

*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,*

*28th September, 1949*

*Hon. Mr. McCombs*

## EDUCATION AMENDMENT

### ANALYSIS

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### A BILL INTITULED

AN ACT to Amend the Education Act, 1914.

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

- 5     **1.** This Act may be cited as the Education Amendment Act, 1949, and shall be read together with and deemed part of the Education Act, 1914 (hereinafter referred to as the principal Act).
- 10    **2.** The Governor-General may from time to time, by Order in Council, make regulations prescribing, in respect of persons employed by any Education Board whose conditions of employment are not fixed by any award, industrial agreement, or apprenticeship order, the conditions of employment, the conditions on which
- 15    leave of absence may be granted, and the scales of salaries, the rates of overtime, and the travelling, meal, and other allowances and expenses payable.

Title.

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

Staffs of Education Boards.

2. *Education Amendment*

Board may purchase motor-cars for resale to its officers.

3. (1) Every Board, from time to time, with the prior approval of the Minister, may—

(a) Expend moneys from its general fund for the purchase of motor-cars for the use of its employees on the business of the Board, and for sale and hire under this section: 5

(b) Enter into contracts for the sale, or hire with an option to purchase, to any employee of the Board of any motor-car so purchased by the Board. 10

(2) Every such contract shall provide for payment of the purchase-money in respect of the motor-car within such time, and for payment of interest at such rate, as the Minister of Finance shall direct, and shall contain such covenants, conditions, and provisions as the Minister shall direct. 15

Borrowing on overdraft by Education Boards.

4. (1) Any Education Board may, with the prior written approval of the Minister, in anticipation of its revenue, from time to time borrow moneys from its bankers by way of overdraft. 20

(2) Any approval given by the Minister as aforesaid shall be for a specified amount and shall be limited to a specified period:

Provided that it shall not be lawful for any Board to owe under the authority of this section at the end of any year any sum greater than such part of its revenue of the year then ended as remains outstanding and unpaid. 25

Board Fund. Repeals.

5. (1) Section thirty-three of the principal Act is hereby amended by repealing subsection two, and substituting the following subsection— 30

“(2) The general fund shall consist of grants from the public funds not allocated to any special purpose, and of any other moneys which the Board may receive which are not required to be allocated to a special fund.”

(2) Section thirty-three of the principal Act, as amended by section nine of the Statute Law Amendment Act, 1917, and by section seven of the Education Amendment Act, 1948, is hereby further amended by repealing subsection six, and substituting the following subsection:— 40

1917, No. 28  
1948, No. 68

“ (6) In particular, the moneys granted out of the public funds or otherwise made available for the maintenance and repair of schools and of teachers’ residences (including the repair and renewal of outbuildings, furniture, and fences, and also including alterations and small additions to buildings, and other similar purposes), and for the maintenance of the Board’s offices and workshops, and for the rent of school buildings or sites of school buildings, and for the maintenance of school grounds shall form one special fund, to be called the maintenance fund; and the moneys received for the rebuilding of worn-out schools, or schools destroyed by fire, and for the replacement of school class-rooms, and from grants out of the public funds, donations, or otherwise for the building of new schools or residences, or for providing accommodation for an increased number of pupils, or for similar purposes shall form another special fund, to be called the building fund.

(3) Section thirty-three of the principal Act, as amended by section four of the Education Amendment Act, 1920, is hereby further amended by repealing paragraph (a) of subsection eight, and substituting the following paragraph:—

“(a) Such amount as the Board may deem necessary on workshops and plant to be used in connection with the Board’s building operations or the manufacture of school furniture, and on motor-vehicles:

“ Provided that no moneys of the Board shall be expended on the purchase or replacement of motor-vehicles and plant without the prior approval of the Minister: ”

(4) The following enactments are hereby repealed:— Repeals.

(a) Subsection seven of section thirty-three of the principal Act:

(b) Section nine of the Statute Law Amendment Act, 1917, No. 28 1917:

(c) Section six of the Education Amendment Act, 1936, No. 44 1936:

(d) Section five of the Education Amendment Act, 1947, No. 53 1947:

(e) Subsection one of section seven of the Education Amendment Act, 1948, No. 68 1948, No. 68 Amendment Act, 1948.

Change in  
accounting  
year.

6. (1) The principal Act is hereby amended—
- (a) By omitting from subsection two of section thirty-eight the words “ the preceding calendar year ”, and substituting the words “ each year ending on the thirty-first day of January ”: 5
- (b) By omitting from paragraph (a) of section ninety-nine the word “ December ”, and substituting the word “ January ”:
- (c) By omitting from subsection one of section one hundred and twenty-six the words “ calendar year ”, and substituting the words “ year ending on the thirty-first day of January ”. 10

See Reprint  
of Statutes,  
Vol. II, p. 1098

(2) Section five of the Education Amendment Act, 1921-22, is hereby amended by omitting the words “ calendar year ” in each place where they occur, and substituting in each case the words “ year ending on the thirty-first day of January.” 15

(3) In each of the sections amended by this section every reference to a year ending on the thirty-first day of January shall, in respect of the year ending on the thirty-first day of January, nineteen hundred and fifty, be read as a reference to the period of thirteen months ending on that date. 20

School  
Committees.

7. (1) Section forty-one of the principal Act is hereby amended by repealing subsection two, and substituting the following subsection:— 25

“(2) Where the average daily roll number at the school or schools in the school district for the first four weeks of the third term of the year immediately preceding the year in which any biennial meeting of householders is held did not exceed one hundred children, the number of members of the School Committee to be elected at that meeting shall be five; where that roll number was over one hundred and not over two hundred, the number of members to be elected as aforesaid shall be seven; and where the roll number is over two hundred, the number of members to be elected as aforesaid shall be nine.” 30 35

1921, No. 27

(2) Section two of the Education Amendment Act, 1921-22, is hereby amended by repealing subparagraph one of paragraph (e) of subsection two. 40

- 8.** Section three of the Education Amendment Act, 1926, is hereby amended by adding the words “ and credited to its special fund for grants to Committees for incidental expenses ”.
- 5** **9.** Section forty of the Finance Act, 1931 (No. 4), is hereby amended by inserting, after the words “ University of New Zealand ”, the words “ the New Zealand Institute for the Blind ”.
- 10** **10.** The Second Schedule to the principal Act is hereby amended by omitting from subclause two of clause six the word “ seventeenth ”, and substituting the word “ fourteenth ”.
- Disposal of school fund when school closed.  
See Reprint of Statutes, Vol. II, p. 1109.
- Exemptions from rating.  
See Reprint of Statutes, Vol. II, p. 1114.
- Election of members of Education Boards.