesaid.

If the Governor assent to such agreement, and a notification of such assent be gazetted, such school buildings, lands, and endowments shall be vested in the said Board for or towards the maintenance of such school as a school under this Act, of such character or class as the Governor shall direct, but under and subject to the provisions of this Act, and the said persons shall thenceforth be freed and discharged from the trust imposed on them as trustees or governors of such school, and the buildings, lands, and endowments pertaining thereto.

#### *Board Fund.*

Board to make annual estimate of moneys required for current year.  
Ibid, sec. 39

51. (1.) At the first ordinary meeting of the Board in each year the Board shall make an estimate of the amount of money which it has reason to believe will be derived from the following sources:—

(a.) From moneys payable by Government in respect of the average daily attendance of children as hereinbefore provided:

(b.) From moneys in any manner whatever received or to be received by the Board.

(2.) The Board shall regulate its expenditure upon the basis of the estimate so made, and a copy thereof shall be transmitted to the Minister.

Provision for deduction from grants in aid in certain cases.  
Ibid, sec. 40

52. (1.) Whenever the Board of any district shall be in receipt of rents or other profits derived from lands or other property vested in the School Commissioners under "The Education Reserves Act, 1877," an account shall be taken at such periods as the Minister may direct showing the amount of such rents or other profits; and, in computing the proportionate share which such Board would, under the provisions of this Act, be entitled to receive from the Government, allowance shall be made for such rents and profits, and such share shall be paid subject to a deduction based upon the net amount of such rents or other profits.

(2.) No such deduction shall be made in respect of moneys received from such special endowments as are mentioned in section sixty-nine of this Act.

Funds of Boards.  
Ibid, sec. 41

53. All moneys received by or belonging to the Board shall be paid into such bank as the Board from time to time appoints, to an account to be called "The Education Board Account," and no moneys shall be drawn out of the bank except by authority of the Board, and shall be paid by cheque, signed by the Treasurer and by such one or more members of the Board as the Board may from time to time authorise to sign cheques.

54. The Board Fund shall consist of the following moneys, that is to say :— Board Fund, of what to consist.  
1877, No. 21, sec. 42

- 5 (a.) Grants from the Consolidated Fund.  
 (b.) Rents and profits derived from property or endowments vested in the Board.  
 (c.) Special endowments or grants for particular purposes.  
 (d.) Special fees for higher education.  
 (e.) Any other moneys which the Board may receive from donations, subscriptions, or otherwise.

10 55. Every Board shall, out of the Board Fund, make such provision from time to time as it shall seem fit for the following purposes, namely :— Disposal of Fund.  
Ibid, sec. 43

- 15 (a.) For the payment of salaries and other expenses connected with the carrying-on of the business of such Board;  
 (b.) For the expense of purchasing or renting school sites, playgrounds, and buildings, or for erecting, fitting up, and improving school buildings;  
 (c.) For the payment of teachers' salaries;  
 (d.) For the maintenance and education of pupil-teachers;  
 20 (e.) For grants to Committees for general educational purposes;  
 (f.) For subsidising school libraries;  
 (g.) And generally for the payment of all expenses necessarily incurred by such Board or any Committee under their supervision in the carrying out of any of the provisions of this Act :

25 Provided always that no Board shall be liable for the payment of any expenditure incurred by any Committee or teacher unless such expenditure shall have been previously sanctioned by such Board.

30 56. (1.) The Board shall keep full and true accounts, in which shall be entered every sum received into and paid out of the Board Fund in the order of date of each such receipt and payment, including all moneys received from rents or profits derived from lands or other property vested in the Board, or under its control or management. Accounts to be kept.  
Ibid, sec. 44

35 (2.) It may be provided by regulations that Boards shall keep general and special accounts in such convenient form as may be thought fit.

(3.) All such accounts shall be rendered annually, or at such periods as may be prescribed by regulations, and all such accounts shall be audited by an Auditor to be appointed by the Governor. Accounts to be audited.

40 (4.) Copies of all such accounts, when audited, shall be furnished to the Minister.

#### *Appointment of Teachers.*

45 57. The Board of each district shall be entitled to appoint teachers for every school under its control, or to remove such teachers from one school to any other school within the district, but no person shall be eligible for appointment who does not produce a certificate of competency from the Minister of Education, and such other certificates of fitness as shall be required by any regulations that may hereafter be made under this Act. Appointment and removal of teachers.  
Ibid, sec. 45

50 But in case a certificated teacher cannot be obtained for any school or schools, a person not duly certificated may be temporarily appointed until a certificated teacher can be obtained.

Certificates of competency will be issued to teachers after examination held in such manner as may be prescribed by regulations to be made as hereinafter provided :

Provided that the Committee may recommend teachers to the Board for appointment, and may also recommend the suspension or dismissal of any such teacher; but no appointment, suspension, or dismissal shall take place until the Committee have been first consulted. 5

Teachers of schools in office to continue in same. 1877, No. 21, sec. 46

58. All teachers of schools at or immediately before the coming into operation of this Act holding office under the provisions of "The Education Act, 1877," or any Act or Ordinance thereby repealed, shall, subject to any express provisions of this Act, continue to hold such office as if this Act had not come into operation. 10

Complement of teaching staff. 1901, No. 38, sec. 3

59. Notwithstanding anything in this Act, the number of teachers and pupil-teachers in every public school shall be such as is prescribed for the average attendance thereat in the *Fourth* and *Fifth* Schedules hereto. 15

Teachers' salaries. Ibid, sec. 4

60. The salaries of the teachers and pupil-teachers in any public school shall be the salaries assigned to such teachers and pupil-teachers in the *Fourth* Schedule hereto. 20

Provided that, if the Governor at any time decides that the salaries in the *Fifth* Schedule hereto shall be payable in lieu of those in the *Fourth* Schedule, he may, by Order in Council, declare that the salaries paid to teachers and pupil-teachers shall thereafter be the salaries named in the *Fifth* Schedule hereto. 25

Head teacher's residence. Ibid, sec. 7

61. In the case of a school having more than twenty children in average daily attendance, the Board shall, at its discretion, either provide a residence for the head teacher of the school or pay to him annually the house allowance prescribed in the *Sixth* Schedule hereto. 30

Rents, house allowances. Ibid, sec. 8

62. It shall be lawful for a Board to pay rents of school buildings or house allowances to head teachers as provided by the *last preceding* section out of any moneys from time to time appropriated by the General Assembly for that purpose.

Duration of appointment of school-teacher. 1877, No. 21, sec. 47

63. No school-teacher appointed or whose appointment is confirmed under this Act shall be at liberty to relinquish his said engagement without giving to the Chairman of the Committee, and also to the Secretary of the Board under which he holds his appointment, at least one month's notice in writing of his intention to do so; and such engagement shall not be determined by any Board except on giving three months' notice, signed by its Secretary. 35 40

Summary dismissal in certain cases.

Nothing contained in this Act shall preclude or prevent the Committee from suspending, and the Board from peremptorily dismissing any school-teacher for immoral conduct or gross misbehaviour. 45

Teacher's occupation of schoolhouse. Ibid, sec. 48

64. The teacher's occupation of the schoolhouse, and land attached thereto, or teacher's house, if one be provided, is hereby declared to be an occupancy by sufferance only.

Proceedings against a teacher refusing to give up school-house on demand. Ibid, sec. 49

65. In case a teacher shall refuse or neglect to deliver up possession of the schoolhouse and land attached, or of the house, as the case may be, after demand in writing made by or on behalf of the Board, the Magistrate whose Court shall be nearest to the locality shall, on 50

the application of the Board, issue a warrant to the Bailiff of the Court commanding him to enter into the premises and give possession of the same to the Board.

5 Every such warrant may and shall be enforced as a warrant for the recovery of the possession of tenements issued under "The Magistrates' Courts Act, 1893."

66. The Board of any district may engage and employ any number of apprentice pupil-teachers, subject to such regulations for the examination, training, employment, and payment of such pupil-teachers as may be made from time to time

Pupil-teachers may be employed. 1877, No. 21, sec. 50

67. The Governor in Council may from time to time make such regulations for carrying sections *fifty-nine* to *sixty-two* hereof into effect as he thinks fit.

Regulations. 1901, No. 38, sec. 10

*Board and Private Scholarships.*

15 68. The Board may, with the concurrence of the Minister, from time to time, out of funds made specially applicable for the purpose, establish scholarships to be competed for by the pupils attending any public school, and also scholarships open to all children of school age, in such manner and at such times as shall be fixed by regulations to be made under this Act.

Board may establish scholarships. 1877, No. 21, sec. 51

20 The successful competitor for any such scholarship shall receive the amount of his or her scholarship only so long as he or she shall continue his or her education at any school or educational institution under the control of the Board at which the higher branches of education are taught, but, if there be no such school or institution in the district where the holder of the scholarship resides, then at such school, subject to inspection by a Public School Inspector, as the Board may approve of.

30 69. The Board may receive grants of land or money, to be applied towards founding scholarships or exhibitions, or for other educational purposes in connection with any public school within a district, and such land or money shall be vested in the Board for the specific purposes declared in the grant.

Board may receive land or money for foundation of scholarships. Ibid, sec. 52

35 70. Subject to any special trust, every scholarship or exhibition in the last preceding section mentioned shall be open to any child on the roll of such school; and in the event of any school for which a scholarship or exhibition is founded being discontinued, the Minister may direct that the scholarship or exhibition shall attach to some other public school in the district.

Who may compete for scholarship. Ibid, sec. 53

40 71. The Board may make regulations under which scholarships or exhibitions founded by any private individual or society may be competed for and held at any public school within the district.

Board may make regulations for scholarships. Ibid, sec. 54

*National Scholarships.*

45 72. In sections *seventy-three* to *seventy-nine* hereof, if not inconsistent with the context,—

Interpretation. 1903, No. 84, sec. 2

"College" or "university college" means the Auckland University College, the Victoria College, the Canterbury College, or the University of Otago:

50 "University" means the University of New Zealand:

“University district” means a district as defined by the Schedule to “The New Zealand University Act Amendment Act, 1902.”

National  
Scholarships.  
1903, No. 84, sec. 3

73. For the purpose of bringing higher education within the reach of deserving scholars there are hereby established junior and senior scholarships to be called “National Scholarships.” 5

Junior National  
Scholarships.  
Ibid, sec. 4

74. With respect to the Junior National Scholarships the following provisions shall apply:—

- (a.) In each education district there shall be offered annually a junior scholarship for each five thousand or part of five thousand children in average yearly attendance. 10
- (b.) The junior scholarships shall be awarded on the results of an examination in the subjects prescribed for the Fifth Standard of the public-school syllabus. The examination in each education district shall be open to all persons of either sex who, being not over fourteen years of age, have been under regular instruction at a public school or schools in New Zealand for three years immediately preceding, and under regular instruction in the subjects of the Fifth Standard or a higher standard at a public school in the said education district for the six months immediately preceding, the date of the examination. 15
- (c.) Every candidate for such examination shall forward with his application a certificate from a teacher of the school he has attended for the six months immediately preceding, in the form prescribed, that he is eligible for and has a reasonable chance of obtaining a scholarship. 25
- (d.) The examination shall be conducted in such manner as may be arranged between the Minister and the Board.
- (e.) In each education district, if two or more scholarships are offered annually, at least one scholarship shall be awarded to one of the candidates from the schools having not more than forty children in yearly average attendance, if there be a qualified candidate from such schools; and if three or more junior scholarships are offered annually in an education district, then at least one scholarship shall be awarded to one of the candidates from schools having more than forty but not more than two hundred in yearly average attendance, if there be a qualified candidate from such schools. 30 35 40
- (f.) In no case shall more than one scholarship be awarded in any year to the candidates from any one school.
- (g.) A scholarship shall not be awarded to or be held by any person if the total net profits, income, and emoluments of his parents are equivalent, for any year during the currency of the scholarship, to an annual income of over two hundred and fifty pounds per annum; and the Board or the Minister may require the parent of any candidate or scholar to send a confidential statement, on a form provided, of his total net profits, income, and emoluments to the Chairman of the Board, and the Board shall decide whether such candidate or scholar is eligible to hold or to continue to hold a scholarship, and the decision of the Board shall be final. 45 50

- (h.) The holder of any junior scholarship shall be required to prosecute his studies diligently, to the satisfaction of the Inspector-General of Schools, at a secondary school or its equivalent approved of by the Board and the Minister.
- 5 (i.) The holder of a junior scholarship shall receive, in addition to the amount of the tuition fees (if any) payable by him at a secondary school or its equivalent, the sum of ten pounds per annum.
- 10 (j.) The term of each junior scholarship shall be three years, if the holder so long faithfully fulfils the prescribed conditions: Provided that the Board may, with the approval of the Minister, extend any junior scholarship for one year longer.
- 15 (k.) The junior scholarships shall be payable by quarterly instalments, and upon satisfactory evidence being in the prescribed manner furnished to the Board that the holder has fulfilled the prescribed conditions up to the date of the instalment.
- 20 (l.) Any junior scholar shall forfeit his scholarship if he fails to pass at the end of the second year of his scholarship such examination as may be prescribed, unless he produces proof to the satisfaction of the Board that such failure was occasioned by illness or other sufficient cause.

25 Provided that the total number of junior scholarships under this section shall not exceed thirty-one granted in any one year.

75. With respect to the Senior National Scholarships the following provisions shall apply:—

Senior National  
Scholarships.  
1903, No. 34, sec. 5

- 30 (a.) Four senior scholarships shall be awarded annually in each university district on the result of the Junior Scholarship Examination of the University.
- (b.) Candidates may be persons of either sex who, being resident in such university district, are under nineteen years of age and have been holders of junior scholarships or of Education Board scholarships.
- 35 (c.) No scholarship shall be awarded to a candidate unless he obtains credit at the examination mentioned in paragraph (a) of this section.
- (d.) The term of a senior scholarship shall be three years, if the holder so long fulfils the prescribed conditions.
- 40 (e.) The holder of a senior scholarship shall receive the sum of twenty pounds per annum, in addition to the amount of the tuition fees (if any) payable by him at the university college to which he belongs.
- 45 (f.) Candidates for these scholarships must forward their applications in the usual manner for the Junior Scholarship Examination of the University, and must at the same time give notice of their intention to compete for the senior scholarships.
- 50 (g.) No person shall be entitled to hold a scholarship unless within three months after its acquisition he has been matriculated as a member of the University, and has entered his name upon the books of the college of the

university district to which he belongs, nor unless he produces a certificate from the Chairman of the Professorial Board of such college that he has attended regularly the course of studies and lectures provided by the college, and has made progress satisfactory to the Professorial Board thereof: Provided that if the holder of a senior scholarship is unable to obtain tuition in the subjects required for his university course at such college he may, with the approval of the Minister previously obtained, pursue his studies at another college. 5 10

(h.) A scholarship shall become vacant by failure on the part of the holder to pass each year in at least two subjects of the annual examination of the college upon the books of which he may have entered his name, unless the holder produces proof to the satisfaction of the Chancellor of the University that such failure was occasioned by illness or other sufficient cause. 15

(i.) All scholars, unless for any reason specially allowed by the Chancellor, shall, as a condition of holding their scholarship, be required at the end of their second year after matriculation to pass in one section of the examination for the degree of Bachelor of Arts or Bachelor of Laws, or for the ordinary degree of Bachelor of Science. 20

(j.) Any scholar may, by permission of the Chancellor, enter upon a course of study in medicine, engineering, mining, agriculture, or veterinary science, or similar branch of applied science; and such scholar shall not be bound by paragraphs (h) and (i) of this section, but shall furnish to the Chancellor, as a condition of receiving the emoluments of his scholarship, sufficient proof that he has advanced in his professional studies and that he has passed regularly the several examinations required of him in his professional course. 25 30

(k.) The senior scholarship shall not be tenable with a junior scholarship of the University, nor with any scholarship the value of which added to that of the Senior National Scholarship exceeds eighty pounds in any year. 35

76. The Senate of the University may, with the approval of the Minister, make regulations in regard to the examinations and the tenure of the Senior National Scholarships in accordance with this Act. 40

77. Where the holder of a Junior or Senior National Scholarship is obliged to live away from home in order to prosecute his studies, there shall be paid him an additional sum of thirty pounds per annum. 45

78. The Colonial Treasurer shall, out of the Consolidated Fund, and without further appropriation than this Act, pay to each Board of Education the amounts payable to Junior National scholars after the end of each quarter, and in like manner to the Senate of the University the amounts payable for Senior National scholars. 50

79. The Governor may from time to time, by Order in Council gazetted, make regulations for the effectual carrying-out of the purposes of sections *seventy-two* to *seventy-eight* hereof.

Regulations as to examinations.  
1903, No. 84, sec. 6

Where holder of scholarship resides away from home.  
Ibid. sec. 7

Appropriation.  
Ibid, sec. 8

Regulations.  
Ibid, sec. 9



*District High Schools.*

80. (1.) Any Board, on receiving an application in writing from the Committee, may, with the express sanction of the Minister previously obtained, convert any public school in the district into and  
5 establish the same as a district high school. District high schools may be established by Board. 1877, No. 21, sec. 55

(2.) Every grammar school or high school at or immediately before the coming into operation of this Act under the charge of any School Committee or Education Board, by virtue of the provisions of "The Education Act, 1877," or any Act or Ordinance thereby  
10 repealed, shall, unless otherwise provided, be deemed to be a district high school under this Act.

81. (1.) Every such district high school shall be under the charge of a head master, and such number of duly qualified masters and assistants as the Board shall from time to time consider neces-  
15 sary. Course of instruction in high schools. Ibid, sec. 56

(2.) All the branches of a liberal education, comprising Latin and Greek classics, French and other modern languages, mathematics, and such other branches of science as the advancement of the colony and the increase of the population may from time to time  
20 require, may be taught in such school. For such higher education, fees shall be paid by the pupils at such rates as shall be fixed by regulations.

(3.) In every district high school instruction shall also be given in the ordinary branches of education prescribed by this Act to be  
25 given in public schools.

82. Notwithstanding anything in this Act, it shall be lawful for any Board, with the sanction of the Minister, to make such additions to the staff of any district high school and to pay such additional sums as salaries to such staff as may be prescribed by  
30 regulations, such payment to be made out of moneys appropriated by the General Assembly for that purpose, and distributed to the Boards in accordance with such regulations. Additions to staff of district high schools. 1901, No. 38, sec. 9

Provided that the staff of such school shall, in regard to the children not receiving secondary instruction thereat, be as strong as  
35 if the school were not a district high school.

83. (1.) In the various school districts the Board may from time to time expend in the purchase of books, to be placed in the school library, any sum or sums of money equal to any sum or sums of  
40 money which shall have been raised by public subscription or otherwise within such school district. School libraries may be established. 1877, No. 21, sec. 57

(2.) The Board shall make such provision as may seem fit for the safe custody and care of such books and for the use thereof.

The word "book" in this section shall be deemed to include  
45 all works of art, and all scientific apparatus which may be required for the purpose of illustration in lectures, and all specimens of natural history for the formation of museums.

*Secondary Schools.*

84. In sections *eighty-four* to *ninety-seven* hereof, if not incon-  
50 sistent with the context,— Interpretation. 1903, No. 73, sec. 2

- “ District high school ” means a district high school established in accordance with section *eighty* hereof :
- “ Endowed secondary school ” means any secondary school named in the *Eighth* Schedule hereto :
- “ Endowments ” means endowments derived from a grant or grants from the public revenue, or from a grant or grants of land made at any time by the Governor or otherwise : 5
- “ Free place ” means tuition given without payment of fees to one pupil in accordance with regulations made under section *ninety-seven* hereof : 10
- “ Net annual income derived from endowments ” means the average during the three years ending the thirty-first day of December preceding of the total annual income derived from endowments, from the School Commissioners, from all investments of moneys derived from endowments (including mortgages and bank deposits) available for the general purposes of the secondary schools, less expenditure upon such endowments and investments, and less expenditure upon buildings and the maintenance and repairs of buildings, and less mortgage and bank charges in respect of lands and buildings : 15 20
- “ Secondary school ” means an endowed secondary school or a high school established under section *eighty-eight* hereof : 25

Pupils to have passed the Fifth Standard.  
1903, No. 73, sec. 3

85. No pupil shall, after the passing of this Act, be admitted to a secondary school until he has obtained a certificate of competency in the subjects of Standard V., or a higher standard, of the public-school syllabus :

Provided that pupils that have not obtained such a certificate may be admitted to a lower department of such secondary school if they are taught in a separate building or class-room, and if it can be shown to the satisfaction of the Minister that no part of the actual cost of their instruction is met out of the endowments of the secondary school. 30 35

Provision for free places to be made in endowed secondary schools.  
Ibid, sec. 4

86. (1.) Every endowed secondary school shall, after the passing of this Act, unless it provides free places in accordance with the next succeeding section, offer scholarships of a total annual value equal to one-fifth of the annual income derived from endowments, or such greater amount as the governing body from time to time determines. 40

(2.) The values of the several scholarships and the conditions under which they are offered shall be approved by the Minister.

(3.) Where no secondary school is maintained by the governing body of an endowed secondary school, the income of such endowed secondary school shall, if the Minister thinks fit, be devoted in whole or in part to the maintenance of another school in the locality, either a high school under section *eighty-eight* hereof or a district high school, as the Minister directs. 45

Grants to be given for free places.  
Ibid, sec. 5

87. To every secondary school that provides free places in accordance with regulations annual grants shall be paid according to the scale set out in the *Seventh* Schedule hereto. 50

88. (1.) The Minister may, on the application of the Board, establish a high school in any place where there are not less than sixty pupils who have obtained a certificate of proficiency under the regulations of the public-school syllabus, and whose parents have expressed in writing their intention of enrolling them at such high school :

High schools may be established. 1903, No. 73, sec. 6

Provided that no such high school shall be established in any place where there is a district high school or a secondary school giving free places, as referred to in section *eighty-seven* hereof, unless there are at least thirty thousand inhabitants within five miles of such district high school or secondary school.

(2.) Every high school established under this section shall give free education to those qualified under the regulations referred to in section *eighty-seven* hereof.

89. (1.) Every high school established under the *last preceding* section shall be controlled, in accordance with a scheme approved by the Minister, by nine governors, of whom a group of three shall be appointed by the Governor, a group of three by the Board, and a group of three shall be elected, in the manner prescribed by such scheme, by the parents of the pupils.

Board of Governors. Ibid, sec. 8

(2.) Such governors shall be a body corporate, and shall hold office for three years, or until the appointment or election of their successors.

(3.) One out of each group of governors shall retire at the end of each year.

(4.) Every such scheme shall provide for the election and retirement of the governors, for the management of the property of the school, shall define its curriculum and the respective powers of the governing body and the headmaster, shall prescribe the fees to be charged to such pupils as are not holders of scholarships or free places, and shall state the provision (if any) made for pupils living away from home, and the provision made for the periodic examination of the pupils.

90. (1.) Every endowed secondary school that has not complied with the provisions of section nine of "The Secondary Schools Act, 1903," shall, within three months after receipt of a notice from the Minister so to do, forward to the Minister a copy of the scheme or regulations defining its curriculum and the respective powers of the governing body and the headmaster, and stating the provision (if any) made for pupils living away from home, and the provision made for the periodic examination of the pupils of such school.

Scheme to be formulated and approved. Ibid, sec. 9

(2.) If the scheme so forwarded, or if any scheme forwarded under the said section nine, is not approved by the Minister, or if the governing body fails to comply with such notice, the Minister may refer the matter to a Commission consisting of the Chancellor of the University of New Zealand, the Inspector-General of Schools, and a person appointed in that behalf by the governing body; and such Commission shall thereupon draw up a scheme, which, when placed before the Minister, shall be the scheme for the management of such school.

91. (1.) Every secondary school and district high school shall be open at all times to inspection by the Inspector-General of

Inspection of secondary and high schools. Ibid, sec. 10

Schools, or by any other person directed by the Minister to inspect such school.

(2.) Such inspection may include examination of the pupils in the subjects of instruction taught in such school.

Annual return of  
free places.  
1903, No. 73, sec. 11

92. Every secondary school shall, on or before the first day of April in every year, forward to the Minister a return in the form prescribed by regulations of all scholarships and free places held at the school. 5

Buildings grants.  
Ibid, sec. 12

93. The Minister may from time to time, out of moneys appropriated by Parliament for the purpose, make grants in aid of the erection, acquisition, or equipment of buildings for secondary schools. 10

Subsidies.  
Ibid, sec. 13

94. In respect of all voluntary contributions received by any Board on account of any district high school, or by the governing body of any secondary school, and available for the general purposes of any such school, there shall be payable out of the Consolidated Fund, without further appropriation than this Act, subsidies as follows :— 15

(a.) For every one pound bequeathed, a subsidy of ten shillings :  
Provided that in no case shall the subsidy in respect of any one bequest exceed five hundred pounds : 20

(b.) For every one pound of voluntary contributions (other than bequests) from any person not being a Board, School Commissioners, or the governing body of an endowed secondary school, a subsidy of one pound. 25

Certain schools may  
be disestablished.  
Ibid, sec. 14

95. Notwithstanding anything in this Act, the Minister may, if he sees fit,—

(a.) Disestablish any district high school in which there are less than twelve pupils holding a certificate of proficiency, and may also, on the request of the Board, disestablish any district high school with a view to establish a high school under section *eighty-eight* hereof; 30

(b.) Disestablish any high school established under section *eighty-eight* hereof in which there are less than forty pupils holding a certificate of proficiency; 35

(c.) Disestablish any such last-mentioned high school if there is in the same district an endowed secondary school giving free places as provided in section *eighty-seven* hereof.

Property of  
disestablished  
schools.  
Ibid, sec. 15

96. Where any high school is disestablished as aforesaid the property belonging to it shall vest in the Board for the purposes of a district high school, and the income arising therefrom shall be applied to the maintenance of such district high school : 40

Provided that if there is no district high school in the locality such property and the income therefrom shall be applied to such purposes of secondary education as the Minister directs. 45

Regulations.  
Ibid, sec. 16

97. The Governor may from time to time, by Order in Council gazetted, make regulations—

(a.) Regarding the annual grants payable under section *eighty-seven* hereof; and

(b.) Generally for effectually carrying out the purposes of sections *eighty-four* to *ninety-six* hereof. 50

## PART III.

## SCHOOL DISTRICTS : SCHOOL COMMITTEES AND THEIR DUTIES.

*School Districts.*

- 5 shall be a School Committee consisting of not less than five nor more than nine householders resident within the school district, to be elected as hereinafter provided. School Committees. 1877, No. 21, sec. 58
- 10 99. No bankrupt who has not obtained his final order of discharge, no person attainted of treason or convicted of perjury or any infamous crime, or any crime punishable by death or imprisonment with hard labour for any term of three years or upwards, no person of unsound mind, and no person not qualified as herein required, shall be capable of being or continuing a member of any Committee. Disqualification for membership of Committee. Ibid, sec. 59
- 15 100. Upon the memorial of not less than ten householders of any locality praying for the erection of such locality into a separate school district, or upon the report of an Inspector, or otherwise at its own discretion for any reason that may seem to it sufficient, the Board of the district may call by advertisement a public meeting of the householders in such locality for the purpose of electing a Committee. Provision for constitution of new school districts. Ibid, sec. 60
- 20 101. It shall be the duty of such meeting to appoint a Chairman and elect a Committee in manner hereinafter provided, and the meeting shall likewise consider the boundaries of the proposed school district and report the same to the Board, which may at its discretion fix the boundaries of the school district, whether those recommended by the meeting or otherwise, and cause the same to be publicly notified. Meeting of householders. Ibid, sec. 61
- 25 102. (1.) All school districts constituted under the provisions of "The Education Act, 1877," or any Act or Ordinance thereby repealed, shall be school districts for the purpose of this Act until altered as herein provided, and the persons in office at the time of the coming into operation of this Act as the Committee of every such district shall be deemed to have been elected under this Act, and shall continue in office till their successors are elected. School districts in existence to continue as such. Ibid, sec. 62
- 30 *Election of School Committees.*
- 35 103. Every householder of a school district is qualified to vote at any election of members of the School Committee for such district : Qualification of electors. 1891, No. 36, sec. 3
- 40 Provided that in the case of husband and wife any qualification possessed by either of them shall be deemed to be possessed by each of them. 1903, No. 72, sec. 2
- 45 104. (1.) Every resident householder in a school district, and no other person, is qualified to be elected a member of the School Committee for such district, excepting as follows :— Qualification of members. 1891, No. 36, sec. 4
- (2.) No householder who is a paid servant of the Education Department or of any Education Board or School Committee shall be eligible to be elected as a member of any School Committee. Disqualification.
- 50 105. On or before the first Monday in April in each year the Board shall publicly notify that a meeting of householders in each school district will be held on the fourth Monday in that month for Annual election of School Committees. Ibid, sec. 5

the purpose of electing not less than five nor more than nine resident householders to form the Committee for such district : the hour and place for such meeting to be fixed by the Board. Where the average attendance of any school or schools under the Committee of a school district has not for the last preceding school year exceeded twenty five children, the Board shall call on the electors to nominate and elect a Committee of five members; where the average attendance has exceeded twenty-five and has not exceeded two hundred, the Board shall call for the nomination and election of a Committee of seven members; and where the number of children in average attendance has exceeded two hundred, the Board shall call for the nomination and election of a Committee of nine members. The quorum of such Committee respectively shall be as follows, that is to say : Three for a Committee of five, four for a Committee of seven, and five for a Committee of nine, and no business shall be transacted at any meeting unless there be a quorum present thereat.

Board to call for nominations.  
1891, No. 36, sec. 6

106. (1.) In the notice appointing the time and place for holding the annual meeting of householders, the Board shall call upon the householders in each district to send in writing, by post or delivery so as to be delivered to the respective Chairmen of the several School Committees not later than eight o'clock in the evening of the third Monday in April, the names of persons, being resident householders, nominated by them for election to serve upon the Committee for the year next ensuing.

(2.) Each nomination shall be signed by the proposer and by the candidate, and shall be in the form set forth in the *Ninth* Schedule hereto or to the effect thereof.

List of nominations.  
Ibid, sec. 7

107. The Chairman of every Committee shall cause a list of all candidates so nominated to be displayed upon the outer door of every schoolhouse within the school district under the control of such Committee, on the day next after the third Monday in April, or as soon thereafter as may be.

Proceedings at meeting.  
Ibid, sec. 8

108. (1.) At each annual meeting a Chairman shall be chosen, and the Committee shall give a full report of its proceedings for the year ending on the thirty-first day of March preceding such annual meeting, and the householders present shall proceed to elect a new Committee for the current year, as hereinafter provided, and may re-elect any of the persons going out of office, if duly qualified and nominated, to be members of such new Committee : Provided that any candidate nominated may withdraw from any contest at any time previous to the ballot being taken, either verbally, or in writing signed by the candidate and witnessed by a householder, and delivered to such Chairman; in either of which cases he shall be deemed in future proceedings at such meeting not to have been nominated.

(2.) At every annual meeting the Chairman shall have a deliberative vote and a casting-vote.

Proceedings at elections.  
Ibid, sec. 9

109. (1.) Notwithstanding anything contained in section one hundred and *six* of this Act, any householder present at the annual meeting may at such meeting nominate for election to serve on the Committee any resident householder; and a resident householder nominated at the meeting, and, by word of mouth or by writing given

to the Chairman, consenting to be so nominated, shall be a candidate for election. The Chairman of the meeting shall afford opportunity for nomination as allowed by this section of the Act, and shall then read or cause to be read a complete list of the persons nominated for  
 5 election. The meeting shall then proceed to elect the required number of persons to serve on the Committee.

(2.) If the number of duly nominated candidates is equal to the number of persons to be elected, the Chairman shall declare that such candidates have been duly elected.

10 (3.) If the number of duly nominated candidates is in excess of the number of persons to be elected, a ballot shall be taken, and, up to the required number, those candidates shall be declared duly elected for whom a preference has been proved by the number of the votes respectively recorded in their favour.

15 (4.) If the number of candidates duly nominated is less than the number required to be elected, the candidates duly nominated shall be declared duly elected, and the Board shall appoint such resident householders as it deems fit to make up the number of members of the Committee to the number required, and any member or members  
 20 appointed in accordance with this provision shall be deemed to have been duly elected.

110. In every school district in which there are more than one hundred children in the school under the care of the Committee, it shall be the duty of the Committee to provide a ballot-box, which  
 25 shall be locked, and shall be placed in the schoolhouse or place of election in some accessible position on the day appointed for holding the election; and immediately before the taking of any ballot the Chairman of such meeting shall unlock the ballot-box and show that it is empty, and then shall lock it again, and shall not remove it  
 30 from its place until the election is concluded.

Ballot-box to be provided by Committee.  
 1891, No. 36, sec. 10

111. (1.) If a ballot is required to be had, every householder present at the meeting who wishes to vote shall apply to the Chairman for a voting-paper, who, if satisfied that he or she is duly qualified to vote, shall give him or her a voting-paper, upon which  
 35 he or she shall, without leaving the room or place of election, write the name or names of the candidate or candidates for whom he or she desires to vote, and, folding the paper so that its contents cannot be seen, shall return the same to the Chairman, or in the presence of the Chairman put the same into the ballot-box, or, if the meeting so  
 40 desire, the voting-papers used may contain the names of all duly nominated candidates, from which the elector shall, without leaving the room, strike out any names he pleases, but so as not to leave more names on the paper than the number of Committee-men to be elected.

Conduct of ballot.  
 Ibid, sec. 11

(2.) So soon as all the householders present who desire to vote  
 45 have recorded their votes the Chairman shall declare the ballot closed, and hand the ballot-papers to the scrutineers, if such be appointed by the meeting, or, if no scrutineers be appointed, shall himself open the ballot-papers, and, counting the votes given for each candidate, shall ascertain and declare the result of the election.

50 112. At every election for a School Committee—

(a.) No person shall be entitled to vote in respect of more qualifications than one, although he possess them;

Voting at elections.  
 Ibid, sec. 12

- (b.) Every elector may vote for any number of candidates at an election not exceeding the number of members of the Committee then to be elected, but no elector may give for any one candidate more than one vote;
- Casting-vote. (c.) Where any two or more candidates have received the same number of votes, and as often as this may happen at any election, the Chairman shall give a casting-vote or votes as the case may be. 5
- Disputes as to validity of elections to be settled by Board of district. 1891, No. 36, sec. 13
113. (1.) If any dispute shall arise respecting the validity of the proceedings at the annual or other election of any member or members of any Committee, the matter in dispute shall be submitted to the judgment of the Board of the district, whose decision thereon shall be final and conclusive. 10
- (2.) In any case when a representation has been made to the Board that the proceedings at any election meeting had not been strictly formal or legal, the Board need not call for another election if, in their opinion, the informality was not wilful, and did not really affect the result of the election. 15
- Provision in case of failure to elect on day of annual meeting. Ibid, sec. 14
114. If in any case the householders in any school district shall, from any cause whatever, fail to elect a Committee upon the annual day of meeting as hereinbefore provided, the Board of the education district in which such school district is comprised, if it shall see fit, may fix another time for the nominations and election respectively of a Committee for such school district, and the like notices of such meeting, with all necessary changes of dates for the several matters incident to the election, shall be given and the like proceedings taken thereat as are prescribed by the preceding sections of this Act for an annual election. 20 25
- In case of failure to elect at second meeting Board may appoint Committee. Ibid, sec. 15
115. If after such last-mentioned meeting the householders neglect or refuse to elect a Committee, the Board may appoint one or two Commissioners, who shall hold office until the next annual meeting, and shall have all the powers and shall perform all the duties by law assigned to a School Committee. 30
- Duration of office of Committee. Ibid, sec. 16
116. Every Committee elected as aforesaid shall hold office until the appointment of a new Committee, or a Commissioner or Commissioners, and, if any vacancy shall occur by death or otherwise in any Committee, the remaining members of the Committee being not less than a quorum shall elect a qualified person or persons to fill such vacancy or vacancies. 35
- Forfeiture of seat. Ibid, sec. 17
117. If a member of a School Committee be absent without leave of the Committee during three consecutive months from all meetings of the Committee, except from illness or other cause to be approved by the Committee, or if a member ceases to reside in the school district, he or she shall cease to be a member of the Committee, and his or her office shall thereupon be vacant. 40 45
- Special elections. Ibid, sec. 18
118. If by any means the number of members of a School Committee be reduced to less than the number required for a quorum, or if a majority of the members of any Committee send in their resignations to the Education Board, the Board may direct an election to be held to fill up the vacancies; and the proceedings in connection with any such election shall be the same as in the case of an annual election. 50



*Meetings of School Committees.*

119. (1.) The Committee of each school district shall hold its first meeting after election at some time and place to be from time to time appointed by the Board of the district within which such school district is.

First meeting of School Committee.  
1877, No. 21, sec. 69

(2.) At its first meeting, or as soon thereafter as conveniently may be, it shall elect, by a majority of the votes of the members present thereat, one of its body to be Chairman until the next election of the School Committee.

Election of Chairman.

(3.) Such Chairman shall preside at all meetings of the Committee at which he shall be present; and if such Chairman cease to be a member of the Committee he shall cease to be such Chairman.

(4.) In case the Chairman die, or by writing under his hand delivered to the Committee at any meeting thereof resign his office, or cease to be a member of the Committee, the members present at the meeting next after the occurrence of such vacancy, or at any meeting before there shall as yet have been a Chairman chosen, shall elect some one of its number to be a Chairman, and the Chairman so elected shall continue in office for the remainder of the year.

(5.) If at any meeting of the Committee the Chairman be not present, one of the members present shall be elected Chairman of such meeting by the majority of the votes of the members present thereat.

120. (1.) The proceedings of every Committee shall be transacted at meetings to be convened at the request of two or more of the members or by order of the Chairman thereof.

Proceedings at meetings.  
Ibid, sec. 70

(2.) The Chairman shall have a deliberative and also a casting-vote at every such meeting, and the decision of the majority shall be final and conclusive.

121. (1.) Every Committee shall be at liberty to appoint one of its own members or other qualified person to be its Clerk and Treasurer, who shall convene all meetings of the Committee by causing at least three days' previous notice to be given to each member thereof, and shall attend such meetings of the said Committee, and take minutes of its proceedings, and do whatever may be required of him in the execution of this Act.

Clerk and Treasurer may be appointed.  
Ibid, sec. 71

(2.) But no Clerk and Treasurer shall receive any remuneration for his services if he is a member of the Committee.

Not to receive remuneration in certain cases.

122. At every meeting of a School Committee the same proceedings shall be taken with regard to the minutes of such meeting as are prescribed by section *forty-six* of this Act with regard to the minutes of meetings of Boards; and no recommendation to the Board concerning the appointment, suspension, or dismissal of a teacher shall be considered unless notice in writing to the effect that such business is proposed to be transacted has been addressed to every member of the Committee three days at least before the meeting at his usual or last known place of abode.

Minutes of meetings, &c.  
Ibid, sec. 72

123. A Committee may appear in all legal proceedings by its Clerk, or Chairman, or solicitor.

Appearance in legal proceedings.  
Ibid, sec. 73

*Powers and Duties of School Committees.*

Committee may establish public schools.

1877, No. 21, sec. 74

Committee to have management of educational matters in school district.

Committee may provide schoolhouses, &c. Ibid, sec. 75

May appoint teachers of sewing. Ibid, sec. 76

Board may acquire sites for schoolhouses, &c. Ibid, sec. 77

Savings-banks may be established. Ibid, sec. 78

Certificates of attendance obtainable. Ibid, sec. 79

124. (1.) In every school district it shall be lawful for the Committee, with the express sanction previously obtained of the Board of the district in which such school district is situated, to establish one or more public schools. 5

(2.) Subject to the general supervision and control of the Board, and to inspection by an Inspector, as herein provided, the Committee shall have the management of educational matters within the school district.

125. Every Committee may, with the sanction of the Board of the district within which the school district is, previously obtained, provide by building or otherwise schoolhouses, and may improve, enlarge, and fit up any such schoolhouses, and supply school apparatus and everything necessary for the efficiency of the schools provided by them; and such proportion of the cost of providing, fitting up, improving, and keeping in repair such schoolhouses as may be prescribed by such Board shall be defrayed by the Committee out of the School Fund, and the remainder (if any) of such cost shall be defrayed by the Board of the district within which the school is situated by and out of any moneys at their disposal. 10 15 20

126. The Committee may from time to time, with the approval of the Board, appoint teachers of sewing for any school under its control.

127. On the application of the Committee, the Board of the district may select, purchase, lease, or acquire a suitable site or sites for a schoolhouse; and the Board, if it shall so think fit, shall require that the whole or any portion of the cost of such purchase shall be defrayed by the School Committee out of the School Fund. 25

128. The Committee, with the approval of the Board, may establish savings-banks for the use of children attending the school. 30

*Good-attendance Certificates.*

129. (1.) At every public school certificates shall be obtainable, to be called "good-attendance certificates," and such certificates shall be of two classes,—

(a.) For any child of school age attending a public school in the district, who, for a period of twelve months, has been present every time the school was open, both in the morning and afternoon : 35

(b.) For any such child who for a like period has not been absent from such school more than five times in all. 40

(2.) Such certificates shall be obtainable by all children of school age attending a public school, and be signed and issued by the Chairman of the Committee, or in such other mode as the Committee may direct.

(3.) Any child attending a public school who has been absent from such school by reason only of the observance of any fast or other day set apart for strict religious observance by the religious body of which such child is a member, shall, notwithstanding such absence, be deemed to have been present as above provided. But in each such case satisfactory evidence shall be given by the parent or 45 50

guardian of such child that such child was absent only for the cause above mentioned, and that the day or days of such absence was or were days strictly set apart for strict observance by the religious body of which such child is a member.

5

*School Fund.*

130. The School Fund shall consist of—

(a.) Moneys granted out of the Board Fund;

(b.) Donations, subscriptions, and all other moneys which may be granted to the Committee for the purposes of this Act.

Of what School Fund to consist. 1877, No. 21, sec. 80

10

131. The provisions of section *fifty-three* shall apply to the School Fund and to the moneys in the hands of the Committee, and, *mutatis mutandis*, shall be applied accordingly.

Application of section 53 to School Fund. Ibid, sec. 81

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132. (1.) Notwithstanding anything in the *last preceding* section, School Committees may lodge the School Fund in the Post-Office Savings-Bank; and no moneys shall be drawn out of such Savings-bank except by authority of the Committee contained in a written order signed by the Chairman and one other member of the Committee, such written order to be presented to the Postmaster on withdrawal of any moneys by the Committee.

Funds may be operated on through the Post-Office Savings-Bank. 1903, No. 60, sec. 2

20

(2.) The Governor may from time to time, by Order in Council gazetted, make regulations for carrying the provisions of this section into effect.

Regulations.

25

133. (1.) The accounts of the Treasurer shall be rendered to and audited as prescribed by regulations, and all moneys in hand (if any) shall be paid over by such Committee to its successors.

Audit of Committee's Accounts. 1877, No. 21, sec. 82 Copy to be sent to the Board.

(2.) A copy of such accounts shall be forwarded to the Board of the district within which is the school district to which such accounts pertain, as soon as conveniently may be after the same have been audited, together with the Auditor's report thereon.

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PART IV.

PUBLIC SCHOOLS, AND MANAGEMENT THEREOF.

*Course of Instruction in Public Schools.*

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134. No child above school age shall be admitted at any public school without the special leave of the Committee, unless such school is a district high school.

"School age" defined. Ibid, sec. 83

"School age" means any age between the years of five and fifteen, reckoned in each case from the last preceding birthday.

40

135. Every public school shall be conducted in accordance with the following regulations (a copy of which regulations shall be conspicuously put up in every such school), namely:—

Public schools to be conducted in accordance with regulations. Ibid, sec. 84

(a.) The subjects of instruction shall be as follows:—

45

- Reading,
- Writing,
- Arithmetic,
- English grammar and composition,
- Geography,
- History,
- Elementary science and drawing,
- Object lessons,
- Vocal music,

Course of instruction in public schools.

50

And (in the case of girls) sewing and needlework, and the principles of domestic economy.

But no child shall be compelled to be present at the teaching of history whose parents or guardians object thereto.

- (b.) The school shall be kept open five days in each week for at least four hours, two of which in the forenoon and two in the afternoon shall be consecutive, and the teaching shall be entirely of a secular character. 5
- (c.) The school buildings may be used on days and at hours other than those used for public-school purposes upon such terms as the Committee may from time to time prescribe. 10
- (d.) The class-books used in the school shall be such only as shall be approved by the Governor in Council.
- (e.) The school shall be open at all times to the visits of an Inspector. 15
- (f.) No fees shall be payable at any public school except as hereinbefore provided in the case of district high schools.

Military drill.  
1877, No. 21, sec. 85  
Playgrounds.

136. In public schools provision shall be made for the instruction in military drill of all boys, and whenever practicable there shall be attached to each school a playground of at least a quarter of an acre. 20

Physical drill to be taught in public schools.  
1901, No. 17, sec. 2  
Education Board to make regulations.  
Ibid, sec. 3

137. (1.) It shall be the duty of the Board in each district to cause physical drill to be taught to all boys and girls over the age of eight years attending the public schools in the district. 25

(2.) The Board of each district shall from time to time, with the approval of the Minister, make orders for fixing the times which shall be appointed and set apart for instructing boys and girls of the required age in physical drill, and the mode in which such instruction shall be given. 30

Annual report to Minister.  
Ibid, sec. 4

(3.) Every Board shall include in its annual report to the Minister a report of the manner in which the requirements of this section have been carried out.

Children attending Native schools to be taught physical drill.  
Ibid, sec. 5

(4.) Out of the vote provided for Native schools the Minister shall make provision for the teaching of physical drill to all children over the age of eight years attending such schools. 35

Exemptions.  
Ibid, sec. 6

(5.) Upon the principal teacher of any school being satisfied that any boy or girl is unfit to undergo physical drill, such boy or girl shall be exempted from being instructed in such drill.

Evening schools.  
1877, No. 21, sec. 86

138. Every male teacher having principal charge of a public school may open an evening school for pupils above thirteen years of age; but at such evening schools the teacher may charge a fee for the instruction of such pupils, subject to the approval of the Committee. 40

Expulsion of children in certain cases.  
Ibid, sec. 87

139. It shall be lawful for the teacher of any school to expel or forbid the attendance of any child for want of cleanliness, or who may be likely to communicate any contagious disease, or who from gross misconduct or incorrigible disobedience may be considered an injurious or dangerous example to the other scholars. 45

The parent or guardian of any child so expelled, or whose attendance has been forbidden, shall have a right of appeal, first to the Committee, and finally to the Board of the district. 50

140. In outlying districts or parts of the country where from the scattered state of the population it is not practicable to establish a public school, the Board may appoint itinerant teachers under regulations to be provided for that purpose. The Board may also, on the recommendation of the Inspector, in such outlying districts which it would be premature or inconvenient to constitute school districts, assist schools started by private enterprise, in books, school apparatus, or money, as the Board shall think expedient: Provided always that the schools so aided shall comply with the provisions of section one hundred and *thirty-five* of this Act.

Itinerant teachers may be appointed. 1877, No. 21, sec. 88

Aided schools.

*Compulsory Education: Exemptions.*

141. (1.) Subject to the provisions of this Act, every child between the age of seven years and the age of fourteen years is hereby required to attend some public school not less than four times in any week that the school is open six times, six times in any week that the school is open eight times, and eight times in any week that the school is open ten times, morning and afternoon attendances being separately counted.

Every child between seven and fourteen to attend school. 1901, No. 54, sec. 3

(2.) In the case of a half-time school, any child enrolled in the register of the school shall be required to attend seven times out of any consecutive ten times the school is open.

(3.) A child shall be deemed to be attending a public school, and an attendance may be counted to him, if he is present at the time prescribed by regulations for marking the register, and remains present until the closing of the school, unless he is compelled to leave earlier in order to return home by railway or other public conveyance.

(4.) A child who has attended for four hours in any school day may, under special circumstances, be allowed by the head teacher to leave before the close of the school.

(5.) The provisions of this Act relating to the attendance of children at school shall apply to Maori and half-caste children attending public schools.

142. (1.) The parent of any child may apply for and receive from the School Committee of the district in which such child resides, or from the Chairman and one other member thereof, under the hand of the Chairman or Secretary, or from the head teacher of any public school in such district, a certificate exempting such child from attendance in whole or in part at school, upon satisfying the School Committee, or the Chairman and one other member thereof, or the head teacher of any public school in such district, of the existence of any one of the following grounds, namely:—

Certificate of exemption. Ibid, sec. 4

(a.) That the total distance that the child would be required to walk from his place of residence to the school, or from his place of residence to the railway or other public conveyance and from the railway or other public conveyance to the school, is more than two miles in the case of a child under ten years of age, or three miles in any other case, the distance being estimated by the nearest road:

(b.) That the child is under efficient and regular instruction elsewhere:

(c.) That the child is unable to attend school by reason of sickness, danger of infection, temporary or permanent infirmity, or other sufficient cause :

(d.) That the road by which the child has to travel to school is not sufficiently passable :

(e.) That the child holds a certificate, as prescribed by regulations, that he has reached a standard of education prescribed by such regulations as the standard of exemption.

(2.) Every such certificate of exemption shall state the ground of exemption and shall be in the prescribed form, and shall be in force for a period of one year, or for such shorter period as is named in the certificate.

(3.) During the period named in the certificate the holder thereof shall be freed from the operation of the provisions of this Act in respect of the child named therein.

(4.) Any parent who is dissatisfied with the decision of a Committee in refusing to grant an exemption certificate may appeal to the Education Board against such decision, and the Board (whose decision shall be final) may overrule or confirm such decision.

(5.) For the purposes of this section,—

“Efficient instruction” means such instruction as is prescribed by regulations :

“Regular instruction” means instruction attendance at which is as regular as that prescribed in subsection *one* of section one hundred and *forty-one* hereof.

143. (1.) If ten or more children resident in any school district are on the roll of any school other than a public school, the head teacher of such school may apply for and receive from the Chairman or Secretary of the Board a general certificate of exemption for such children upon satisfying the Board that efficient and regular instruction is given at such school.

(2.) Such general certificate of exemption shall be in the prescribed form, and shall be in force for the period of one year, and shall have no force in respect of any child whose attendance at such school is not as regular as that prescribed in subsection *one* of section one hundred and *forty-one* hereof.

(3.) The attendance register of such school shall be open at all times when the school is open to the Truant Officer or the Secretary of the Board.

(4.) Every general certificate of exemption shall be made in duplicate, and it shall be the duty of the person applying for such certificate to forward one copy to the Chairman of the School Committee of the district in which the children named therein reside.

144. (1.) If any child required by this Act to attend a public school does not so attend, the Truant Officer or School Committee of the district in which such child resides shall give the parent of such child notice in writing, in the form in the *Tenth* Schedule hereto, calling upon such parent to send such child to school.

(2.) Every parent who, after receiving such notice, fails to send such child to school within seven days is liable to a penalty not exceeding two pounds and not less than five shillings; and the pay-

General certificate  
of exemption for  
certain schools.

1901, No. 54, sec. 5

Proceedings to  
compel attendances.  
Ibid, sec. 6

ment of such penalty shall be no bar to further proceedings in case of further neglect.

145. (1.) Where any child required by this Act to attend a public school has been enrolled in the register of a public school, and does not attend as provided in subsection *one* of section one hundred and *forty-one*, the parent of such child shall be liable to a penalty not exceeding ten shillings and not less than two shillings for every such week in which such child failed to attend school as required by this Act.

Penalty on parents for irregular attendance of children.  
1901, No. 54, sec. 7

10 (2.) Where any child required by this Act to attend a public school has been enrolled in the register of a half-time school, and does not attend as provided in subsection *two* of section one hundred and *forty-one*, the parent of such child shall be liable to a penalty not exceeding ten shillings and not less than two shillings for every such occasion which such child is proved to have failed to attend school as required by this Act :

15 Provided that proceedings under this section for the recovery of any penalty incurred by reason of insufficient attendance during any part of any month shall not be instituted except during that or the two months next following.

146. All proceedings under this Act may be had and taken in the manner prescribed by "The Justices of the Peace Act, 1882"; but any case may, with the consent of the parent, be heard with closed doors, and the Magistrate or Justices may, at their discretion, attend at any public school for the purpose of taking evidence, and in such case may dispense with the attendance at the Court of the parents or the child in respect of whom the proceedings are taken.

Proceedings for penalties.  
Ibid, sec. 8

147. It shall be lawful for Education Boards to appoint Truant Officers; and any Truant Officer, or the Secretary of an Education Board, or any member of a School Committee or the Secretary of a School Committee, may lay informations, make complaints, conduct prosecutions, and take all other proceedings under this Act.

Truant Officers.  
Ibid, sec. 9

148. A certificate under the hand of a Secretary of an Education Board, showing that the person named therein is a Truant Officer, shall be sufficient evidence of the appointment of such Truant Officer; and, similarly, a certificate under the hand of the Chairman of a School Committee shall be sufficient evidence of the appointment of the Secretary of the School Committee, or of the election of a member of the same; and in any proceedings under this Act the election or appointment of the person acting as Chairman of the School Committee, or as Secretary of the Education Board, or the signature to any such certificate, shall not be inquired into or disputed.

Evidence of appointment of officers and others.  
Ibid, sec. 10

149. On the hearing of any information or complaint under this Act, the onus shall be on the parent or guardian of such child of showing that the child has attended or is attending a public school in accordance with the requirements of this Act, or that such child is exempt from such attendance hereunder.

Onus of proof on parents.  
Ibid, sec. 11

150. All penalties recovered under section one hundred and *forty-four* or one hundred and *forty-five* hereof shall be paid by the Clerk of the Court to the School Committee or the Education Board at whose instance such penalty is recovered, and shall thereupon

Penalties to be paid into School or Board Fund.  
Ibid, sec. 12

become part of the School Fund or the Board Fund, as the case may be.

Attendance of  
Native children and  
children in  
Chatham Islands.  
1901, No. 54, sec. 13

151. (1.) The Minister of Education may from time to time make regulations for the attendance at school of Maori or half-caste children, and of children in the Chatham Islands.

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(2.) Subject to any such regulations, such children shall be subject to all the provisions of this Act.

#### *Truant-schools.*

Truant schools.  
Ibid, sec. 15

152. Any Education Board may, with the sanction previously obtained of the Minister of Education, establish truant-schools, or may convert any public school into and establish it as a truant-school.

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Admission to truant  
schools.  
Ibid, sec. 16

153. On the application of the parent the Board may admit any child to a truant-school on the ground that his attendance at school is irregular.

15

Order to send  
child to truant  
school.  
Ibid, sec. 17

154. In lieu of or in addition to the penalties prescribed in sections one hundred and *forty-four* and one hundred and *forty-five* of this Act, a Magistrate may order the parent or guardian to send the child to a truant-school, established under section one hundred and *fifty-two* hereof, for a period of not less than six months.

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Powers of head  
teacher.  
Ibid, sec. 18

155. The head teacher of a truant-school shall have the powers that belong to a Truant Officer, and shall have the right to visit the homes of children on the roll of such school, and, if necessary, to inquire from the parent of any child the cause of any irregularity in the child's attendance at the truant-school.

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Sending of children  
to an industrial  
school.  
Ibid, sec. 19

156. Upon the evidence of the head teacher of a truant-school that any child has failed, after admission to the school, to attend regularly, a Stipendiary Magistrate may order such child to be sent to an industrial school, in the same way as if the child were brought before him under section sixteen of "The Industrial Schools Act, 1882," and the Magistrate may make an order for the payment of maintenance by the parent in the manner prescribed in the last-mentioned Act.

30

Board may make  
regulations.  
Ibid, sec. 20

157. Every Education Board upon establishing a truant-school shall, with the sanction of the Minister, make regulations defining the powers and duties of the head teacher thereof, and for such other purposes as may be necessary to secure the efficiency of the school.

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#### *Education of Blind and Deaf Children.*

Compulsory  
education of blind  
and deaf children.  
Ibid, sec. 21

158. (1.) It shall be the duty of the parent of any blind or deaf child between the ages of seven and sixteen to provide efficient and suitable education for such child.

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(2.) If the parent of such child is unable to do so, he shall give notice to the Minister of his inability, and thereafter shall send the child to such institution for the education of blind or deaf children as the Minister may direct, and shall contribute to the cost of the maintenance and education thereof of the child as may be agreed between such parent and the Minister.

45

(3.) If no such agreement is made, then the Stipendiary Magistrate may, on application in that behalf, make an order directing the parent to pay the sum of ten shillings a week towards the

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5 maintenance and education of the child; but, if the parent proves to the satisfaction of the Magistrate that he is unable to pay so much, the Magistrate may make an order for the payment of any less sum than ten shillings a week, unless the parent proves to the satisfaction of the Magistrate that he is unable to pay any sum whatever.

10 (4.) If the parent of the child fails to provide efficient and suitable education for such child, or to give notice to the Minister that he is unable to do so, or to send such child to such institution for blind or deaf children as the Minister directs, he may be brought before a Stipendiary Magistrate, who may make an order directing such child to be sent to such institution, and may also make an order directing such parent to contribute to the cost of maintenance and education of the child in the manner provided by the *last preceding* subsection.

15 (5.) The Magistrate on making an order for payment under this section shall direct to whom and at what times the moneys payable under the order shall be paid.

20 (6.) If the person by whom moneys are payable under any such order does not pay the moneys which he may be ordered to pay at the times stated in the order, then such moneys may be recovered as a debt in any Court of competent jurisdiction by the persons entitled thereto.

#### *Penalties in Certain Cases.*

25 159. Any person who shall wilfully disturb any school, or who shall upbraid, insult, or abuse any teacher in the presence or hearing of the pupils assembled in school, shall be liable to a penalty not exceeding forty shillings.

Penalty for wilful disturbance of school.  
1877, No. 21, sec. 96

#### *Inspection of Schools.*

30 160. All public schools within the meaning of this Act shall be inspected at such times and in such manner as may be prescribed by regulations.

Inspection of schools.  
Ibid, sec. 97

35 161. (1.) Where the teacher or managers of any private school desire to have their school inspected by an Inspector, such teacher or managers may apply to the Board to authorise such inspection, and the same, when authorised, shall be conducted in like manner as the inspection of public schools.

Private schools may be inspected on request of managers.  
Ibid, sec. 98

40 (2.) The term "managers" shall mean and include all persons who have the control and management of any such school, whether the legal interest in the schoolhouse is or is not vested in them.

45 162. The Governor may from time to time cause inspection to be made by an Inspector of the Education Department of any industrial school, reformatory, gaol-school, or other educational institution maintained wholly or in part by a grant or grants from the public revenue, or by endowments derived from a grant or grants of lands made at any time by the Governor or otherwise.

Governor may order inspection of industrial schools, &c.  
Ibid, sec. 99

*Regulations and Reports.*

Regulations may be made by Order in Council.  
1877, No. 21, sec. 100

163. The Governor in Council may, subject to the provisions of this Act, from time to time make, alter, and repeal regulations and orders—

- (a.) For the organization and management of the Department of Education : 5
- (b.) For defining the principle on which daily average attendance shall be calculated :
- (c.) For the examination and classification of teachers :
- (d.) For the employment, education, and examination of pupil-teachers : 10
- (e.) For the issue of certificates of competency to teachers :
- (f.) For the establishment and management of normal or training colleges :
- (g.) For defining the standards of education which, under the provisions of this Act, may be prescribed by regulations : 15
- (h.) For prescribing the times and manner of auditing the accounts of Boards and Committees :
- (i.) For making such other regulations as may be necessary to secure the due administration of this Act. 20

And all such regulations shall fix a day on which the same come into force, and shall be published in the *Gazette*, after which they shall have the force of law, and shall be laid before both Houses of the General Assembly as soon after they are passed as circumstances will permit. 25

Minister to make annual report.  
Ibid, sec. 101

164. (1.) The Minister shall, before the thirteenth day of June in each and every year, lay before the Governor a report upon the progress and condition of public education in New Zealand during the year ending the thirty-first day of December immediately preceding, and also a general statement of accounts. 30

(2.) Such report and statement shall be laid before both Houses of the General Assembly within one month if the Assembly be then sitting, and, if the Assembly be not then sitting, then within one month after the next ensuing session thereof.

Boards to make annual report.  
Ibid, sec. 102

165. Every Board shall, before the last day of March in each and every year, forward to the Minister a report of its proceedings during the previous year; and such report shall contain a full account of the income and expenditure of the Board, audited as provided by regulations, and also such information relative to the public schools and to educational matters within the district as the Minister may direct. 40

Committee to forward yearly report to Board.  
Ibid, sec. 103; 1891, No. 36, sec. 19

166. Every Committee shall, before the fourth Monday in April in each and every year, forward to the Board a report of its proceedings during the previous year ending on the thirty-first day of March next preceding. Such report shall contain a full account of the income and expenditure of the Committee, audited as provided by regulations, and also such information relative to the public schools and to educational matters within the district as the Board may direct. 45

School lands and buildings exempt from rates.  
1871, No. 21, sec. 104

167. Notwithstanding anything contained in "The Rating Act, 1894," or in any amending Act, no rates shall be levied on any lands or buildings used for public-school purposes. 50

## PART V.

## MANUAL AND TECHNICAL INSTRUCTION.

168. In this Part of this Act, if not inconsistent with the context,— Interpretation.  
1900, No. 39, sec. 2

5 “Classes” means classes recognised by the Minister in accordance with this Part of this Act :

10 “Continuation class” means a class commencing not earlier than four o’clock in the afternoon, and giving instruction in such of the ordinary public-school subjects, or other subjects of general or commercial education, as are prescribed by regulations under this Act :

15 “Controlling authority” means the Education Board, or the governing body of a secondary school or of a University College, as the case may be, by which classes under this Act are established; and, in the case of associated classes, means the Education Board, or the governing body of the University College joining in the establishment thereof :

20 Provided that in the case of the associated classes specified in the *Twelfth* Schedule hereto the controlling authority shall mean the managers thereof :

“Managers” means the persons having immediate control or charge of associated classes :

25 “Manual instruction” means such exercises as shall train the hand in conjunction with the eye and brain; it includes kindergarten employments, exercises in continuation thereof, modelling in any material, and generally practice in the use of tools :

30 “Secondary school” means a secondary school open at all times to an Inspector appointed by the Minister of Education, and named in the *Eleventh* Schedule hereto, and every high school established under section *eighty-eight* hereof : 1903, No. 73, sec. 7

35 “Technical instruction” means instruction in the principles of any specified science or art as applied to industries, accompanied by individual laboratory or workshop practice, or instruction in modern languages, or in such other subjects connected with industrial, commercial, agricultural, or domestic pursuits as are prescribed by regulations under this Act :

40 “University College” means a college affiliated to the University of New Zealand, and named in the *Eleventh* Schedule hereto :

169. Manual instruction and such subjects of technical instruction as are prescribed in that behalf by regulations under this Manual instruction  
may be given in  
ordinary school  
hours.  
1900, No. 39, sec. 3

45 Act shall be deemed to be included in the list of subjects of instruction prescribed by paragraph (a) of section one hundred and *thirty-five* hereof.

Classes that  
Minister may  
recognise.

1900, No. 39, sec. 4;  
1902, No. 13, sec. 2

170. (1.) The Minister may recognise as classes under this Act,—

- (a.) "School classes," meaning thereby classes for manual or technical instruction established by any Education Board in connection with any public school, or by the Board of Governors of any secondary school in connection with such secondary school, the syllabus of such instruction being in accordance with regulations under this Act : 5
- (b.) "Special classes," meaning thereby classes for manual or technical instruction, or continuation classes, established by an Education Board or the Board of Governors of a secondary school, apart from the ordinary course of primary or secondary school instruction, as the case may be : 10
- (c.) "Associated classes," meaning thereby classes for manual or technical instruction, or continuation classes, established jointly by an Education Board, or a School Committee (where no classes are established by the Education Board of the district), or the governing body of a University College, and a School of Art, a School of Mines, an Agricultural College, an Industrial Association, an Industrial Union, an Agricultural and Pastoral Association, or any similar public association formed in connection with any branch of trade, industry, or commerce, or any City Council, Borough Council, County Council, or other local authority : Provided that where a School Committee joins with a public association or a local authority to establish associated classes the Board of Education shall be the controlling authority : and 15 20 25
- (d.) "College classes," meaning thereby classes established by any University College for technical instruction, or for instruction in such branches of higher commercial education as are prescribed by regulations under this Act. 30

(2.) Where school classes or special classes are not established by a Board of Education, the School Committee may establish such classes, and in every such case the Board of Education shall be the controlling power. 35

When certain  
classes need not be  
recognised.

1900, No. 39, sec. 5

171. The Minister shall refuse to recognise any special, associated, or college class in any subject if he considers that sufficient means of instruction in that subject are already provided by classes under this Part of this Act within a radius of five miles from the place where the class seeking recognition is to be held. 40

Minister may revoke  
recognition in  
certain cases.

Ibid, sec. 6

172. The Minister may revoke at any time the recognition granted to any class, if he is dissatisfied with the manner in which the class is being conducted, or if he considers that sufficient provision is made by other similar recognised classes in or reasonably near to the same locality : Provided that in the latter case he shall, if the controlling authority of such class so require, give six months' notice of his intention to cancel the recognition. 45 50

Regulations as to  
associated classes.  
Ibid, sec. 7 ; 1902,  
No. 13, sec. 2

173. (1.) The Governor in Council may make regulations for the appointment of managers of associated classes, and, in the case

of associated classes other than those specified in Part II. of the *Twelfth* Schedule hereto, the powers of appointment possessed by the controlling authority and the public associations and local authorities joining in the establishment of such classes shall be in proportion to the cost of maintenance borne by them severally.

(2.) The managers appointed under this section shall be a corporate body under the name of "The Managers of the Associated Classes."

Managers a corporate body. 1902, No. 13, sec. 3

174. Subject to the provisions of section one hundred and *seventy-two* hereof, the classes established under "The Manual and Technical Elementary Instruction Act, 1895," and specified in the *Twelfth* Schedule hereto, shall be deemed to be classes recognised by the Minister under this Act.

Existing classes to be recognised. 1900, No. 39, sec. 8

175. (1.) Subject to the provisions of this Act, every controlling authority of classes under this Part of this Act (not being school classes) shall be entitled to receive, by way of capitation, payment out of the public funds in respect of the attendances of pupils at the several classes at the following rate:—

Payments in respect of classes established. *Ibid*, sec. 9; 1902, No. 13, sec. 2

- For every attendance at a class for manual instruction ... .. Threepence;
- For every attendance at a class for technical instruction ... .. Threepence;
- For every attendance at a continuation class ... .. Three-halfpence :

Rate thereof.

Provided that, in the case of a continuation class, no payment shall be made in respect of any subject in which the standard is lower than the Fifth Standard prescribed by regulations, nor in respect of any pupil under the age of thirteen years, nor in respect of any pupil-teacher for any subject included in his course of instruction as pupil-teacher :

Provided further that, in the case of associated classes other than those specified in Part II. of the *Twelfth* Schedule hereto, the controlling authority shall pay over all moneys to the managers of the classes.

(2.) An addition of one-half to the rate of payment hereinbefore specified may, with the approval of the Minister, be made in the case of any class held in any place distant more than five miles from the office of an Education Board.

Additional rate for distant classes.

(3.) An "attendance," for the purposes of this Part of this Act, means the attendance of one pupil for one hour at any class for which payment can be claimed under this Act.

Computation of attendances.

(4.) A roll of every such class shall be kept, and one attendance recorded therein for each hour of each pupil's presence in class; but no attendance shall be marked on account of a pupil on any occasion when he is absent from his place in class for more than ten minutes of the hour of attendance.

(5.) It shall not be lawful to record an attendance on the roll of any special, associated, or college class on account of any person under the age of thirteen years; nor in the case of any such class held on the premises of any public school or secondary school, and within the ordinary school hours, shall it be lawful to record an attendance on account of any pupil on the roll of such school.

No payment unless term at least ten weeks.  
1900, No. 39, sec. 10;  
1902, No. 13, sec. 2

176. No capitation payment shall be made in respect of any class which has not been carried on with regularity through a term of at least ten weeks :

Provided that in any case where the class-day is a public holiday, or a day appointed by the Minister for the examination of the students, the failure of the class to meet for instruction on that day shall not affect the right to such payment :

Provided also that this section shall not apply to such classes for teachers or itinerant classes in country districts as may be recognised by the Minister.

Conditions as to capitation.  
Ibid, sec. 4

177. In no case shall any capitation payment be made in respect of any class unless the Minister is satisfied that the class has been efficiently and regularly instructed by a competent instructor, nor unless the claim for payment is rendered to the Minister within three months after the end of the year.

Payments to be out of moneys appropriated.  
1900, No. 39, sec. 12

178. The payments hereinbefore provided for shall be made out of moneys to be appropriated by Parliament for the purpose.

Fees for attendance at classes.  
Ibid, sec. 13

179. In the case of all classes under this Part of this Act except associated classes, the controlling authority thereof, and in the case of associated classes the managers thereof, may fix and charge fees for attendance at such classes :

Provided that no fees shall be fixed or charged unless they have been submitted to and approved by the Minister.

Inspection. §  
Ibid, sec. 14

180. The Minister may appoint Inspectors to visit, inspect, and examine all classes under this Part of this Act.

Programme of work to be transmitted to Minister.  
Ibid, sec. 15

181. (1.) The controlling authority of every class under this Part of this Act shall transmit to the Minister, before the commencement of the instruction in any year, a programme of the work to be done during the year in such class, and satisfactory proof of the competency of the instructor.

(2.) Within one month after the close of the instruction in any year the controlling authority shall forward to the Minister such details of the work and attendance, receipts and expenditure, of the class as are prescribed by regulations under this Part of this Act.

Local authority or controlling authority may contribute funds.  
Ibid, sec. 16; 1902, No. 13, sec. 2

182. Any local authority may from time to time, out of its general funds, contribute such sum as it thinks fit to any controlling authority, or managers of associated classes, for the purpose of encouraging the formation or increasing the efficiency of classes under this Part of this Act, and may for that purpose make a grant by lease or otherwise of lands or buildings, any Act to the contrary notwithstanding; and for the same purpose any controlling authority may from time to time, out of its general funds, contribute or apply such sum as it thinks fit, anything in any Act to the contrary notwithstanding.

Subsidies on voluntary contributions.  
1900, No. 39, sec. 17;  
1902, No. 13, sec. 2

183. In respect of all voluntary contributions received by any controlling authority, or managers of associated classes, for the special purpose of encouraging the formation or increasing the efficiency of classes under this Part of this Act, subsidies shall, without further appropriation than this Act, be payable out of the Consolidated Fund to such authority in the cases and to the extent following, that is to say :—

(a.) A subsidy at the rate of ten shillings for every pound of bequest :

Provided that in no case shall the subsidy in respect of any single bequest exceed five hundred pounds :

- (b.) A subsidy at the rate of twenty shillings for every twenty shillings of voluntary contributions (other than bequests) from any person not being a controlling authority, or from any local authority.

184. Out of moneys from time to time appropriated by Parliament for the purpose, the Minister—

Scholarships and grants in aid of erection of buildings.  
1900, No. 39, sec. 18

- (a.) May allot scholarships, tenable by students attending or who have attended any classes under this Part of this Act; and also

- (b.) May make grants in aid of the erection, acquisition, or equipment of buildings for classes under this Part of this Act, and for the purchase and supply of apparatus, material, and appliances for such classes; and also

- (c.) May make grants in aid of school classes as defined,—

Provided that every grant under this paragraph shall be in accordance with regulations under this Part of this Act, and shall in no case exceed the amount of capitation which would be payable if the class were entitled to capitation under section one hundred and *seventy-five* hereof; and also

- (d.) May make grants for the training of instructors of classes under this Part of this Act; and also

- (e.) May defray the general expenses of administering this Part of this Act.

185. The Governor in Council may from time to time make regulations for all or any of the following purposes, that is to say :—

Regulations.  
Ibid, sec. 19

- (a.) Defining the branches and subjects of manual instruction and technical instruction, and the subjects to be taught in continuation classes under this Part of this Act, and the course and number of hours of instruction therein :

- (b.) Providing for the mode in which the applications for sums payable in respect of classes, scholarships, subsidies, and grants-in-aid under this Part of this Act shall be made :

- (c.) Providing for the establishment of scholarships in any subjects of instruction under this Part of this Act, and prescribing the amounts and tenure thereof, and the conditions subject to which they may be awarded and held :

- (d.) Such other matters as he deems necessary in order to give full effect to the intention of this Part of this Act.

## PART VI.

### PUBLIC-SCHOOL TEACHERS' INCORPORATION, AND COURT OF APPEAL.

186. In this Part of this Act, if not inconsistent with the context,—

Interpretation.  
1895, No. 48, sec. 3

“ Corporation ” means a society registered under this Act :

“ Teacher ” means any person of either sex whose employment is that of a teacher in the public schools of the colony, whether actually so employed for the time being or not.

### Incorporation.

- Registration of societies.  
1895, No. 48, sec. 4
- Application.
- Particulars to accompany application.
- Registrar to register society when Act complied with and fee paid.  
Ibid, sec. 5
- Certificate of incorporation.  
Ibid, sec. 6
- Power to make rules.  
Ibid, sec. 7
- What rules to provide for.
- Evidence of rules.  
Ibid, sec. 8
- Powers of incorporated society.  
Ibid, sec. 9
- Effect of resignation of member.  
Ibid, sec. 10
187. Any society consisting of any number of teachers, not being less than ten, who reside in any one education district, and are associated for any lawful purpose connected with their profession (not being for purposes of gain), may be registered under this Act on compliance with the following provisions :—
- (a.) An application for registration, stating the name of the proposed society, and signed by two or more officers thereof, shall be made to the Inspector-General of Schools (hereinafter called “ the Registrar ”).
- (b.) Such application shall be accompanied by—
- (i.) A list of the members and officers of the society ;
- (ii.) A copy of a resolution passed by a majority of the members present at a meeting of the society specially called for that purpose only, and desiring registration under this Act ;
- (iii.) An address (to be called the “ registered office ”) at which the business of the society is conducted.
188. On being satisfied that the provisions of the *last preceding* section have been complied with, and on payment of a fee of one pound, the Registrar shall register the society in a book to be kept for the purpose, and thereupon the society shall become a body corporate by the name mentioned in such application, with the addition of the word “ registered,” which shall be its corporate style and title.
189. The Registrar shall issue to such society a certificate of incorporation in the prescribed form, and such certificate shall be evidence that the society named therein is duly incorporated under this Act.
190. The members of a society incorporated under this Act, and their successors, in general meeting assembled, may make rules for the government of the society, and alter and annul any such rules, and, in particular, may by such rules provide, *inter alia*, for—
- (a.) The qualifications and subscription for membership ;
- (b.) The method of election of new members ;
- (c.) The number and designation and the powers of the officers ;
- (d.) The control, investment, and disposition of the funds and property of the society ;
- (e.) The method of enforcing observance of the rules by members of the society ;
- (f.) The control and use of the common seal.
191. *Primâ facie* evidence of the rules shall be afforded by the production of what purports to be a copy thereof, if sealed with what purports to be the seal of the corporation, and signed by the President or Chairman thereof.
192. Every society when incorporated shall have perpetual succession and a common seal, and, in its corporate style and title, may hold and dispose of real and personal property, and may sue and be sued, and may recover any moneys due to the corporation by any person whether a member thereof or not.
193. Any member who resigns, or in any other way ceases to be a member of the corporation, shall, unless the rules of the society



otherwise provide, thereupon cease to have any right or interest in its property and concerns, but shall not thereby be freed from any then existing liability to the corporation whether for subscriptions or otherwise.

5 194. (1.) Every society registered under this Act shall be deemed to be situate in the education district wherein its registered office is situate. Where society deemed situate. 1895, No. 48, sec. 11

(2.) Every such society shall forward to the Registrar, at prescribed periodical intervals, prescribed returns containing pre-  
10 scribed particulars. Returns.

(3.) If any such society fails or neglects to furnish such returns, or to otherwise comply with the provisions of this Part of this Act, the Minister may cancel its incorporation. Penalty for neglect.

15 195. It shall not be lawful for any society to be registered under this Act without the previous consent of the Minister, nor for any society to be registered under a name so similar to that of any registered society as, in the opinion of the Registrar, to lead to confusion. Limitation of number of societies. Ibid, sec. 12

20 196. The society known as the New Zealand Educational Institute (consisting of societies of teachers, or representatives of such societies) may be registered under this Act on application in manner therein prescribed : New Zealand Educational Institute may be registered. 1897, No. 13, sec. 3

25 Provided that for the purposes of such application each such society of teachers, or representative thereof, shall be deemed to be a member of the said Institute.

*Court of Appeal.*

197. (1.) There is hereby constituted a Teachers' Court of Appeal (hereinafter called " the Court ") for the purpose of hearing and determining appeals by teachers against dismissal or suspension. Court of Appeal. 1895, No. 48, sec. 13

30 (2.) For the purposes of each appeal, as it arises, the Court shall consist of three persons, as follows :— Constitution of Court. Ibid, sec. 14

Such Stipendiary Magistrate in the district wherein the appellant teacher was employed at the time of his dismissal or suspension as the Minister appoints :

35 One person of either sex, to be nominated in the prescribed manner by a corporation situate in such district; and

One such person to be similarly appointed by the respondent Board which dismissed or suspended such teacher.

40 (3.) The Stipendiary Magistrate shall be Chairman of the Court, and shall have an original and, in the event of an equality of voting, a casting-vote.

*Procedure on Appeal.*

45 198. (1.) The appellant shall, within twenty-eight days after the receipt by him of the official notice of dismissal or suspension, serve on the Board a notice of appeal in the form in the *Thirteenth* Schedule hereto. Notice of appeal to be served on Board by appellant. Ibid, sec. 15

(2.) Such notice shall briefly but clearly state the grounds of appeal.

50 (3.) Such notice shall be void unless it contains a memorandum by the aforesaid corporation nominating a member of the Court.

with his consent in writing, for the purposes of the appeal, and undertaking to pay whatever costs may be awarded against the appellant.

(4.) Such undertaking shall be given under the common seal of the corporation and the hands of two of its officers, and when so given shall bind the corporation. 5

(5.) The appellant shall forward to the Minister a copy of the notice of appeal.

Board to serve  
statement in reply.  
1895, No. 48, sec. 16

199. (1.) The Board shall, within ten days after service of the notice of appeal, serve on the appellant, at the registered office of the aforesaid corporation, a statement in reply, in the form in the *Fourteenth* Schedule hereto, setting forth briefly but clearly the reasons for the dismissal or suspension, and the Board's answer to the notice of appeal, and nominating a member of the Court, with his consent in writing, for the purposes of the appeal. 10 15

(2.) Such statement in reply may be prepared and served by the Chairman or any two members of the Board, without convening a meeting of the Board. 15

(3.) If the Board fails or neglects to duly nominate a member of the Court, the other two members shall constitute the Court for the purposes of the appeal. 20

Case on appeal.  
Ibid, sec. 17

200. Such notice of appeal and statement in reply shall form the case on appeal, and the Board shall, within the said period of ten days, forward to the Minister a copy thereof.

Minister on receipt  
to appoint  
Magistrate.  
Ibid, sec. 18

201. Upon receipt of such copy, if forwarded, or, if not, then upon the expiration of the period within which it should have been forwarded, the Minister shall appoint the Stipendiary Magistrate as aforesaid, and forward to him such copy (or, as the case may be, the appellant's copy of the notice of appeal), with instructions to convene the Court for the purposes of the appeal. 25 30

Quorum of Court.  
Ibid, sec. 19

202. At all sittings of the Court the quorum shall be two, whereof the Chairman shall be one.

Court to hear appeal  
at convenient place.  
Ibid, sec. 20

203. (1.) The Court shall hear and determine the appeal at such convenient place and time as the Chairman appoints in that behalf, the time being not later than fourteen days after the receipt by him of the Minister's instructions as aforesaid. 35

Notice of hearing.

(2.) At least three days' previous notice of such place and time shall be given to the parties, and also to the members of the Court, by the Chairman.

Appearance of  
parties.  
Ibid, sec. 21

204. The appellant may himself appear, or may be represented by some person on his behalf; and the Board, as respondent, shall be represented by its Chairman or some other person appointed by the Board, but no solicitors or counsel shall appear or be heard. 40

When teacher to be  
deemed dismissed.  
1897, No. 13, sec. 2

205. For all the purposes of this Part of this Act, a teacher shall be deemed to be dismissed in any case where his engagement is determined by notice from the Board: 45

When dismissal not  
wrongful.

Provided that such dismissal shall not be deemed to be wrongful if the Board satisfies the Court of Appeal under this Part of this Act that the determination of the engagement was reasonable, having regard to any of the following circumstances:— 50

(a.) The efficient and economical administration of the Board's affairs;

- (b.) The fitness of the teacher;
- (c.) His conduct;
- (d.) Any other special circumstances irrespective of the Board's mere legal right to determine the engagement by notice.

5 206. The Court,—

Powers of Court.  
1895, No. 48, sec. 22

- (a.) May waive any technical error or defect in the proceedings;
- (b.) May adjourn its sittings from time to time;
- (c.) Shall take evidence on oath, to be administered by any member of the Court;
- (d.) Shall not be bound by the strict rules of evidence;
- (e.) Shall conduct its proceedings in public or (with the consent of both parties) in private;
- (f.) Shall hear and determine the appeal according to equity and good conscience.

10

15

207. The decision of the Court shall be in writing, signed by the Chairman, and a copy thereof shall be given to each of the parties, and shall also be forwarded to the Minister.

Decision of Court to be in writing.  
Ibid, sec. 23

20

208. The decision of the Court shall be final and binding on both parties.

Decision to be final.  
Ibid, sec. 24

209. (1.) If by such decision it appears that the appellant has been wrongfully dismissed or suspended he shall, if the Court so orders, be entitled to be reinstated, or, at the option of the Board, to be appointed to a similar position in another school, and shall also, if the Court so orders, be entitled to receive such reasonable compensation for loss of salary as the Court directs.

Effect of decision for appellant.  
Ibid, sec. 25

25

(2.) Such compensation shall in no case exceed a continuance of his salary from the date of his suspension or dismissal until the date of his reinstatement or appointment as aforesaid.

30

210. (1.) The Court may award costs, fix the amount thereof, and direct by and to whom they shall be paid and in what proportions, and they shall be payable accordingly.

Court may award costs.  
Ibid, sec. 26

(2.) In such costs shall be included witnesses' expenses, and the actual expenses incurred by or on behalf of the Court and its members in holding the sittings of the Court.

Expenses.

35

(3.) All costs awarded against the appellant shall be payable by the corporation nominating the member of the Court as aforesaid, and, when so paid, may be recovered by such corporation from the appellant.

Recovery of costs from appellant.

40

211. The Minister may in special circumstances extend the period within which anything is by this Part of this Act required to be done.

Extension of periods.  
Ibid, sec. 27

212. (1.) If any nominated member of the Court neglects or refuses to attend the sittings of the Court, the appeal shall be heard and determined in his absence.

Effect of non-attendance of members of Court.  
Ibid, sec. 28

45

(2.) If neither of the nominated members so attend, the appeal shall be deemed to be abandoned, and the Magistrate shall make order accordingly.

*Regulations.*

50

213. The Governor may make regulations,—

- (a.) For enforcing the attendance of witnesses at the Court, and

Regulations may be made for purposes of this Part.  
Ibid, sec. 29

- providing a penalty not exceeding *ten* pounds in case of the non-attendance of any witness;
- (b.) For the procedure on appeal, and the conduct of the sittings of the Court;
- (c.) For the time and mode of doing anything prescribed by this Part of this Act; 5
- (d.) For any other purpose that he thinks necessary in order to give full effect to this Part of this Act.
- All such regulations shall be gazetted.

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## SCHEDULES.

### FIRST SCHEDULE.

#### ACTS COMPILED.

- 1877, No. 21.—“The Education Act, 1877.”
- 1882, No. 54.—“The Education Districts Act, 1882.”
- 1886, No. 12.—“The Wellington and Wanganui Education Districts Act, 1886.”
- 1891, No. 36.—“The School Committees Election Act, 1891.”
- 1892, No. 3.—“The Westland and Grey Education Boards Act, 1892.”
- 1895, No. 48.—“The Public-school Teachers’ Incorporation and Court of Appeal Act, 1895.”
- 1897, No. 13.—“The Public-school Teachers’ Incorporation and Court of Appeal Act Amendment Act, 1897.”
- 1900, No. 16.—“The Education Boards Election Act, 1900.”
- 1900, No. 39.—“The Manual and Technical Instruction Act, 1900.”
- 1901, No. 17.—“The Physical Drill in Public and Native Schools Act, 1901.”
- 1901, No. 29.—“The Education Boards Election Act, 1901.”
- 1901, No. 38.—“The Public-school Teachers’ Salaries Act, 1901.”
- 1901, No. 54.—“The School Attendance Act, 1901.”
- 1902, No. 13.—“The Manual and Technical Instruction Act, 1902.”
- 1903, No. 60.—“The School Committees’ Funds Act, 1903.”
- 1903, No. 72.—“The School Committees Election Act, 1903.”
- 1903, No. 73.—“The Secondary Schools Act, 1903”: Except section 17.
- 1903, No. 84.—“The National Scholarships Act, 1903.”
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Schedules.

Section 1.

SECOND SCHEDULE.

EDUCATION DISTRICT OF AUCKLAND.

ALL that area in our Colony of New Zealand, being the Counties of Mongonui, Whangaroa, Ohinemuri, Hokianga, Bay of Islands, Hobson, Whangarei, Otamatea, Rodney, Waitemata, Eden, Manukau, Raglan, Waikato, Waipa, Coromandel, Thames, Piako, Tauranga, Whakatane, Opotiki, Rotorua, East Taupo, West Taupo, Awakino, and Kawhia, and including all boroughs therein.

Section 10.

1877, No. 21, 2nd Sch.

EDUCATION DISTRICT OF TARANAKI.

All that area in our Colony of New Zealand, being the Counties of Taranaki, Clifton, Stratford, and Egmont, and including all boroughs therein.

EDUCATION DISTRICT OF WANGANUI.

1882, No. 54, sec. 4

All that area in our Colony of New Zealand, being the Counties of Hawera, Patea, Waitotara, Wanganui, Waimarino, Rangitikei, Oroua, Kairanga, Kiwitea, Pohangina, and Manawatu, and including all boroughs therein.

EDUCATION DISTRICT OF WELLINGTON.

All that area in our Colony of New Zealand, being the Counties of Pahiatua, Mauriceville, Akitio, Eketahuna, Masterton, Castlepoint, Featherston, Wairarapa South, Hutt, and Horowhenua, and including all boroughs therein.

EDUCATION DISTRICT OF HAWKE'S BAY.

All that area in the Colony of New Zealand, being the Counties of Waiapu, Cook, Wairoa, Hawke's Bay, Waipawa, Patangata, Weber, and Woodville, and including all boroughs therein.

EDUCATION DISTRICT OF MARLBOROUGH.

All that area in our Colony of New Zealand, being the Counties of Sounds and Marlborough, and including all boroughs therein.

EDUCATION DISTRICT OF NELSON.

All that area in our Colony of New Zealand, being the Counties of Collingwood, Takaka, Buller, Inangahua, and Waimea, and including all boroughs therein.

EDUCATION DISTRICT OF NORTH CANTERBURY.

All that area in our Colony of New Zealand, being the Counties of Kaikoura, Amuri, Cheviot, Ashley, Akaroa, Mount Herbert, Selwyn, and Ashburton, and including all boroughs therein.

EDUCATION DISTRICT OF SOUTH CANTERBURY.

All that area in our Colony of New Zealand, being the Counties of Geraldine, Mackenzie, Levels, and Waimate, and including all boroughs therein.

EDUCATION DISTRICT OF WESTLAND.

1892, No. 3, Sch.

All that area in our Colony of New Zealand, being the County of Westland and the Boroughs of Hokitika, Kumara, and Ross.

EDUCATION DISTRICT OF GREY.

Ibid.

All that area in our Colony of New Zealand, being the County of Grey, and including the Boroughs of Greymouth and Brunner.

EDUCATION DISTRICT OF OTAGO.

All that area in our Colony of New Zealand, being the Counties of Waitaki, Waihemo, Vincent, Maniototo, Waikouaiti, Taieri, Peninsula, Bruce, Tuapeka, and Clutha, and including all boroughs therein.

EDUCATION DISTRICT OF SOUTHLAND.

All that area in our Colony of New Zealand, being the Counties of Lake, Southland, Fiord, Wallace, and Stewart Island, and including all boroughs therein.

## THIRD SCHEDULE.

Section 29.

1900, No. 16, Sch.

## NOMINATION-PAPER OF MEMBER OF EDUCATION BOARD.

WE [A.B., C.D., &c.] being members of the School Committee of the School District, and electors of the Education Board of the Education District, hereby nominate

[Set out full Christian name and surname and address of each candidate the electors wish to nominate.]

as [a] candidate[s] for election to the above-mentioned Education Board at the election to be held on

Dated at , this day of , 19 .

A. B.

C. D.

[And other signatures, if any.]

Consent of Candidate(s).

I [We] hereby consent to be nominated as above.

(Signatures of nominated candidates.)

## VOTING-PAPER.

VOTING-PAPER for Use at Election to be held on the day of , 19 , of Member[s] of the Education Board of the Education District of .

Candidates.

[Set out in alphabetical order of surnames the full name of every duly nominated candidate.]

Directions.

The number of candidates to be elected is [Specify the number].

The voter must draw a line through the name of every candidate for whom he does *not* intend to vote, and the number of candidates whose names are left uncanceled must not exceed the total number of candidates to be elected.

This voting-paper must be signed by the voter, and delivered to the Returning Officer in a closed envelope before 5 o'clock in the afternoon of the day of the election, or posted to him on that day in such envelope, and the envelope must bear on the outside thereof the words "Voting Paper."

The vote of [Name of voter] is hereby recorded as above, this day of , 19 .

(Signature of voter.)

## DECLARATION.

Section 27.

1901, No. 29, Sch.

I, A. B., Returning Officer for the Education Board [or scrutineer for C. D., a candidate at the present election of members of the Education Board], do solemnly declare that I will, to the best of my skill and judgment, faithfully and impartially perform the duties of my said office, and will not, directly or indirectly, disclose any fact coming to my knowledge at such election the disclosure of which is declared by "The Education Acts Compilation Act, 1904," to be an offence.

A. B.,

Returning Officer [or Scrutineer].

Declared and signed before me at this day of , 19 .

E. F.,

Justice of the Peace [or Chairman, or Returning Officer, as the case may be].



## FOURTH SCHEDULE—continued.

## PART II.—SUPPLEMENTARY SCALE for separate BOYS', GIRLS', and INFANTS' SCHOOLS.—Schools 201-600.

Average attendance.			Boys' Schools.*							Pupil-teachers.
			Assistants.							
			£	£	£	£	£	£	£	
201-250	...	...	185	145	115	...	...	...	...	2
251-280	...	...	195	150	120	...	...	...	...	3
281-330	...	...	200	155	120	95	...	...	...	3
331-390	...	...	205	155	125	100	80	...	...	3
391-420	...	...	210	160	125	100	80	...	...	4
421-480	...	...	215	160	130	105	85	80	...	4
481-510	...	...	220	165	130	105	85	80	...	5
511-570	...	...	225	165	135	110	95	85	80	5
571-600	...	...	230	170	135	110	95	85	80	6

  

Average Attendance.			Girls' Schools.*							Pupil-teachers.
			Assistants.							
			£	£	£	£	£	£	£	
201-250	...	...	135	105	85	...	...	...	...	2
251-280	...	...	145	110	95	...	...	...	...	3
281-330	...	...	150	115	100	80	...	...	...	3
331-390	...	...	155	115	105	85	80	...	...	3
391-420	...	...	160	120	105	90	80	...	...	4
421-480	...	...	165	120	110	90	80	80	...	4
481-510	...	...	170	125	110	95	80	80	...	5
511-570	...	...	175	125	115	95	85	80	80	5
571-600	...	...	180	130	115	100	85	80	80	6

  

Average Attendance.		Infants' Schools.								
		Head-teacher.	Assistants.							Pupil-teachers.
		£	£	£	£	£	£	£	£	
201-250	...	160	120	85	80	...	...	...	...	2
251-280	...	170	125	85	80	...	...	...	...	3
281-330	...	175	135	95	85	80	...	...	...	3
331-390	...	180	140	105	95	85	80	...	...	3
391-420	...	185	145	110	100	90	80	...	...	4
421-480	...	190	145	110	100	90	85	80	...	4
481-510	...	195	150	115	105	95	90	80	...	5
511-570	...	200	150	115	105	95	90	85	80	5
571-600	...	205	155	120	110	100	95	90	80	6

\* Salary for head-teachers as under scale in Part I. hereof.

This scale is subject to the modifications and conditions specified in Part I. of this Schedule.

## PART III.—SIDE-SCHOOLS.

In the case of side-schools—that is, schools attached to another public school (called the main school) but used for pupils only up to a standard lower than Standard V., or up to an age lower than 12—in computing the staff and salaries the average attendance at the main school and the side school or schools shall be added together, but for each such side-school either an assistant at £80 may be substituted for a pupil-teacher, or a pupil-teacher may be added to the combined staff, at the discretion of the Board, subject to note (h) in Part I. hereof.

## PART IV.—SEPARATE BOYS' AND GIRLS' DEPARTMENTS.

If the average attendance exceeds 660 in any school in which boys and girls are taught in separate departments, in each such department an assistant at £80 may be substituted for a pupil-teacher, or a pupil-teacher may be added to the staff, at the discretion of the Board, subject to note (h) in Part I. hereof.

## PART V.—HALF-TIME SCHOOLS.

In estimating salaries two half-time schools shall count as one school, the totals of the average attendance at the two schools being added together; and if the teacher of two such half-time schools be required by the Education Board to teach on six days during the week his salary shall be increased by one-fifth of the salary shown in Part I. hereof.



FIFTH SCHEDULE.  
PART I.—SCALE OF STAFFS AND SALARIES.

Grade of School.	AVERAGE ATTENDANCE.		HEAD OR SOLE TEACHER.		ASSISTANTS.												Pupil-teachers								
			Male.		Female.		Mistress.		M.		F.		M.		F.			M.		F.					
	Over	8 and not over	£	s.	£	s.	£	s.	£	s.	£	s.	£	s.	£	s.		£	s.	£	s.	£	s.		
1	20	20	52	80	52	80																			
2	"	30	100	80	100	80																			
3	"	40	140	40	140	20																			
4	"	50	160	20	150	10	85																		
5	"	60	170	25	155	10	90																		
6	"	70	195	25	165	10	100																		
7	"	80	220	6	175	3	110																		
8	"	90	229	6	179½	3	110																		
9	"	100	238	6	184	3	115	85																	
10	"	110	250	253	6	191½	3	120	160	130	85	85													
11	"	120	268	280	6	199	3	135	175	140	90	90													
12	"	130	277	330	4	208½	2	130	190	150	105	105													
13	"	140	287	390	4	208½	2	135	200	160	110	105	105												
14	"	150	299	420	4	214½	2	140	210	170	115	110	105	105											
15	"	160	305	480	4	217½	2	145	225	180	125	115	110	105	105										
16	"	170	317	510	4	223½	2	150	240	190	130	115	110	110	110										
17	"	180	323	570	4	226½	2	155	240	190	135	120	115	110	110										
18	"	190	335	600	4	&c.	2	160	240	190	135	120	120	115	110										
19	"	200	341	660	4		2	170	240	190	135	120	125	125	115										
20	"	210	353	690	4		2	180	245	195	130	125	130	125	120										
21	"	220	356	750	4		2	190	245	195	140	145	145	130	125										
22	"	230	362	780	4		2	200	245	195	150	155	155	135	130										
23	"	240	365	840	4		2	210	250	200	160	160	160	135	130										
24	"	250	371	870	4		2	210	250	200	160	160	160	140	135										
25	"	260	374	930	4		2	210	250	200	160	160	160	140	135										
26	"	270	380	960	4		2	210	250	200	160	160	160	140	135										
27	"	280	380	1020	4		2	210	250	200	160	160	160	140	135										
28	"	290	380	1050	4		2	210	250	200	160	160	160	140	135										

\* Capitation is payable on the number in excess of the lower of the two numbers in the column "Average Attendance": for instance, the salary in a school of 21 is £104; in a school of 26, £124.

SALARIES OF PUPIL-TEACHERS.

First year, £20 with allowance of £10 if obliged to live away from home.  
Second " £30, " £10  
Third year, £40, with allowance of £5 if obliged to live away from home.  
Fourth " £50, " £5

A fifth-year pupil-teacher continuing in the same school shall receive the remuneration of a third-year pupil-teacher; but otherwise, or if he has passed the examination for a teacher's certificate, he shall receive the salary of a fourth-year pupil-teacher.

The above scale is subject to the following modifications and conditions:—

- (a.) The number of male assistants must not exceed the number of female assistants (including the mistress).
- (b.) At least three out of the first six assistants in any school above 510 (exclusive of the mistress) must be female assistants.
- (c.) An assistant at £85 may be substituted for two pupil-teachers.
- (d.) Two pupil-teachers may be substituted for an assistant.
- (e.) Instead of an assistant a pupil-teacher may be employed, £45 being added to the salary of another assistant.
- (f.) Instead of adding a pupil-teacher, a Board may add £35 to the salary of an assistant.
- (g.) Only one of the changes (d), (e), and (f) will be allowed in schools not over 420, and only two in schools over 420.
- (h.) The total number of pupil-teachers in any education district must not be increased by such changes as (d) and (e) above the number allowed for such district by the scale.
- (i.) Any certificated teacher on the staff of a school in which pupil-teachers are employed may be required, without extra payment, to take part in the instruction of such pupil-teachers.
- (j.) A deduction of 10 per cent. from the salary as prescribed above shall be made in the case of every uncertificated head or sole teacher or assistant, but not so as to reduce the annual salary below £85.

FIFTH SCHEDULE—*continued.*

## PART II.—SUPPLEMENTARY SCALE for separate BOYS', GIRLS', and INFANTS' SCHOOLS.—Schools 201-600.

Average Attendance.			Boys' Schools.*							Pupil-teachers.
			Assistants.							
			£	£	£	£	£	£	£	
201-250	...	...	190	150	120	...	...	...	...	2
251-280	...	...	200	155	125	...	...	...	...	3
281-330	...	...	205	160	125	100	...	...	...	3
331-390	...	...	210	160	130	105	85	...	...	3
391-420	...	...	215	165	130	105	85	...	...	4
421-480	...	...	220	165	135	110	90	85	...	4
481-510	...	...	225	170	135	110	90	85	...	5
511-570	...	...	230	170	140	115	100	90	85	5
571-600	...	...	235	175	140	115	100	90	85	6

  

Average Attendance.			Girls' Schools.*							Pupil-teachers.
			Assistants.							
			£	£	£	£	£	£	£	
201-250	...	...	140	110	90	...	...	...	...	2
251-280	...	...	150	115	100	...	...	...	...	3
281-330	...	...	155	120	105	85	...	...	...	3
331-390	...	...	160	120	110	90	85	...	...	3
391-420	...	...	165	125	110	95	85	...	...	4
421-480	...	...	170	125	115	95	85	85	...	4
481-510	...	...	175	130	115	100	85	85	...	5
511-570	...	...	180	130	120	100	90	85	85	5
571-600	...	...	185	135	120	105	90	85	85	6

  

Average Attendance.			Infants' Schools.							Pupil-teachers.
			Head-teacher.	Assistants.						
			£	£	£	£	£	£	£	
201-250	...	...	165	125	90	85	...	...	...	2
251-280	...	...	175	130	90	85	...	...	...	3
281-330	...	...	180	140	100	90	85	...	...	3
331-390	...	...	185	145	110	100	90	85	...	3
391-420	...	...	190	150	115	105	95	85	...	4
421-480	...	...	195	150	115	105	95	90	85	4
481-510	...	...	200	155	120	110	100	95	85	5
511-570	...	...	205	155	120	110	100	95	90	5
571-600	...	...	210	160	125	115	105	100	95	6

\* Salary for head-teachers as under scale in Part I. hereof.

This scale is subject to the modifications and conditions specified in Part I. of this Schedule.

## PART III.—SIDE-SCHOOLS.

IN the case of side-schools—that is, schools attached to another public school (called the main school) but used for pupils only up to a standard lower than Standard V., or up to an age lower than 12—in computing the staff and salaries the average attendance at the main school and the side school or schools shall be added together, but for each such side-school either an assistant at £85 may be substituted for a pupil-teacher, or a pupil-teacher may be added to the combined staff, at the discretion of the Board, subject to note (h) in Part I. hereof.

FIFTH SCHEDULE—continued.

PART IV.—SEPARATE BOYS' AND GIRLS' DEPARTMENTS.

If the average attendance exceeds 660 in any school in which boys and girls are taught in separate departments, in each such department an assistant at £85 may be substituted for a pupil-teacher, or a pupil-teacher may be added to the staff, at the discretion of the Board, subject to note (h) in Part I. hereof.

PART V.—HALF-TIME SCHOOLS.

In estimating salaries two half-time schools shall count as one school, the totals of the average attendance of the two schools being added together; and if the teacher of two such half-time schools be required by the Education Board to teach on six days during the week his salary shall be increased by one-fifth of the salary shown in Part I. hereof.

SIXTH SCHEDULE.

HOUSE ALLOWANCES TO HEAD OR SOLE TEACHERS.

For Schools with average attendance of—		£
Over 20 and not over	50	20
"	50	30
"	150	35
"	250	40
"	420	50

Section 61.  
1901, No. 38, 3rd Sch.

SEVENTH SCHEDULE.

SCALE OF GRANTS TO HIGH SCHOOLS AND SECONDARY SCHOOLS.

Net Annual Income from Endowments per Head of Total Roll.	Grant payable on each Free Pupil.					
	£	s.	d.	£	s.	d.
Over 16	4	0	0	4	0	0
" 15	4	5	0	4	5	0
" 14	4	10	0	4	10	0
" 13	4	15	0	4	15	0
" 12	5	0	0	5	0	0
" 11	5	5	0	5	5	0
" 10	5	10	0	5	10	0
" 9	5	15	0	5	15	0
" 8	6	0	0	6	0	0
" 7	6	10	0	6	10	0
" 6	7	0	0	7	0	0
" 5	7	10	0	7	10	0
" 4	8	0	0	8	0	0
" 3	8	10	0	8	10	0
" 2	9	5	0	9	5	0
" 1	10	0	0	10	0	0
Not over 1	10	15	0	10	15	0

Section 87.  
1903, No. 73, 1st Sch.

But the grants payable under section 87 shall in no case be less than £6 for every free place given in excess of the free places required to be given under section 86.

The total roll for the purpose of this Schedule shall be the total number of pupils attending the school, exclusive of the pupils in any preparatory department.

Section 84.  
1903, No. 73, 2nd  
Sch.

## EIGHTH SCHEDULE.

## EXISTING ENDOWED SECONDARY SCHOOLS.

Auckland Grammar School.	Greymouth High School.
Auckland Girls' High School.	Hokitika High School.
Whangarei High School.	Christchurch Boys' High School.
Thames High School.	Christchurch Girls' High School.
Gisborne High School.	Rangiora High School.
Napier High Schools.	Akaroa High School.
New Plymouth High School.	Ashburton High School.
Wanganui Girls' College.	Timaru High Schools.
Wellington College.	Waimate High School.
Wellington Girls' High School.	Waitaki High Schools.
Marlborough High School.	Otago Boys' and Girls' High Schools.
Nelson College.	Southland Boys' and Girls' High Schools.

Section 106.  
1891, No. 36, Sch.

## NINTH SCHEDULE.

## NOMINATION OF MEMBER OF SCHOOL COMMITTEE.

To the Chairman of the School Committee.

I, THE undersigned, hereby nominate [*Christian name and surname of candidate*]  
for election as a member of the above School Committee for the ensuing year.

[*Signature of nominator.*]

I HEREBY consent to the above nomination.

[*Signature of candidate.*]

Dated April, 19 .

Section 144.  
1901, No. 54, Sch.

## TENTH SCHEDULE.

## NOTICE TO PARENT TO SEND CHILD TO SCHOOL.

To A. B.

You are hereby required to send your child, C. D., between the ages of seven and fourteen years, to a public school.

You are entitled to a certificate exempting you from sending your said child to school if you satisfy the School Committee of the school district in which the child resides, or the Chairman and one other member of such Committee, or the head teacher of any public school in such district, of the existence of any of the following grounds:—

- (1.) That the total distance that the child would be required to walk from his place of residence to the school, or from his place of residence to the railway or other public conveyance and from the railway or other public conveyance to the school, is more than two miles if the child is under ten years of age, or three miles in any other case, the distance being estimated by the nearest road; or
- (2.) That the child is under efficient and regular instruction elsewhere; or
- (3.) That the child is prevented from attending school by sickness, danger of infection, temporary or permanent infirmity, or other sufficient cause; or
- (4.) That the road by which the child would have to travel to school is not sufficiently passable; or
- (5.) That the child holds a certificate as prescribed by regulations under "The Education Acts Compilation Act, 1904," that he has reached a standard of education prescribed by such regulations as the standard of exemption.

If after this notice you fail to send your said child to school within seven days, and do not obtain a certificate of exemption as herein mentioned, you will be liable to a penalty not exceeding two pounds and not less than five shillings; and the payment of such penalty will be no bar to further proceedings in case of further neglect.

E. F., Truant Officer  
[or Chairman of School Committee].

Dated this day of , 19 .

TENTH SCHEDULE—*continued.*

[To be printed on back of Notice.]

AFFIDAVIT OF SERVICE.

I, \_\_\_\_\_, of \_\_\_\_\_, make oath and say that I duly served a notice, of which a copy is within written, upon \_\_\_\_\_, the person to whom the same was directed, by delivering the same to the within-named \_\_\_\_\_ personally [or by leaving the same for him at his house with \_\_\_\_\_, an inmate thereof appearing to be above the age of fourteen years] on the \_\_\_\_\_

[Signature.]

Taken and sworn at \_\_\_\_\_, before me, \_\_\_\_\_ }  
 this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ }  
 G. H.,

A Justice of the Peace for the Colony of New Zealand.

ELEVENTH SCHEDULE.

Section 168.  
 1900, No. 39, 1st Sch.

PART I.—SECONDARY SCHOOLS.

- |   |   |
|---|---|
| The Auckland Grammar School.<br>The Auckland Girls' High School.<br>The Whangarei High School.<br>The Thames High School.<br>The Gisborne High School.<br>The Napier High Schools.<br>The New Plymouth High School.<br>The Wanganui Girls' College.<br>The Wellington College.<br>The Wellington Girls' High School.<br>The Marlborough High School.<br>The Nelson College.<br>The Greymouth High School. | The Hokitika High School.<br>The Christchurch Boys' High School.<br>The Christchurch Girls' High School.<br>The Rangiora High School.<br>The Akaroa High School.<br>The Ashburton High School.<br>The Timaru High Schools.<br>The Waimate High School.<br>The Waitaki High Schools.<br>The Otago Boys' and Girls' High Schools.<br>The Southland Boys' and Girls' High Schools. |
|---|---|

PART II.—UNIVERSITY COLLEGES.

- |  |   |
|--|---|
| The Auckland University College.<br>The Victoria College | The Canterbury College.<br>The University of Otago. |
|--|---|

TWELFTH SCHEDULE.

Sections 168, 173,  
 174, 175.  
 1900, No. 39, 2nd  
 Sch.

PART I.

EXISTING SCHOOL, SPECIAL, AND COLLEGE CLASSES.

ALL school and special classes in existence at 30th June, 1900, and established by Boards of Education, or by School Committees, or Committees of District High Schools under a Board of Education as the controlling authority; and also the following college classes, that is to say: The Christchurch School of Art and the Christchurch School of Engineering under Canterbury College as the controlling authority, and the Dunedin School of Mines under the University of Otago as the controlling authority.

PART II.

EXISTING ASSOCIATED CLASSES.

- |   |   |
|---|---|
| Auckland Technical Classes.<br>Elam School of Art.<br>Masterton Technical School. | Christchurch School of Domestic Instruction.<br>Dunedin Technical Classes.<br>Invercargill Technical Classes. |
|---|---|

Section 198.

1895, No. 48, 1st Sch.

## THIRTEENTH SCHEDULE.

## NOTICE OF APPEAL.

To the Chairman of the Education Board of the District of  
 TAKE notice that I [*Teacher's full name*], of \_\_\_\_\_, hereby appeal under the provisions of Part VI. of "The Education Acts Compilation Act, 1904," against the decision of the Board, dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, dismissing [*or suspending, as the case may be*] me from my occupation as teacher at the Public School. The following are the grounds on which I rely: [*Here state grounds of appeal*].

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

A. B., Teacher.

MEMORANDUM [*at foot of Notice of Appeal*].

THE [*Name of corporation*] hereby nominates C. D., of [*address*], as one of the members of the Court for the purposes of this appeal, and also undertakes to pay whatever costs may be awarded against the appellant.

As witness the common seal of the [*Name of corporation*], at \_\_\_\_\_, this day of \_\_\_\_\_, 19\_\_\_\_.

(L.S.)

E. F. [*designation of office*].

G. H. [*designation of office*].

I HEREBY consent to act as member of the Court for the purposes of this appeal.

C. D.

Section 199.

1895, No. 48, 2nd Sch.

## FOURTEENTH SCHEDULE.

## STATEMENT IN REPLY.

To A. B.,

THE following is the statement in reply, by the Education Board of the District of \_\_\_\_\_, as respondent, to your notice of appeal under the provisions of Part VI. of "The Education Acts Compilation Act, 1904": [*Here state reasons for dismissal, &c.*].

And take notice that the Board hereby nominates I. J., of \_\_\_\_\_, as one of the members of the Court for the purposes of this appeal.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

K. L.,

Chairman [*or Secretary*] of the Board.

I HEREBY consent to act as member of the Court for the purposes of this appeal.

I. J.