



ANALYSIS

Title	
1. Short Title	4. Retraining of teachers
2. Fees to members of Education Boards	5. Right of appeal
3. Governing bodies of other secondary schools	6. Payment of overgrade salaries, etc.
	7. Bursaries for education
	8. Establishment of community centres

1975, No. 130

An Act to amend the Education Act 1964

[10 October 1975]

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 (No. 2) 1975, and shall be read together with and deemed part of the Education Act 1964 (hereinafter referred to as the principal Act).

2. Fees to members of Education Boards—Section 25 of the principal Act is hereby amended by inserting in subsection (1), after the word “member” where it first appears, the words “remuneration by way of fees for attending meetings of the Board and its committees”.

3. Governing bodies of other secondary schools—Section 51 of the principal Act is hereby amended by inserting, after the words “and may from time to time be reconstituted”, the words “and whose constitution may from time to time be varied”.

4. Retraining of teachers—The principal Act is hereby amended by inserting, after section 142, the following section:

“142A. (1) The Director-General may, by means of money appropriated by Parliament for the purpose, establish classes or courses of study for the purpose of retraining teachers.

“(2) The Director-General may from time to time, by notice published in the *Education Gazette* or given to the teacher or teachers concerned, require that any teacher or class of teachers complete to his satisfaction classes or courses of studies established under this section as a precondition to his appointment to any position referred to in section 142 of this Act.

“(3) The Director-General may in like manner revoke any such requirement.

“(4) No such requirement shall prevent the appointment of any teacher to any such position if, within the 3 years immediately preceding the date of the closing of applications for the position, he was employed in a position, other than a position in a kindergarten or playcentre or other institution providing preschool education, to which he was permanently appointed under Part III of this Act, or in a position as an inspector of schools or in a community centre established by the Minister under section 201 of this Act or as an officer employed by the Department to supervise or direct the work of teachers or to give teachers professional assistance.

“(5) No teacher shall be appointed to any position referred to in section 142 of this Act in contravention of any requirement of the Director-General under subsection (2) of this section that is for the time being in force.

“(6) The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:

“(a) Providing for the organisation and management of classes or courses of study:

“(b) Defining the content of classes or courses of study:

“(c) Providing for the enrolment of teachers in classes or courses of study:

“(d) Providing for such other matters relating to the retraining of primary school teachers as may be necessary to give definition of or full effect to the provisions of this section.”

5. Right of appeal—(1) Section 145 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsections:

“(2) An applicant may appeal against any such appointment, if—

“(a) He has a higher general assessment according to his personal report; or

“(b) In the case of an applicant for a Division A position as defined in regulations made under this Act, he has longer teaching service while holding a trained teacher’s certificate than the applicant provisionally appointed to the position:

“Provided that, where applications are invited for a special position, as defined in regulations made under this Act, only applicants who, in the opinion of the Appointments Committee, possess the qualifications for the position and have such higher general assessments may appeal against the appointment.

“(2A) Notwithstanding anything in subsection (2) of this section, no appeal shall lie against—

“(a) Any appointment to a position which has become vacant because the grade of salary attached thereto has been raised, if the applicant appointed held the position immediately before it became vacant; or

“(b) Any appointment of a teacher to a position in a State primary school at a salary no higher than the salary he was receiving for his previous position at some other State primary school, if the appointment was made solely on the ground that he had lost or was about to lose his previous position because of a change in the grade or status of the school or because of the closing of the school.”

(2) The following enactments are hereby consequentially repealed:

- (a) Section 7 of the Education Amendment Act 1965:
- (b) Section 15 of the Education Amendment Act 1968:
- (c) Section 11 of the Education Amendment Act 1971:
- (d) Section 7 of the Education Amendment Act 1972.

6. Payment of overgrade salaries, etc.—Section 153 of the principal Act is hereby amended by inserting in paragraph (c) of subsection (2), after the words “technical institute” in the first place where those words occur, the words “community college”.

7. Bursaries for education—(1) Section 193 of the principal Act (as substituted by section 15 of the Education Amendment Act 1971) is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) For the purposes of enabling persons to pursue courses of primary, secondary, continuing, technical, community college, university, or higher education, or courses forming part of their training as teachers or as kindergarten teachers, the Minister may establish bursaries which shall be awarded in accordance with regulations made under this Act in that behalf, and shall be of such annual value or other specified value as is prescribed by regulations so made.”

(2) The Education Amendment Act (No. 2) 1974 is hereby amended by repealing so much of the Schedule to that Act as relates to subsection (1) of section 193 of the principal Act.

8. Establishment of community centres—Section 201 of the principal Act is hereby amended by inserting, after subsection (2), the following subsection:

“(2A) The remuneration and conditions of employment of persons appointed to teaching positions in community centres established or recognised by the Minister pursuant to this section shall be prescribed in accordance with the provisions of the State Services Remuneration and Conditions of Employment Act 1969.”

This Act is administered in the Department of Education.
