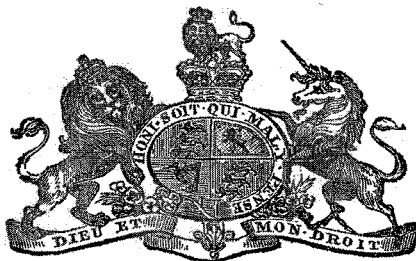


New Zealand.



ANALYSIS.

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| <p>Title.
Preamble.</p> <p>1. Short Title. Act to be read with "The Education Act, 1877."</p> <p>2. Constitution of Westland and Grey Education Districts as from 14th September, 1885.</p> <p>3. Constitution of Education Boards.</p> <p>4. Boards under this Act to be the same as previously existing.</p> <p>5. Nine members to be elected for each Board.</p> | <p>6. One-third of members to retire annually.</p> <p>7. Ordinary election to supply vacancies.</p> <p>8. Members of School Committees now in office deemed duly elected for new districts.</p> <p>9. One School Commissioner to be elected by each Board.</p> <p>10. Property vested in Boards before coming into operation of this Act to vest in Board constituted under this Act.</p> <p>11. Repeal.
Schedule.</p> |
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1892, No. 3.

AN ACT to constitute Boards for the Education Districts of Westland and Grey respectively under "The Education Act, 1877." Title.

[8th August, 1892.]

WHEREAS it is inexpedient that the Education Boards of Westland and Grey should continue to be constituted under an exceptional law : Preamble.

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 Westland and Grey Education Boards Act, 1892." Short Title.

This Act shall be read and construed with "The Education Act, 1877" (hereinafter referred to as "the said Act"), and all the provisions thereof shall extend and apply to this Act, except in so far as the provisions therein contained are contrary to the provisions hereof. Act to be read with "The Education Act, 1877."

2. The divisions of the colony described in the Schedule to this Act are hereby constituted, and shall be deemed to have been constituted on the fourteenth day of September, in the year one thousand eight hundred and eighty-five, education districts for the purposes of the said Act, and shall be called respectively by the names set over the descriptions in the said Schedule. Constitution of Westland and Grey Education Districts as from 14th September, 1885.

So much of the Second Schedule of the said Act as defines the Education District of Westland is hereby repealed, and the definitions of districts in the Schedule to this Act shall be substituted in lieu thereof.

3. There shall be for each of the Education Districts of Westland and Grey an Education Board, consisting of nine members, all of whom shall be elected as hereinafter provided. Constitution of Education Boards.

Boards under this Act to be the same as previously existing.

4. The Boards constituted under this Act for the Education Districts of Westland and Grey shall be deemed for all purposes to be the same Boards as those previously constituted for the said districts under "The Westland and Grey Education Boards Act, 1885," and "The Westland and Grey Education Boards Act, 1888;" and the several members of the Education Boards of Westland and Grey, whether elected or nominated by the Governor thereto respectively, in office at the commencement of this Act, shall continue to hold their offices until the thirty-first day of March, one thousand eight hundred and ninety-three, and no longer.

Nine members to be elected for each Board.

5. The first election of members of each Board shall be conducted as follows:—

(1.) Between the first and the thirty-first days of January, one thousand eight hundred and ninety-three, each of the Committees in each district shall transmit to the Board the names of two persons qualified to be members of the Board, their written consent being first obtained, and the Board shall thereupon publicly notify the names of such persons, and in such notice shall also state the day on which the election of the Board shall be held, and shall also transmit to each Committee the names of such persons.

The day of election shall be some day not later than the fifteenth of March.

(2.) On or before the last day of February in the same year, the Committee in each district shall send to the Secretary of the Board a list in writing, setting forth the full names of not more than nine of the persons whose names have been publicly notified as aforesaid.

(3.) The Secretary shall carefully keep all such lists, and on the day fixed by the Board shall proceed to ascertain what persons, so nominated, have the greatest number of votes; and the nine persons who have the greatest number of votes shall be the elected members of the Board.

(4.) After it has been ascertained what candidates have by a majority of votes been duly elected, if it shall appear that there is an equality of votes for one or more candidates remaining to complete the number of nine members, the Board shall decide which of such persons shall be the member or members.

(5.) If a Committee refuses or neglects to transmit to the Board either of the lists of names hereinbefore required to be transmitted, within the time appointed, the Board shall proceed to the election of members notwithstanding such refusal or neglect.

(6.) Every election shall be conducted publicly by the Board in such manner as it thinks fit.

(7.) The Board shall publicly notify the names of the persons who have been found to be elected, and such notification shall be signed by the Chairman of the Board, and shall be final and conclusive for all purposes.

A copy of such notification signed by the Chairman shall be transmitted to the Minister of Education without delay.

(8.) In the event of nine persons not being nominated as herein provided, the Board shall elect such a number of duly-qualified persons as may be necessary to complete the number of the Board.

The members of the Board so elected shall take office on the thirty-first day of March, one thousand eight hundred and ninety-three.

Except as respects the number of persons to be elected, all the proceedings in and about any election of members of each Board, after the first election held under this Act, shall be had and taken under the said Act, and in the same manner as prescribed in section thirteen of that Act upon the first election of Boards.

6. (1.) On the thirty-first day of March, one thousand eight hundred and ninety-four, and on the same day and month in every year thereafter, one-third of the members of each Board then in office shall retire. One-third of members to retire annually.

(2.) The members of each Board to retire in the year one thousand eight hundred and ninety-four shall be determined by each Board by ballot not later than the thirty-first day of December immediately preceding.

(3.) In the year one thousand eight hundred and ninety-five three out of the six members of each Board elected in the year one thousand eight hundred and ninety-three shall retire, and the members so retiring shall also be determined by ballot not later than the day aforesaid.

(4.) And in every subsequent year the members of each Board shall retire who have served longest upon the Board without re-election.

(5.) All retiring members shall be eligible for re-election.

7. In the month of March, one thousand eight hundred and ninety-four, and in the same month in every succeeding year, an election shall be held under the said Act, as aforesaid, for the purpose of filling the vacancies caused by the retirement of members of each Board as herein provided. Ordinary election to supply vacancies.

8. The members of the several School Committees for the several districts comprising the districts constituted by this Act in office at the commencement of this Act shall be and be deemed to have been duly elected, notwithstanding any defect in the mode or time of election, and, until new elections shall be held, shall be deemed to be the several School Committees in the districts constituted by this Act. Members of School Committees now in office deemed duly elected for new districts.

9. The School Commissioners for the Provincial District of Westland under "The Education Reserves Act, 1877," and "The Education Reserves Act Amendment Act, 1882," at present in office shall remain in office; but at the next triennial election of such Commissioners, and at every subsequent triennial election, each of the Education Boards of the Education Districts of Westland and Grey respectively shall elect one person to be a School Commissioner for the said provincial district, and shall respectively elect a successor to any such person in case of a vacancy in his office being created. One School Commissioner to be elected by each Board.

10. All real property which immediately before the coming into operation of "The Westland and Grey Education Boards Act, 1885," was vested in the Board and the Commissioners appointed under Property vested in Boards before coming into operation of this Act to

vest in Board constituted under this Act.

“The Westland Education District Subdivision Act, 1884,” and remained so vested at the commencement of this Act, shall, on the date when the Boards appointed under this Act respectively come into office, be vested in the Board of the district constituted under this Act wherein such property is situate; but the change of ownership hereby created shall not affect any valid lease, charge, or contract now subsisting in respect of any such land, but the same shall vest in the new Board subject thereto in all respects.

In respect of any land affected by “The Westland and Grey Education Boards Act, 1885,” or by any subsequent Act, or by this Act, which shall be held by any title conferred under “The Land Transfer Act, 1870,” or its amendments, or “The Land Transfer Act, 1885,” the District Land Registrar of Nelson and the District Land Registrar of Westland respectively shall, upon being satisfied thereof, and subject to the foregoing provisions of this section, enter in the register-book, and upon any instrument presented for that purpose, a note of the change of ownership created by “The Westland and Grey Education Boards Act, 1885,” or by such subsequent Act, or by this Act, which respectively shall be sufficient authority for that purpose.

Repeal.

11. “The Westland and Grey Education Boards Act, 1888,” and section seven of “The Deeds and Instruments Registration Act, 1886,” are hereby respectively repealed.

Schedule.

SCHEDULE.

EDUCATION DISTRICT OF WESTLAND.

ALL that area in the Colony of New Zealand being the County of Westland and the Boroughs of Hokitika, Kumara, and Ross.

EDUCATION DISTRICT OF GREY.

All that area in the Colony of New Zealand being the County of Grey, and including the Boroughs of Greymouth and Brunner.