

EDUCATION AMENDMENT BILL

EXPLANATORY NOTE

This Bill amends the Education Act 1964.

Clause 1 relates to the Short Title.

Clause 2 amends section 102 of the principal Act. *Subclause (1)* repeals paragraph (b), and substitutes a new paragraph. The new paragraph (b) empowers the making of regulations for awarding scholarships to Maori children, which will be tenable at private secondary schools and secondary schools, and scholarships to Maori students, which will be tenable at technical institutes, and such other schools and educational institutions as may be approved by the Minister of Education. The meaning of the term "Maori" is defined in section 2 of the principal Act to mean any person belonging to the aboriginal race of New Zealand; and includes a half-caste and a person intermediate in blood between a half-caste and a person of pure descent from that race. *Subclause (2)* adds a new subsection (2) to section 102 of the principal Act. The effect of this is to extend the meaning of the term "Maori", for the purposes of the new paragraph (b), to include any Polynesian who is, or who is a descendant of, a native of any island in the South Pacific Ocean, and who is a New Zealand citizen, or has lived in New Zealand for not less than 5 years and is permanently resident in New Zealand; and to include any such person who is a half-caste or who is intermediate in blood between a half-caste and a person of pure descent from the Polynesian race.

Clause 3 inserts a new section 186A in the principal Act to enable the inspection and registration of courses of instruction at private commercial colleges. Registration is not compulsory, but on application for registration made to the Director-General of Education by the managers of any private commercial college the college shall be registered in respect of any course of instruction afforded by it if on inspection the college is found to be efficient in affording that course of instruction.

Subsection (1) of the new section relates to interpretation, and defines the term "private commercial college", and, in relation to any private commercial college, the terms "efficient" and "managers".

Subsection (2) of the new section enables any private commercial college to apply to the Director-General for registration in respect of any course of instruction afforded by it.

Subsection (3) of the new section requires an inspection to be made of every course of instruction in respect of which a private commercial college has applied for registration. If the Director-General is satisfied that the college is efficient in respect of any course of instruction afforded by it, the college shall be registered as a private commercial college in respect of that course.

Subsection (4) of the new section requires the Director-General to prepare annually a list of all registered private commercial colleges and the courses of instruction in respect of which they are registered. A copy of the list shall be available for inspection at each office of the Department of Education.

Subsection (5) requires every private commercial college that is registered under this section to be open at all times to visits or inspections, including the examination of students, by the Minister of Education, the Director-General, an Assistant Director-General, the appropriate Inspector or Inspectors of Schools, or any other person directed by the Minister, but no visit or inspection shall be made of any course of instruction in respect of which the college is not registered.

Subsection (6) provides that if it appears to the Director-General that any registered private commercial college has, in respect of any registered course of instruction, ceased to be an efficient private commercial college, he shall remove from the list of registered private commercial colleges the reference to that course of instruction and, if there is no other course of instruction in respect of which the college is registered, the name of the college.

Subsection (7) requires the managers of every registered private commercial college to keep such registers of enrolments and other records, and to furnish such annual and other returns, as the Director-General may require.

Subsection (8) provides that if any requirement under this section is not complied with by the managers of any registered private commercial college to the satisfaction of the Director-General, he may remove the name of the college from the list of registered private commercial colleges.

Subsection (9) provides that no private commercial college registered under the new section shall be a registered school for the purposes of the principal Act or any other Act.

Hon. Mr Talboys

EDUCATION AMENDMENT

ANALYSIS

Title	
1. Short Title	3. Registration and inspection of courses of instruction at private commercial colleges
2. Control of Maori schools	

A BILL INTITULED

An Act to amend the Education Act 1964

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

1. **Short Title**—This Act may be cited as the Education Amendment Act 1970, and shall be read together with and deemed part of the Education Act 1964* (hereinafter referred to as the principal Act).

10 2. **Control of Maori schools**—(1) Section 102 of the principal Act is hereby amended by repealing paragraph (b), and substituting the following paragraph:

15 “(b) For the award of scholarships to Maori children, which shall be tenable at private secondary schools and secondary schools; and to Maori students, which shall be tenable at technical institutes and at such other schools and educational institutions as may be approved by the Minister.”

*1964, No. 135

Amendments: 1965, No. 67; 1966, No. 59; 1967, No. 136; 1968, No. 11; 1969, No. 66

(2) The said section 102 is hereby further amended by adding the following subsection as subsection (2):

“(2) For the purposes of paragraph (b) of subsection (1) of this section, the term ‘Maori’ includes any Polynesian who is, or who is a descendant of, a native of any island in the South Pacific Ocean, and who is a New Zealand citizen, or has lived in New Zealand for not less than 5 years and is permanently resident in New Zealand; and includes any such person who is a half-caste or who is intermediate in blood between a half-caste and a person of pure descent from the Polynesian race.”

3. Registration and inspection of courses of instruction at private commercial colleges—The principal Act is hereby amended by inserting, after section 186, the following section:

“186A. (1) For the purposes of this section—

“‘Private commercial college’ means any private college, or private establishment, offering further education in any commercial subject:

“‘Efficient’, in relation to any private commercial college, means that the premises, staffing, equipment, and curriculum of the college are suitable to afford any course of instruction in respect of which the college is registered; and that the instruction afforded in the course is as complete and efficient as would be afforded in a similar course in a technical institute:

“‘Managers’, in relation to a private commercial college, means all persons who have the control and management of the college, whether they have a proprietary interest in it or not.

“(2) The managers of any private commercial college may apply to the Director-General for registration of the college as a private commercial college in respect of any course of instruction afforded by it.

“(3) On receipt of any application for the registration of a private commercial college in respect of any course of instruction afforded by it, the Director-General shall cause the course of instruction to be inspected by an Inspector. If on the report of the Inspector the Director-General is satisfied that the college is efficient in respect of the course of instruction afforded by it, but in no other case, he shall cause the college to be registered as a private commercial college in respect of that course.

“ (4) The Director-General shall cause to be prepared annually a list of all registered private commercial colleges and the courses of instruction in respect of which they are so registered. A copy of the list shall be available for inspection at each office of the Department.

5 “ (5) Every private commercial college that is registered under this section shall be open at all times to visits and inspections, including the examination of students, by the Minister, the Director-General, an Assistant Director-General, 10 the appropriate Inspector or Inspectors of Schools, or any other person directed by the Minister to visit or inspect the college; but no visit or inspection shall be made under this subsection of any course of instruction in respect of which the college is not registered.

15 “ (6) If at any time it appears to the Director-General that any registered private commercial college has, in respect of any registered course of instruction afforded by the college, ceased to be an efficient private commercial college within the meaning of this section, he shall remove from the list of 20 registered private commercial colleges the reference to that course of instruction afforded by the college; and if there is no other course of instruction in respect of which the college is registered he shall remove the name of the college from the list. The Director-General shall notify the managers of the 25 college of any such action taken by him.

“ (7) Every registered private commercial college shall keep such registers of enrolments and other records, and shall furnish such annual and other returns, as may be required by the Director-General.

30 “ (8) The Director-General may remove the name of any registered private commercial college from the list of registered private commercial colleges if any requirement under this section is not complied with to his satisfaction by the managers of the college.

35 “ (9) No private commercial college registered under this section shall be a registered school for the purposes of this or any other Act.”