



## ANALYSIS

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1959, No. 22

**An Act to amend the Whangarei High School Act 1878**

[30 September 1959]

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 Whangarei High School Amendment Act 1959, and shall be read together with and deemed part of the Whangarei High School Act 1878 (hereinafter referred to as the principal Act).

**2. Constitution of Board of Governors**—The principal Act is hereby amended by repealing section three, as amended by subsection one of section sixteen of the Education Amendment Act 1948, and substituting the following section:

“3. (1) On and after the first day of August, nineteen hundred and sixty, the said Board shall consist of—

“(a) One member appointed by the Governor-General:

“(b) One member appointed by the Auckland Education Board:

“(c) One member appointed by the combined Executives of the Old Boys' Associations of schools at any time under the control of the said Board:

“(d) One member appointed by the combined Executives of the Old Girls' Associations of schools at any time under the control of the said Board:

- “(e) One member appointed by the Whangarei Borough Council:
- “(f) One member appointed by the Whangarei County Council:
- “(g) Four members elected by the parents of the pupils attending any of the schools under the control of the said Board in the manner for the time being prescribed by the scheme for the control of the schools approved by the Minister under section ninety-two of the Education Act 1914:
- “(h) One member appointed by the said Board, if and when it thinks fit.

“(2) Where there is an Old Pupils' Association of a school at any time under the control of the Board and no separate associations exist in respect of old boys and old girls of the school, the Executive of the Old Pupils' Association shall, in such manner as it thinks fit, nominate one or more of its members to represent the old boys of the school and one or more of its members to represent the old girls of the school, and the members nominated as aforesaid shall, for the purposes of paragraphs (c) and (d) of subsection one of this section, be deemed to be the Executive of the Old Boys' Association or the Old Girls' Association, as the case may require.”

**3. Appointment and election of members**—The principal Act is hereby amended by inserting, after section three, the following section:

“3A. (1) Subject to the provisions of this section, every member of the said Board shall hold office for a term of two years, but may from time to time be reappointed or re-elected.

“(2) Notwithstanding anything to the contrary in this Act, every member of the said Board, unless he sooner vacates his office under section four of this Act, shall continue in office until his successor comes into office.

“(3) On the thirty-first day of July, nineteen hundred and sixty, all members of the said Board as it is then constituted shall go out of office, except the members in office at that date elected by the parents of pupils, who shall be deemed to have been elected under paragraph (g) of section three of this Act.

“(4) The first members to be appointed after the commencement of this section under paragraphs (a), (b), (c), (d), (e), or (f) of section three of this Act shall be appointed, and the additional member to be elected under paragraph (g) of section three of this Act shall be elected, not later than the thirty-first day of July, nineteen hundred and sixty, and shall come into office on the first day of August in that year.

“(5) The term of office of the members of the said Board in office on the first day of August, nineteen hundred and sixty, and of any member who may be appointed under paragraph (h) of section three of this Act, shall expire with the thirty-first day of July in the year nineteen hundred and sixty-two and with that day in every second year thereafter, and their successors (if then appointed or elected) shall forthwith thereafter come into office.”

**4. General vacancies**—Section four of the principal Act, as amended by subsection two of section sixteen of the Education Amendment Act 1948, is hereby further amended as follows:

(a) By omitting all words after the words “the said period of twelve months”:

(b) By adding, as subsections two and three, the following subsections:

“(2) If any member of the said Board dies or resigns or otherwise vacates his office, the vacancy shall be filled as soon as practicable thereafter by the appointment or election of a new member in the manner in which the vacating member was appointed or elected and the member so appointed or elected to fill the vacancy shall be appointed or elected for only the residue of the term of the vacating member:

“Provided that if a vacancy occurs in the office of a person appointed under paragraph (h) of subsection one of section three of this Act, the Board may appoint a member to fill the vacancy at such time as it thinks fit or may decline to fill the vacancy. The term of office of any person appointed under the said paragraph (h) shall expire in accordance with subsection five of section three A of this Act, notwithstanding the date of his appointment.

“(3) The powers of the Board shall not be affected by any vacancy in the membership thereof.”

**5. Repeal**—(1) Section sixteen of the Education Amendment Act 1948 is hereby repealed.

(2) This section shall come into force on the first day of August, nineteen hundred and sixty.

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