

This Public Bill originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
12th August, 1880.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. Tole.

Auckland College and Grammar School.

ANALYSIS.

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A BILL INTITULED

AN ACT to *amend* ~~declare and explain the Trusts of~~ "The Auckland College and Grammar School ~~Endowments, and for other purposes~~ Act, 1877." Title.

WHEREAS by "The Auckland College and Grammar School Act, 1877," a Board of Governors was constituted for the management of the Auckland College and Grammar School or Schools, with the powers and duties therein defined, ~~and by the seventeenth section of the said Act it was enacted that, in all cases unprovided for by the said Act, it should be lawful for the said Board to Act in such a manner as should appear to them best calculated to further the purposes intended to be served by the establishment of the said College and Grammar School or Schools, in accordance with the trusts under which the trust property was originally granted:~~ Preamble.

And whereas it is expedient to ~~declare and explain such trusts and to alter the constitution of the said Board~~ *increase the number of Governors by the addition of three members to be elected by the Senate of the University 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:—

1. The Short Title of this Act is "The Auckland College and Grammar School Act, 1880." Short Title.

Struck out.

~~2. The trusts referred to in the said recited Act shall be,—~~

(1.) The establishment, whenever the funds shall be sufficient, of a college:

(2.) The maintenance of a school or schools for imparting to all suitably-prepared youths who may desire it a higher education than that attainable in the common schools, and the instruction in such school, free of charge, of as many foundation scholars as the state of the funds from time to time will allow:

(3.) The keeping open evening classes for imparting instruction in subjects beyond the scope of the common schools to persons unable to devote their days to such objects.

The appointment of foundation scholars shall be determined by success in competitive examinations, to be held for that purpose at various centres in the Provincial District of Auckland, the nature and scope of such examinations to be prescribed by the Board of Governors;

and the subjects for examination, together with the times and places at which such examinations are to be held, shall be published for the information of intending competitors not less than six months in advance.

Candidates who may not succeed in obtaining foundation scholarships, together with persons who may not compete for the same, may be admitted into the school, provided they shall succeed in passing an examination, in such manner as will establish their fitness to enter beneficially the lowest class in the school.

The higher classes in the school shall be instructed in the Greek and Latin languages, geometry, algebra, modern literature, physical science, and all the subjects required for passing the examinations to be held for matriculation to the New Zealand University.

The fees to be paid by all pupils not holding foundation scholarships shall be fixed from time to time by the Board of Governors, regard being had to the costs incurred in the tuition of such pupils.

Constitution of the Board altered.

3. 2. In addition to the persons constituting the Board of Governors mentioned in the third section of the said Act, there shall be three persons, to be from time to time elected by the Senate of the University of New Zealand (hereafter called "the Senate's members").

Such election may be made by the Senate at an ordinary or special meeting of the Senate; or, in case there is no meeting when the occasion arises, the election may be made by the majority of votes given in writing to the Chancellor of the University, in such way as he may direct. The return made by him to the Returning Officer of the persons elected shall be conclusive of the election.

Provisions of Act to apply to Senate's members.

4. 3. The provisions of the said Act and the regulations thereunder as to elections and all other matters shall apply to the Senate's members as if they had been comprised in the third section of the said Act, save where the said Act is varied by this Act, and except also that the first election of Senate's members shall take place on or before the next recurrence of the day appointed for the annual elections under the said Act.

Casual vacancy.

5. 4. If a vacancy, as mentioned in the fifth section of the said Act, arises amongst the Senate's members a fresh member shall be nominated by the remaining two, who shall hold his office until a fresh appointment is made by the Senate, in lieu of the person vacating office.

Non-appointment of Senate's members not to invalidate proceedings.

6. 5. The validity of the proceedings of the Board of Governors shall not be affected by the non-appointment or vacation of office of any or all of the Senate's members.

Provision for affording facilities to members of the Legislature to vote.

7. 6. And whereas it is expedient to afford greater facility to members of the Legislative Council and of the House of Representatives for voting at elections of Governors under "The Auckland College and Grammar School Act, 1877," it shall be lawful for any member of the Legislative Council, and any member of the House of Representatives, in lieu of attending to vote in person, to send to the Returning Officer, by post or otherwise, but so as to arrive before the hour fixed for closing the poll, a writing authorizing his vote to be recorded for the person or persons whom he desires to be elected to fill any vacancy or vacancies in the Board of Governors; such writing or voting paper to be signed by the member in presence of a Justice of the Peace, on any day subsequent to the notice given by the Returning Officer of the day for proceeding to election; such signature and the date thereof to be certified by the said Justice of the Peace. And all votes so recorded shall have the same validity and effect as if they had been duly given by ballot, as prescribed in the regulations under the said Act.