



## ANALYSIS

Title

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| 1. Short Title      |
| 2. Rights of appeal |

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 1982, No. 19

**An Act to amend the Education Act 1964**
*[30 September 1982]*

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

**1. Short Title**—This Act may be cited as the Education Amendment Act 1982, and shall be read together with and deemed part of the Education Act 1964 (hereinafter referred to as the principal Act).

**2. Rights of appeal**—(1) Section 145A of the principal Act (as substituted by section 14 of the Education Amendment Act 1976) is hereby amended by repealing subsection (5), and substituting the following subsections:

“(5) Subject to subsection (5A) of this section, where, pursuant to the said regulations, the Appointments Committee is required to recommend for appointment to any position an applicant of a particular class or description, or an applicant who has some particular right created by those regulations, or who has some particular class or description of service, then, notwithstanding subsections (1) to (3) of this section, no applicant for appointment to that position shall have a right to appeal against the appointment of any person to that position unless, as the case requires, that applicant is

of the same class or description, or has the same right, or has the same class or description of service, as the person appointed is or has.

“(5A) Where a position’s grade has been or is to be raised, and, pursuant to the said regulations, the Appointments Committee is required to compare the teacher who held that position immediately before its grade was raised or, as the case requires, the teacher who holds that position, with some applicant for appointment to that position who has some particular right created by those regulations (in this subsection referred to as the selected applicant), and to recommend one of them for appointment to that position, then, notwithstanding subsections (1) to (3) of this section, no applicant for appointment to that position shall have a right to appeal against the appointment of any person to that position unless that applicant is—

“(a) That teacher; or

“(b) The selected applicant; or

“(c) An applicant who has a right of the same kind as that of the selected applicant.”

(2) Nothing in subsection (5) or subsection (5A) of section 145A of the principal Act (as substituted by subsection (1) of this section) shall affect any appeal lodged before the commencement of this Act.

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This Act is administered in the Department of Education.

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