

EDUCATION AMENDMENT BILL

EXPLANATORY NOTE

This Bill amends the Education Act 1914.

Clause 2 protects the position and salary of teachers in cases where a boys' school and a girls' school are established in place of a secondary school or technical high school or combined school for both sexes, and also in cases where a secondary school or a technical school is established in the place of a secondary department of a district high school. The protection is to continue for a period of 2 years from the date on which the teacher ceased duty in his former position.

Clause 3 amplifies the existing provisions regarding the travelling allowances and expenses of members of Education Boards and of Boards of secondary schools and technical schools. It extends the class of cases in which travelling allowances and expenses are payable by adding to each of the existing sections a proviso that where (pursuant to a resolution of the Board) any member is making an official visit or is attending as a representative of the Board any conference summoned or approved by the Minister, the member shall be deemed to be travelling in the service of the Board and to be transacting business of the Board for the purposes of the Fees and Travelling Allowances Act 1951.

Clause 4 enables the Minister in certain cases to transfer the control of a secondary school to or from the governing body of another secondary school.

Hon. Mr Algie

EDUCATION AMENDMENT

Title.

ANALYSIS

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| 1. Short Title. | 3. Travelling expenses. |
| 2. Protection of teachers in certain cases. | 4. Governing bodies of secondary schools. |
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A BILL INTITULED

AN ACT to amend the Education Act 1914.

Title.

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

1. This Act may be cited as the Education Amendment Act 1954, and shall be read together with and deemed part of the Education Act 1914 (hereinafter referred to as the principal Act).

Short Title.

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

10 2. In any case where a boys' school and a girls' school are established in place of a secondary school or technical high school or combined school for both sexes, and in any case where a secondary school or a technical school is established in the place of a secondary department of a district high school, the following provisions shall apply to the teachers on the staff of the former school or department:

Protection of teachers in certain cases.

15 (a) Every such teacher shall be offered a transfer to a position on the staff of the schools or school so established:

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(b) In the case of a teacher who is employed in any school so established or in any other secondary school or technical school or combined school or in the secondary department of a district high school, he shall while so employed continue to receive the same salary as he received in the former school or department if that salary is higher than the salary for his new position, but in no case after the expiration of two years from the date on which he ceased duty in his former position. 5 10

Travelling
expenses.
1951, No. 79

3. (1) The principal Act is hereby amended by repealing section thirty-one, as set out in the Second Schedule to the Fees and Travelling Allowances Act 1951, and substituting the following section: 15

“31. A Board may pay out of its General Fund to the chairman and to each member travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly: 20

“Provided that, where (pursuant to a resolution of the Board) the chairman or any member is making an official visit or is attending as a representative of the Board any conference summoned or approved by the Minister, the chairman or member shall be deemed to be travelling in the service of the Board and to be transacting business of the Board for the purposes of that Act.” 25

(2) The principal Act is hereby amended by repealing section ninety-three, as set out in the Second Schedule to the Fees and Travelling Allowances Act 1951, and substituting the following section: 30

“93. The Board of any secondary school may pay to its members travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if any such Board were a statutory Board within the meaning of that Act: 35

“Provided that, where (pursuant to a resolution of the Board) any member is making an official visit or is attending as a representative of the Board any conference summoned or approved by the Minister, the member shall be deemed to be travelling in the service of the Board and to be transacting business of the Board for the purposes of that Act.” 40

(3) The Education Amendment Act 1932-33 is hereby amended by repealing section five, as set out in the Second Schedule to the Fees and Travelling Allowances Act 1951, and substituting the following section:

1932-33,
No. 49

1951, No. 79

5 “5. The Board of Managers of every technical school may pay to its members travelling allowances and expenses in accordance with the Fees and Travelling Allowances Act 1951, and the provisions of that Act shall apply accordingly as if any such Board were a statutory
10 Board within the meaning of that Act:

“Provided that, where (pursuant to a resolution of the Board) any member is making an official visit or is attending as a representative of the Board any conference summoned or approved by the Minister, the member
15 shall be deemed to be travelling in the service of the Board and to be transacting business of the Board for the purposes of that Act.”

(4) The Fees and Travelling Allowances Act 1951 is hereby amended by repealing so much of the Second
20 Schedule as relates to the Education Act 1914 and the Education Amendment Act 1932-33.

4. (1) Section eighty-nine of the principal Act is hereby amended by adding the following subsection:

Governing
bodies of
secondary
schools.

“ (3) Where the Board or governing body of any of
25 the schools mentioned in Part II of the Ninth Schedule hereto has been given control of any other school that is not mentioned in that Schedule, the Minister may (on the application of that Board or governing body and by notice thereto) remove that other school from the control
30 of that Board or governing body and vest the sole control of the school in a Board or governing body constituted by or under section ninety of this Act.”

(2) Section ninety of the principal Act is hereby amended by inserting, after the words “under this Act,
35 shall”, the words “unless the Minister requires the school to be controlled by the Board or governing body of some other secondary school”.