

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,  
8th November, 1910.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. Fowlds.

EDUCATION RESERVES AMENDMENT.

ANALYSIS.

<p>Title.</p> <p>1. Short Title. Commencement of Act.</p> <p>2. School Commissioners abolished. Endowments vested in the Crown on trust for education purposes. Administration by Land Boards. Application of revenue.</p> <p>3. Roading and subdivision of lands.</p> <p>4. Reserves which have not been allocated.</p>	<p>5. Saving of existing leases, &amp;c.</p> <p>6. Expenses of administration.</p> <p>7. References to School Commissioners in other Acts.</p> <p>8. Consequential amendments. <i>High-school Reserves.</i></p> <p>9. Roading, &amp;c., of high-school reserves. Schedule.</p>
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A BILL INTITULED

AN ACT to amend the Education Reserves Act, 1908.

Title.

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

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1. (1.) This Act may be cited as the Education Reserves Amendment Act, 1910, and shall form part of and be read together with the Education Reserves Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

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(2.) This Act shall commence on the first day of April, nineteen hundred and eleven.

Commencement of Act.

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2. (1.) On the commencement of this Act all School Commissioners under the principal Act shall cease to hold office, and the several bodies corporate constituted under section nineteen of that Act shall be abolished, and all assets and liabilities of any School Commissioners shall become assets and liabilities of the Crown.

School Commissioners abolished.

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(2.) All reserves and endowments vested in any School Commissioners, and all reserves at any time hereafter made or set apart under any Act as endowments for primary or secondary education, shall be vested in the Crown in trust for the purposes for which they are reserved, and shall be administered and dealt with by the Land Board of the district in which they are situated, in accordance with the provisions of this Act.

Endowments vested in the Crown on trust for education purposes.

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(3.) The Land Board may grant leases and issue licenses under the Land Act, 1908, over the said reserves and endowments on the same terms and conditions in all respects as in the case of Crown lands, save that the term of any renewable lease granted under that

Administration by Land Boards.

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Act, and of the successive renewals thereof, shall be thirty-three years instead of sixty-six years.

(4.) Any reserves or endowments ~~which are town lands, or are classified as such by the Land Board,~~ may be leased under the provisions of the Public Bodies' Leases Act, 1908 (if, in the opinion of the Board, it is desirable to do so), in the same manner as if the Board were a leasing authority under that Act.

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*New.*

(4A.) On the expiry of any lease granted by any School Commissioners and existing at the commencement of this Act, the Land Board may grant the former lessee a new lease of the same land, or of any part thereof, under the provisions of the Public Bodies' Leases Act, 1908, for a period not exceeding twenty-one years with a perpetual right of renewal for periods not exceeding twenty-one years, but the rent for the first term of such lease shall be fixed by valuation or arbitration in such manner as the Land Board determines.

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Application of  
revenue.

(5.) The revenue derived from the reserves and endowments aforesaid situated within the boundaries of each ~~education~~ *provincial* district shall (after deducting such sum for the administration of this Act as is prescribed) be paid by the Receiver of Land Revenue into the Public Account to the credit of a separate account for that district, and shall be paid over quarterly by the Minister of Finance as follows:—

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(a.) The revenues derived from reserves and endowments set apart for primary education shall be paid over to the Education Board ~~of the district~~ *or Boards within such district*

*New.*

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in proportion to the population of each education district within the said provincial district, as determined from time to time by the census taken under the Statistics Act, 1908; and

(b.) The revenues derived from reserves and endowments set apart for secondary education shall be paid over to the governing bodies of secondary schools in the ~~education~~ *provincial* district in proportion to the number of pupils in average attendance at the several secondary schools, exclusive of the pupils in any preparatory department.

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(6.) Nothing in this section shall affect any land set apart as an endowment for any specified school or college.

*New.*

Vested funds  
of School  
Commissioners.

2A. (1.) All funds vested in any School Commissioners at the commencement of this Act, and all mortgages and other investments representing the same, are hereby vested in the Public Trustee, who shall hold and administer the same on the same trusts on which they were held and administered by the School Commissioners.

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(2.) The revenues derived from any such fund or the investments thereof shall (after deducting such sum for the administration of that fund as is prescribed) from time to time be paid by the Public Trustee into the separate account for the appropriate district as mentioned in the *last preceding* section, and shall be dealt with by the Minister of Finance in pursuance of that section and in accordance with the trusts affecting the said revenues.

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(3.) Save as mentioned in this section, all assets and liabilities of any School Commissioners shall become assets and liabilities of the Crown.

3 (1.) Where in the opinion of the Board it is necessary to survey, subdivide, classify, or otherwise deal with educational endowments preparatory to their being leased or disposed of by the Board, or to provide or improve road access thereto, including the erection  
5 of any bridge, the Board shall submit a scheme of the proposed works to the Minister of Lands, and when approved by him the Board shall have power to carry out such works.

Roading and  
subdivision of lands.

(2.) The cost of such works shall be defrayed by the Board from advances to be made under the provisions of sections seventy-seven  
10 to eighty-three of the New Zealand State-guaranteed Advances Act, 1909, in the same manner as advances are made when opening up Crown lands for settlement.

(3.) The cost of all such works shall be apportioned amongst the lands benefited thereby, and duly repaid to the fund from which  
15 they may have been advanced out of the rents or other proceeds received by the Board from the lands benefited.

*Struck out.*

20 4. The Governor may by notice in the *Gazette* declare that any lands heretofore reserved for educational purposes which have not been allocated under the Education Reserves Act, 1908, as endowments for primary or secondary education shall be set apart as endowments either for primary or secondary education as he thinks fit, and thereupon the lands shall be permanently set aside, but  
25 subject to the provisions of section three hundred and twenty-four of the Land Act, 1908.

Reserves which  
have not been  
allocated.

5. Nothing in this Act shall affect any lease or license granted by any School Commissioners and existing on the commencement of this Act, save that all references in any such lease or license to the School Commissioners shall be deemed to be references to the Land  
30 Board of the land district in which the land affected by the lease or license is situated; and all rents and other payments under any such lease or license shall be paid to the Receiver of Land Revenue of that land district.

Saving of existing  
leases, &c.

6. (1.) All expenses of administration may be deducted from the  
35 revenues received by the Receiver of Land Revenue, and paid by him into the Public Account to the credit of the Lands and Survey Vote :

Expenses of  
administration.

40 Provided that the total amount of such deductions shall not exceed in any one year five per centum of the total amount of rent received by the Receiver on account of lands leased under the authority of this Act.

(2.) Such expenses may be deducted either daily, weekly, or quarterly as may be most convenient, and shall include all expenses incurred, whether in respect of the collection of rents, the inspection  
45 of land, or otherwise howsoever.

7. All references in any unrepealed Act to School Commissioners shall be deemed to be references to the Land Board.

References to School  
Commissioners in  
other Acts.

8. The principal Act is hereby amended in the manner and to the extent indicated in the Schedule hereto.

Consequential  
amendments.

*High-school Reserves.*

50 9. The Trustees may, out of the rents and profits of any reserves and endowments vested in them by this or any Act, pay the whole or

Roading, &c., of  
high-school  
reserves.

any part of the cost of surveying, constructing, or improving any road, bridge, ferry, or ford necessary, in the opinion of the Trustees, to the leasing or subdivision of any land now or hereafter vested in them, the construction or improvement of which has been approved by the Minister; and the Trustees are hereby empowered to pay or contract to pay such cost in any manner they think fit.

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Schedule.

## SCHEDULE.

## AMENDMENTS TO THE EDUCATION RESERVES ACT, 1908.

No. of Section.	Nature of Amendment.
Section 1 (2)	By omitting from paragraph (b) the words " School Commissioners "; and by omitting paragraphs (c) and (d).
Section 4 ...	By omitting the words " the School Commissioners hereinafter mentioned, and."
Section 7 ...	By omitting all the words of paragraph (h) after the words " in such Proclamation."
Section 8 ...	By omitting subsection two.
Sections 19 to 24	By omitting the sections.
Section 25 (1)	By omitting the words " The School Commissioners and," the words " them or," and the word " respectively."
Sections 26 to 28	By omitting the sections.