



ANALYSIS

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1950, No. 77

Title.

AN ACT to Amend the Education Act, 1914.

[1st December, 1950

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

Short Title.

1. This Act may be cited as the Education Amendment Act, 1950, and shall be read together with and deemed part of the Education Act, 1914 (hereinafter referred to as the principal Act).

See Reprint
of Statutes,
Vol. II, p. 1007

Registration
of societies.

2. Subsection one of section one hundred and thirty-eight of the principal Act is hereby amended by adding the following as a proviso to the subsection:—

“ Provided that any society may be so registered although its members are not all resident in the same education district if each district from which its members are drawn adjoins every other such district ”.

Term of office
of members
of School
Committees,
and biennial
meeting of
householders.

3. (1) Notwithstanding anything to the contrary in section forty-one of the principal Act, the ordinary term of office of members of School Committees who are in office at the passing of this Act shall be three years.

(2) The principal Act is hereby amended by inserting, after section forty-two, the following section:—

“43. (1) In the year nineteen hundred and fifty-three and in every alternate year thereafter, on a day fixed in each such year by the Board, being a day not earlier than the second Wednesday in April and not later than the first Wednesday in May, there shall be a biennial meeting of householders in each school district. Not less than twenty-one days before the day so fixed the Board shall give public notification thereof, and in the notification shall fix the hour and place of the meeting.

“(2) At each such biennial meeting a Chairman shall be chosen, and the Committee shall give a full account of its proceedings, in the case of the meeting to be held in the year nineteen hundred and fifty-three for the period of three years, and in every other case for the period of two years, ending on the last day of February preceding the meeting.

“(3) At every biennial meeting the Chairman shall have a deliberative vote, and in case of an equality of votes shall also have a casting vote.”

(3) Section four of the Education Law Amendment Act, 1933, is hereby repealed. 1933, No. 37

4. Section six of the Education Amendment Act, 1948, is hereby amended by repealing subsection five, and substituting the following subsections:— Suitability for position to be determined by Appeal Board in the event of an appeal.

“(5) In the event of any appeal to any Primary Teachers Appeal Board against any appointment, that Appeal Board, after considering every appeal against the appointment, shall either allow or dismiss each appeal. 1948, No. 68

“(6) In considering any appeal the Appeal Board shall not be bound by the opinion of the appointing authority or the Senior Inspector as to the suitability for the position of the person provisionally appointed or of any other person who appealed against the appointment; and the Appeal Board shall allow the appeal of any appellant unless in its opinion:—

“(a) The person provisionally appointed or any other person who appealed against the appointment is more suitable for the position under consideration than the appellant; or

“(b) Any other person who appealed against the appointment and who is higher than the appellant on the said graded list of teachers is as suitable for the position under consideration as the appellant.

“(7) If any such appeal is allowed the appropriate appointing authority shall forthwith appoint the successful appellant to the position and shall cancel the provisional appointment. No appeal shall lie against any appointment under this subsection.”