# NEW ZEALAND.

QUADRAGESIMO PRIMO

# VICTORIÆ REGINÆ.

## No. 21.

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Title.

# AN ACT to make further Provision for the Education of the People of New Zealand.

[29*th November*, 1877.]

Preamble.

WHEREAS it is expedient to make further and better provision for the education of the people in the Colony of New Zealand:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

**1.** The Short Title of this Act shall be "The Education Act, 1877."

Commencement of Act.

**2.** This Act shall come into operation on the first day of January, one thousand eight hundred and seventy-eight, except as to the appointment of the Minister, the Secretary to the Department of Education, the Inspectors of Schools, and other officers, and the making

of regulations and orders, and the provisions of sections seventeen and eighteen, for which purposes only this Act shall come into force on the passing hereof.

Repeal of Acts and Ordinances.

**3.** Upon the coming into operation of this Act, the Acts and Ordinances specified in the First Schedule hereto shall be and the same are hereby repealed.

Interpretation.

**4.** 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:—

"Minister" means the Minister of Education appointed for the purposes of this Act.

"Inspector" means any person appointed to be an Inspector of Schools under this Act.

"Board" means the Education Board of any district constituted under this Act.

"District" means an education district constituted under this Act.

"School district" means a district under the jurisdiction of a School Committee.

"Committee" means the School Committee elected for a school district.

"Property" means real and personal property of every description.

"Teacher" means any schoolmaster or schoolmistress, or assistant schoolmaster or schoolmistress, or other person engaged in teaching in any public school, except pupil-teachers.

"Public school" means any school established or constituted under the provisions of this Act subject to the control and management of the Board.

"Householder" means every adult male or female person, who as owner, or tenant lessee or occupier, occupies uses or resides in any dwelling-house shop warehouse or other building in any district, or every parent or guardian who is liable to maintain, or has the actual custody of, any child.

"Schoolhouse" includes the schoolmaster's residence and land attached thereto, outbuildings, and apparatus and appliances for instruction in gymnastics and physical training.

"Gazette" means the *New Zealand Gazette*, and "gazetted" means published in such gazette.

"Public notice" or "publicly notified" means that a notice shall be published in some newspaper circulating in the district.

"Regulations" mean regulations made under this Act.

"Outlying district" means a district not included within the jurisdiction of a Road Board or Borough Council.

Division of Act.

**5.** The provisions of this Act are divided into Parts relating to the following subject-matters:—

PART I.—Department of Education.

PART II.—Education Boards.

PART III.—School Districts. School Committees and their Duties.

PART IV.—Public Schools and Management thereof.

## PART I.

### DEPARTMENT OF EDUCATION.

Minister of Education.

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

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.

Secretary and Inspector and officers of Department of Education.

**7.** 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.

Expenses of administering department to be appropriated by General Assembly.

**8.** 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:—

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

(2.) In payment to the Board of every district of a sum of three pounds fifteen shillings for each child in average daily attendance at a public school, such average daily attendance to be computed in manner prescribed by regulations.

(3.) 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.

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

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.

Act not to interfere with "Neglected and Criminal Children Act, 1867."

**9.** Nothing in this Act shall be construed to interfere with or affect the provisions of "The Neglected and Criminal Children Act, 1867," or any Act amending the same, nor with any industrial or reformatory school established or which may be established under any Act or Ordinance.

Act not to be binding on Maoris.

**10.** 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.

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.

Provision for Sundays and holidays.

**11.** 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.

## PART II.

### EDUCATION BOARDS.

#### (1.) *Education Districts.*

Education districts.

**12.** 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.

Where the boundaries of any county comprised in an education district shall be altered under "The Counties Act, 1876," such alteration shall operate with respect to any district constituted under this Act, and shall take effect accordingly.

The Governor may, by Proclamation in the *Gazette*, and on the request of the Board, bring any of the counties mentioned in the Second Schedule of "The Counties Act, 1876," or any part thereof, under the operation of this Act, and create the same part of an education district.

(2.) *Constitution of Boards.*

**13.** There shall be for every district an Education Board, consisting of nine members, constituted as hereinafter provided:— Education Board.

(1.) Between the first and the thirty-first days of January, one thousand eight hundred and seventy-eight, each of the Committees in each district shall transmit to the Board the names of two persons qualified to be members of the Board, their written consent being first obtained, and the Board shall thereupon publicly notify the names of such persons, and in such notice shall also state the day on which the election of the Board shall be held, and shall also transmit to each Committee the names of such persons.

The day of election shall be some day not later than the fifteenth of March.

(2.) On or before the last day of February in the same year, the Committee in each district shall send to the Secretary of the Board a list in writing, setting forth the full names of not more than nine of the persons whose names have been publicly notified as aforesaid.

(3.) The Secretary shall carefully keep all such lists, and on the day fixed by the Board shall proceed to ascertain what persons, so nominated, have the greatest number of votes; and the nine persons who have the greatest number of votes shall be the members of the Board.

(4.) After it has been ascertained what candidates have by an absolute majority of votes been duly elected, if it shall appear that there is an equality of votes for one or more candidates remaining to complete the list of nine members, the Board shall decide which of such persons shall be the member or members.

(5.) If a Committee refuses or neglects to transmit to the Board either of the lists of names hereinbefore required to be transmitted, within the time appointed, the Board shall proceed to the election of members notwithstanding such refusal or neglect.

(6.) Every election shall be conducted publicly by the Board in such manner as it thinks fit.

(7.) The Board shall publicly notify what persons have been found to be elected, and such notification shall be signed by the Chairman of the Board, and shall be final and conclusive for all purposes.

A copy of such notification signed by the Chairman shall be transmitted to the Minister without delay.

(8.) 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.

When members of Board take office.

**14.** The members of the Board so elected shall take office on the thirty-first day of March, one thousand eight hundred and seventy-eight.

Annual retirement of three members of Board.

**15.** On the thirty-first day of March, one thousand eight hundred and seventy-nine, and on the same day and month in every year thereafter, one-third of the members then in office shall retire.

The members to retire in the year one thousand eight hundred and seventy-nine shall be determined by each Board by ballot not later than the thirty-first day of December immediately preceding.

In the year one thousand eight hundred and eighty, three out of the six original members shall retire, and the members so retiring shall also be determined by ballot not later than the day aforesaid.

And in every subsequent year the members shall retire who have served longest upon such Board without re-election.

All retiring members shall be eligible for re-election.

Ordinary election to fill vacancies.

**16.** In the month of March, one thousand eight hundred and seventy-nine, and in the same months in every succeeding year, an election shall be held for the purpose of filling the vacancies caused by the retirement of members as herein provided.

Except as respects the number of persons to be elected, all the proceedings in and about such election shall be had and taken in the same manner as prescribed in section thirteen upon the first election of Boards.

Existing Boards to be first Boards under this Act.

**17.** Notwithstanding anything contained in "The Education Boards Act, 1876," every Education Board constituted thereunder shall continue in office till the first Boards are elected under this Act; and each such first-mentioned Board shall be the Board under this Act for the district for which such Board shall have been constituted accordingly.

Every act required to be done by any such Board or by the Chairman thereof, under this Act, may respectively be done and performed by each such Board and Chairman as if it or he had been elected or appointed under this Act.

In case any vacancy shall occur in any Board or in the office of Chairman thereof before the coming into office of the new Board constituted under this Act, the Governor may appoint some person to be a member of the Board or Chairman thereof as the case may require.

First elections may be postponed.

**18.** 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 under this Act, 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.

Existing Boards to administer Act in altered districts till elections held.

**19.** Where the limits of districts as existing immediately before the coming into operation of this Act have been altered by this Act, the Board of the district which immediately before the coming into operation of this Act comprised such altered limits shall, until the election of a Board for such new district, administer this Act in all respects as if such limits had not been altered.

Where a new 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.

Qualification for members of Board.

**20.** 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.

**21.** 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, felony, perjury, or any infamous crime, he shall immediately cease to be a member of the Board.

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 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.

Provision for vacancy in Board.

**22.** 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.

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.

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

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.

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

**23.** 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.

Boards incorporated.

**24.** 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.

### (3.) *Property of Boards.*

Property acquired under repealed Acts or Ordinances to vest in Boards constituted by this Act.

**25.** 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 district constituted by any Act or Ordinance hereby repealed or otherwise, 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.

Provision in respect of new districts.

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, upon the thirty-first day of March next, vest in the Board of the new district.

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. 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."

Moneys payable to former Boards to be paid to new Boards.

**26.** All persons who immediately before the coming into operation of this Act owe or are liable or compellable to pay any money to the Education Board of any district constituted under any Act or Ordinance hereby repealed, or to any other person on behalf of such Education Board, shall immediately on the coming into operation of this Act be deemed to owe and shall be liable and compellable to pay the same to the Education Board of such district constituted under this Act.

Debts due to or owing by former Boards to be paid by or recovered from new Boards.

**27.** All moneys which, by reason of any contract entered into under the provisions of any Act or Ordinance hereby repealed at or immediately before the coming into operation of this Act, were due or owing by or recoverable from the Education Board of any district constituted under any Act repealed hereby, or by any other person on behalf of such Board, shall on the coming into operation of this Act be paid by or be recoverable from the Education Board of such district constituted under this Act.

Contracts entered into under repealed Acts or Ordinances by whom to be performed.

**28.** All contracts, agreements, and securities before the coming into operation of this Act entered into or made under any Act or Ordinance hereby repealed with or in favour of or by the Education Board of any district constituted by any such Act, or with or in favour of or by the Superintendent of the province formerly comprising such district, and which immediately before the coming into operation of this Act were in force, shall at the coming into operation of this Act take effect and may be proceeded on and enforced as near as circumstances will admit in favour of by and against, and with reference to, the Board of such district constituted under this Act.

Provision for apportioning debts and liabilities between old and new Boards.

**29.** Where a new district has been constituted by this Act, or where the limits of a district as existing immediately before the passing of this Act have been altered hereby, the Boards of the respective districts may agree what moneys, debts and liabilities, contracts and securities, or what proportion thereof, shall belong and attach to each such Board; and if they cannot so agree before the first day of May next, the Minister shall, upon the application of either of such Boards, make an inquiry into the circumstances, and make an award as to the several matters mentioned in this and the last two preceding sections.

Every award of the Minister made in respect of any one or more of such matters shall be final and conclusive on the several Boards interested therein.

(4.) *Secretary and Officers of Boards.*

Boards may appoint Secretary and other officers.

**30.** 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.

Any person who at the time of the coming into operation of this Act holds office under an Education Board in any district

under the provisions of any Act hereby repealed or otherwise shall, subject to removal as aforesaid and to any express provision of this Act, continue to hold such office.

**31.** 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. Duties of Secretary.

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.

(5.) *Meetings of Boards.*

**32.** 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. First and other meetings of Boards.

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.

**33.** 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. Quorum of Boards.

Every Board shall at its first meeting, or as soon thereafter as conveniently may be, elect one of its number to be Chairman, and on every question before the Board the decision of the majority shall be final and conclusive. The Chairman shall have a deliberative vote, and, in case the votes shall be equal, shall also have a casting vote. Chairman to be elected.

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.

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.

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.

**34.** 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 of the Board. Minutes to be kept.

(6.) *Powers and Duties of Boards.*

**35.** Subject to the provisions of this Act, the Board of each district shall establish and maintain public schools within the General powers and duties of Boards.

district, whether such schools have already been established under the provisions of any Ordinance or Act hereby 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.

Provision when school districts divided.

**36.** 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 district, then every such division of a school district and every such combination shall for the purpose 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.

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.

School year.

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

Public notice to be given when school district formed.

**37.** 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 boundaries 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.

**38.** Any persons having the management and control of any school not established under any of the Acts or Ordinances repealed hereby 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.

(7.) *Board Fund.*

Board to make annual estimate of moneys required for current year.

**39.** 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:—

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

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

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.

**40.** 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.

No such deduction shall be made in respect of moneys received from such special endowments as are mentioned in section fifty-two of this Act.

Funds of Boards.

**41.** 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 authorize to sign cheques.

Board Fund, of what to consist.

**42.** The Board Fund shall consist of the following moneys, that is to say,—

(1.) Grants from the Consolidated Fund.

(2.) Rents and profits derived from property or endowments vested in the Board.

(3.) Special endowments or grants for particular purposes.

(4.) Special fees for higher education.

(5.) Any other moneys which the Board may receive from donations, subscriptions, or otherwise.

Disposal of Fund.

**43.** Every Board shall, out of the Board Fund, make such provision from time to time as to it shall seem fit for the following purposes, namely,—

(1.) For the payment of salaries and other expenses connected with the carrying on of the business of such Board;

(2.) For the expense of purchasing or renting school sites, playgrounds, and buildings, or for erecting, fitting up, and improving school buildings;

(3.) For the payment of teachers' salaries;

(4.) For the maintenance and education of pupil-teachers;

(5.) For grants to Committees for general educational purposes;

(6.) For subsidizing school libraries;

(7.) 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:

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.

Accounts to be kept.

**44.** 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.

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

Accounts to be audited.

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.

Copies of all such accounts, when audited, shall be furnished to the Minister.

(8.) *Appointment of Teachers.*

Appointment and removal of teachers.

**45.** 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.

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.

Teachers of schools in office to continue in same.

**46.** All teachers of schools at or immediately before the coming into operation of this Act holding office under the provisions of any Ordinance or Act hereby repealed shall, subject to any express provisions of this Act, continue to hold such office as if this Act had not come into operation.

Duration of appointment of school teacher.

**47.** 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.

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.

Teacher's occupation of schoolhouse.

**48.** 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 schoolhouse on demand.

**49.** 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 Resident Magistrate whose Court shall be nearest to the locality shall, on 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.

Every such warrant may and shall be enforced as a warrant issued under the ninetieth section of "The Resident

Magistrates Act, 1867," and the ninety-first, ninety-second, and ninety-third sections of that Act shall apply to warrants issued under the foregoing provisions.

Pupil-teachers may be employed.

**50.** 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.

(9.) *Scholarships, District High Schools.*

Board may establish scholarships.

**51.** 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.

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.

Board may receive land or money for foundation of scholarships.

**52.** 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.

Who may compete for scholarship.

**53.** 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.

Board may make regulations for scholarships.

**54.** 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.

District high schools may be established by Board.

**55.** 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 establish the same as a district high school.

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 any Provincial Ordinance or Act hereby repealed, shall, unless otherwise provided, be deemed to be a district high school under this Act.

Course of instruction in high schools.

**56.** 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 necessary.

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 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.

In every district high school instruction shall also be given in the

ordinary branches of education prescribed by this Act to be given in public schools.

School libraries may be established.

**57.** 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 money which shall have been raised by public subscription or otherwise within such school district.

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 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.

## PART III.

### SCHOOL DISTRICTS. SCHOOL COMMITTEES AND THEIR DUTIES.

#### (1.) *School Districts.*

School Committees.

**58.** For every school district constituted under this Act there shall be a School Committee consisting of seven householders resident within the school district, to be elected as hereinafter provided.

Disqualification for membership of Committee.

**59.** No bankrupt who has not obtained his final order of discharge, no person attainted of treason or convicted of felony or perjury or any infamous crime, 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.

Provision for constitution of new school districts.

**60.** 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.

Meeting of householders.

**61.** 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.

School districts in existence under repealed Acts or Ordinances to continue such.

**62.** All school districts constituted under the provisions of any Ordinance or Act hereby 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 continue in office till their successors are elected.

In case any vacancy shall occur in any Committee before the first election is held under this Act, the Board may nominate a person or persons to be a member or members thereof.

#### (2.) *Election of School Committees.*

Election of first School Committees under this Act.

**63.** The first meeting of the householders in every school district shall be held on such day in the year one thousand eight hundred and seventy-eight, and at such time and place, as the Board of the district in which such school districts respectively are shall for each appoint, and at every such meeting the householders present shall elect in

manner hereinafter provided seven householders to form the Committee for such district.

Subsequent elections.

**64.** On the fourth Monday in the month of January in each year succeeding the year one thousand eight hundred and seventy-eight, a public meeting of the householders in every school district shall be held at a time and place to be fixed by the Board, and publicly notified at least fourteen days previously.

Proceedings at meeting.

At such meeting a Chairman shall be chosen, and the Committee for the preceding year shall give a full report of its proceedings, and thereupon the electors present shall proceed to elect by ballot, as hereinafter provided, a new Committee for the then current year of seven persons qualified as prescribed by the fifty-eighth section of this Act, and may re-elect all or any of the persons going out of office to be members of such new Committee.

Duration of office.

Every Committee so appointed shall hold office until the appointment of its successors, and, if any vacancy shall occur by death or otherwise than by effluxion of time in any Committee, the remaining members of the Committee shall elect a qualified person or persons to fill such vacancy or vacancies.

At every meeting convened and held for the election of a Committee, the Chairman having a deliberative vote shall also have a casting vote.

Cumulative voting at elections.

**65.** At every election for a School Committee every voter shall be entitled to a number of votes equal to the number of the Committee to be elected, and may give all such votes to one candidate, or may distribute them among the candidates, as he thinks fit.

Disputes as to validity of elections to be settled by Board of district.

**66.** 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.

Provision in case of failure to elect on day of annual meeting.

If in any case the electors in any school district shall, from any cause whatever, fail to elect a Committee upon the annual day of meeting as hereinbefore provided, it shall be lawful for the Board of the district in which such school district is, if it shall see fit, to fix another day for the election of a Committee for such school district, and the same notice of such meeting shall be given and the same proceedings taken thereat as are prescribed by the last three preceding sections of this Act.

In case of failure to elect at second meeting, Board may appoint Commissioner.

**67.** If after such last-mentioned meeting the householders neglect or refuse to elect a Committee, the Board may appoint a Commissioner for the purposes hereinafter mentioned.

Powers and duties of Commissioner.

**68.** The Commissioner so appointed shall exercise all powers and duties by this Act imposed and conferred on Committees of school districts at any time after he shall have assumed the place and duties of the Committee as aforesaid, and a salary to be paid to the Commissioner shall be fixed by the Board if it shall see fit, and shall be paid out of any moneys available for distribution in the school district for or to which such Commissioner is appointed.

But such Commissioner shall only hold office from the date of appointment to the fourth Monday in the month of January next ensuing, and he shall be guided in the performance of his duties by instructions to be given him by the Board from time to time.

The power to appoint a Commissioner shall include a power to appoint more than one Commissioner if the Board sees fit, and this foregoing provision shall take effect accordingly.

(3.) *Meetings of School Committees.*

First meeting of School Committee.

**69.** 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.

Election of Chairman.

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.

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.

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.

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.

Proceedings at meetings.

**70.** 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.

At all meetings three members shall form a quorum, and 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.

Clerk and Treasurer may be appointed.

**71.** 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.

Not to receive remuneration in certain cases.

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

Minutes of meetings, &c.

**72.** 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 thirty-four 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.

Committee may appear by Clerk, or Chairman, or Solicitor.

**73.** A Committee may appear in all legal proceedings by its Clerk, or Chairman, or Solicitor.

(4.) *Powers and Duties of School Committees.*

Committee may establish public schools.

**74.** 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.

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. Committee to have management of educational matters in school district.

**75.** 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. Committee may provide schoolhouses, &c.

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

**77.** 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. Board may acquire sites for schoolhouses, &c.

**78.** The Committee, with the approval of the Board, may establish savings banks for the use of children attending the school. Savings banks may be established.

### (5.) *Good-Attendance Certificates.*

**79.** At every public school certificates shall be obtainable, to be called "good-attendance certificates," and such certificates shall be of two classes,— Certificates of attendance obtainable.

(1.) 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:

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

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.

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 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.

### (6.) *School Fund.*

**80.** The School Fund shall consist of— Of what School Fund to consist.

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

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

**81.** The provisions of section forty-one 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 41 to School Fund.

Audit of Committee's accounts.

**82.** 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.

Copy to be sent to the Board.

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.

## PART IV.

### PUBLIC SCHOOLS AND MANAGEMENT THEREOF.

#### (1.) *Course of Instruction in Public Schools.*

"School age" defined.

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

Public schools to be conducted in accordance with regulations.

**84.** 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,—

Course of instruction in public schools.

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

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

(2.) 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.

(3.) 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.

(4.) The class-books used in the school shall be such only as shall be approved by the Governor in Council.

(5.) The school shall be open at all times to the visits of an Inspector.

(6.) No fees shall be payable at any public school except as hereinbefore provided in the case of district high schools.

Military drill, and physical training in certain schools.

**85.** In public schools provision shall be made for the instruction in military drill of all boys, and in such of the schools as the Board shall from time to time direct provision shall also be made for physical training, and whenever practicable there shall be attached to each school a playground of at least a quarter of an acre.

Playgrounds.

Evening schools.

**86.** 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.

Expulsion of children in certain cases.

**87.** 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.

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.

Itinerant teachers may be appointed.

Aided schools.

**88.** 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 eighty-four of this Act.

(2.) *Compulsory Education: Exemptions.*

Every child above seven nor more than thirteen to attend school.

**89.** Subject to the provisions of this Act, the parent or guardian of every child not less than seven nor more than thirteen years of age shall, in case such child lives within the distance of two miles measured according to the nearest road from a public school within a school district, send such child to school for at least one half of the period in each year during which the school is usually open.

Exemptions.

**90.** The parent or guardian of any child may apply for and receive a certificate from the Committee in the school district in which such child resides exempting such child from attendance in whole or in part at school, upon satisfying the Committee of the existence of any one of the following grounds, namely,—

(1.) That the child is under efficient or regular instruction otherwise, or is attending some private school or some educational institution not supported by grants from the Board, and which school or institution provides for instruction in reading, writing, and arithmetic on week days:

(2.) That the child is prevented from attending school by sickness, danger of infection, temporary or permanent infirmity, or other unavoidable cause:

(3.) That the road between the child's residence and the school is not sufficiently passable for such child:

(4.) That one of the Inspectors or the master of any public school has, by writing under his hand, certified that such child has reached a standard of education prescribed by any regulations under this Act.

And every such certificate of exemption shall state the ground of exemption, and shall be in force for a period of one year or for a shorter period, as may be named in such certificate; and during the period named in such certificate the holder thereof shall be freed from the operation of the provisions of this Act in respect of the child named therein: Provided always that any parent dissatisfied with the decision of a Committee in refusing to grant an exemption certificate may appeal to the Board against such decision, and the Board may overrule or confirm such decision.

In case child does not attend school, notice may be given.

**91.** In case any Committee ascertains that any child between the ages of seven and thirteen years, and resident within the distance of two miles from a public school within its district, does not attend

school, the Clerk or any member of such Committee may give the parent or guardian of such child notice in writing, in the form or to the effect in the Third Schedule hereto, calling upon such parent or guardian to send such child to school.

Proceedings to compel attendance.

**92.** If the parent or guardian of any child between the ages of seven and thirteen resident within two miles from a public school, not holding a certificate of exemption as aforesaid in respect of such child, refuses or neglects to send such child to a public school after having been called upon in manner aforesaid to do so, the parent or guardian of such child may be summoned before any two Justices of the Peace, who may order such parent or guardian to send such child to a public school.

(3.) *Penalties in certain cases.*

Penalty for non-compliance with order of Justices.

**93.** In case any parent or guardian, after having been ordered as aforesaid by any two Justices of the Peace to send any child to a public school, neglects to obey such order, or, having obeyed the same for a time, without sufficient cause ceases to do so, such parent or guardian shall be liable to a penalty not exceeding forty shillings, and the same proceedings may be taken week by week in the case of failure by such parent to comply with the order aforesaid.

In any information or complaint under this Act, whether for recovery of penalties or for orders to send children to school, the allegation that a child is between the ages of seven and thirteen years shall be deemed sufficient *primâ facie* evidence of the fact until the contrary is proved, and in every case the father and mother or guardian of any child may be witnesses.

Proceedings to be taken under "Justices of the Peace Act, 1866."

**94.** All proceedings for orders to send children to school and for recovery of penalties under this Act may be had and taken in the manner prescribed by "The Justices of the Peace Act, 1866."

Compulsory clauses, when shall be enforced.

**95.** The parts of this Act from section eighty-nine to section ninety-three, both inclusive, shall only come into force in any school district upon the vote of a majority of the Committee of such district.

Penalty for wilful disturbance of school.

**96.** 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.

(4.) *Inspection of Schools.*

Inspection of schools.

**97.** 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.

Private schools may be inspected on request of managers.

**98.** 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 authorize such inspection, and the same, when authorized, shall be conducted in like manner as the inspection of public schools.

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.

Governor may order inspection of industrial schools, &c.

**99.** The Governor may from time to time cause inspection to be made by an Inspector of the Educational 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.

(5.) *Regulations and Reports.*

Regulations may be made by Order in Council.

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

(1.) For the organization and management of the Department of Education:
(2.) For defining the principle on which daily average attendance shall be calculated:
(3.) For the examination and classification of teachers:
(4.) For the employment, education, and examination of pupil-teachers:
(5.) For the issue of certificates of competency to teachers:
(6.) For the establishment and management of normal or training colleges:
(7.) For defining the standards of education which, under the provisions of this Act, may be prescribed by regulations:
(8.) For prescribing the times and manner of auditing the accounts of Boards and Committees:
(9.) For making such other regulations as may be necessary to secure the due administration of this Act.

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.

Minister to make annual report.

**101.** The Minister shall, before the thirtieth 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.

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.

**102.** 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.

Committee to forward yearly report to Board.

**103.** Every Committee shall, before the last day of January in each and every year, forward to the Board a report of its proceedings during the previous year. 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.

School lands and buildings exempt from rates.

**104.** Notwithstanding anything contained in "The Rating Act, 1876," or in any amending Act, no rates shall be levied on any lands or building used for public school purposes.

## SCHEDULES.

Schedules.

### FIRST SCHEDULE.

LIST OF ACTS AND ORDINANCES REPEALED.

"The Education Boards Act, 1876."

*Acts of the Province of Auckland.*

"The Education Act, 1872." "The Education Act 1872 Amendment Act, 1874."

*Ordinances of the Province of Taranaki.*

"The Educational Ordinance, 1874." "The Educational Ordinance 1874 Amendment Ordinance, 1875."

*Act of the Province of Hawke's Bay.*

"The Hawke's Bay Education Act, 1873."

*Acts of the Province of Wellington.*

"The Wellington Education Act, 1871." "The Wellington Education Act Amendment Act, 1872." "The Wellington Education Act 1871 Amendment Act, 1873." "The Wellington Education Act Amendment Act, 1874."

*Acts of the Province of Nelson.*

"The Education Act, 1863." "The Education Act Amendment Act, 1867." "The Education Act Amendment Act, 1869." "The Education Act Amendment Act, 1873."

*Acts of the Province of Marlborough.*

"The Education Act, 1870." "The Education Act Amendment Act, 1872." "The Education Act Amendment Act, 1875."

*Ordinances of the Province of Westland.*

"The Westland Education Ordinance, 1874." "The Westland Education Ordinance Amendment Ordinance, 1875."

*Ordinance of the Province of Canterbury.*

"The Education Ordinance, 1875."

*Ordinances of the Province of Otago.*

"The Education Ordinance, 1864." "The Education Ordinance 1864 Amendment Ordinance, 1865." "The Otago Grammar Schools Ordinance, 1869."

## SECOND SCHEDULE.

EDUCATION DISTRICT OF AUCKLAND.

ALL that area in our Colony of New Zealand, being the Counties of Mongonui, Hokianga, Bay of Islands, Hobson, Whangarei, Rodney, Waitemata, Eden, Manukau, Raglan, Waikato, Waipa, Coromandel, Thames, Piako, Tauranga, Whakatane, East Taupo, West Taupo, and Kawhia, as described in "The Counties Act, 1876," and including all boroughs therein.

EDUCATION DISTRICT OF TARANAKI.

All that area in our Colony of New Zealand, being the County of Taranaki, as described in "The Counties Act, 1876," and including all boroughs therein.

EDUCATION DISTRICT OF WANGANUI.

All that area in our Colony of New Zealand, being the Counties of Patea, Wanganui, Rangitikei, and Manawatu, as described in "The Counties Act, 1876," and including all boroughs therein.

EDUCATION DISTRICT OF WELLINGTON.

All that area in our Colony of New Zealand, being the Counties of Wairarapa East, Wairarapa West, and Hutt, as described in "The Counties Act, 1876," and including all boroughs therein.

EDUCATION DISTRICT OF HAWKE'S BAY.

All that area in our Colony of New Zealand, being the Counties of Cook, Wairoa, Hawke's Bay, and Waipawa, as described in "The Counties Act, 1876," 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, as described in "The Counties Act, 1876," and including all boroughs therein.

EDUCATION DISTRICT OF NELSON.

All that area in our Colony of New Zealand, being the Counties of Collingwood, Buller, Inangahua, and Waimea, as described in "The Counties Act, 1876," 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, Selwyn, and Ashburton, as described in "The Counties Act, 1876," and including all boroughs therein.

EDUCATION DISTRICT OF SOUTH CANTERBURY.

All that area in our Colony of New Zealand, being the Counties of Geraldine and Waimate, as described in "The Counties Act, 1876," and including all boroughs therein.

EDUCATION DISTRICT OF WESTLAND.

All that area in our Colony of New Zealand, being the Counties of Westland and Grey, as described in "The Counties Act, 1876," and including all boroughs therein.

EDUCATION DISTRICT OF OTAGO.

All that area in our Colony of New Zealand, being the Counties of Waitaki, Vincent, Maniototo, Waikouaiti, Taieri, Peninsula, Bruce, Tuapeka, and Clutha, as described in "The Counties Act, 1876," 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, as described in "The Counties Act, 1876," and including all boroughs therein.

## THIRD SCHEDULE.

To A.B.

YOU are hereby required to send your child C.D., between the ages of seven and thirteen years, to a public school; and if you fail to do so you will be summoned before two Justices of the Peace to answer for such neglect.

If your said child is (1) under efficient instruction otherwise than at a public school, or (2) if it is prevented from attending school by sickness or unavoidable cause, or (3) if the road between the child's residence and the nearest public school is not sufficiently passable for your child, or (4) if you have obtained a certificate in writing from a Government Inspector of Schools or the master of any public school that your child has reached the standard of education prescribed by the Regulations, and if you satisfy the School Committee of any of these facts, you will receive a certificate exempting you from sending your child to school.

E.F.,
Clerk [*or* Member] of the School Committee of the District of .

Dated this day of 18 .

WELLINGTON, NEW ZEALAND:
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