

# Education Amendment Act 1985

Public Act 1985 No 124  
Date of assent 20 August 1985

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## 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, as follows:**

### **1 Short Title and commencement**

- (1) This Act may be cited as the Education Amendment Act 1985, and shall be read together with and deemed part of the Education Act 1964 (hereinafter referred to as the principal Act).
- (2) This Act shall come into force on the 14th day after the date on which it receives the Governor-General's assent.

**2 New sections inserted relating to health education**

*This section inserted ss 105C and 105D, and the preceding heading of the principal Act.*

**3 Transitional**

(1) In this section,—

**Designated school** means a school specified in the Schedule to this Act or a school designated under subsection (3) of this section

**The new provisions** means section 105C of the principal Act (as inserted by section 2 of this Act)

**Transition date** means—

- (a) A date specified for the purposes of this section by the Minister by notice in the Education Gazette; or
- (b) If no date before the 1st day of January 1989 is specified, the 1st day of January 1989.

(2) In this section, terms defined in section 105C(1) of the principal Act (as inserted by section 2 of this Act) shall have the meanings there assigned to them.

(3) The Minister may from time to time, by notice in the Education Gazette, designate any State school a school in respect of which the new provisions are to apply before the transition date.

(4) The Minister shall not designate a school under subsection (3) of this section unless satisfied that—

- (a) The principal of that school has consulted its managing body as to the consequences of designation; and
- (b) That managing body consents to the designation of that school.

(5) The Minister may from time to time, by notice in the Education Gazette, prescribe health syllabuses for designated schools, or for any specified classes at such schools, and may at any time amend or revoke any such notice; and until the transition date the principal of every designated school shall ensure that the syllabus prescribed is taught at that school.

(6) Notwithstanding the new provisions, but subject to subsection (7) of this section, before the transition date, the treatment of the various elements of the health syllabus at State schools that

are not designated schools shall not be determined under the new provisions.

- (7) Where the treatment of the various elements of the health syllabus (other than sex education) at a State school has never in fact been determined under the new provisions, the new provisions shall have effect in respect of that school,—
- (a) At any time before, on, or after the transition date,—
- (i) If in 1984 no sex education was taught at that school as part of the health syllabus, as if the managing body of that school has never directed under the new provisions that that syllabus should include any element of sex education; and
- (ii) If in 1984 any element of sex education was taught at that school as part of the health syllabus, as if the managing body of that school had, within 2 years of that time, directed under the new provisions that that syllabus should include that element, and as if the treatment of that element in 1984 were described in the appropriate description given to that managing body; and
- (b) On or after the transition date, as if the treatment of the health syllabus (other than sex education) at that school immediately before the transition date had been determined under the new provisions on a day 6 months before the transition date.
- (8) Forthwith after the Director-General receives the report commissioned by him from the University of Otago and agreed to be made to him by the university under a contract embodied in—
- (a) The letter of 23 May 1985 headed “EVALUATION OF THE TRIAL COURSE ON CHANGES IN PUBERTY”, from him to the Vice-Chancellor of the university; and
- (b) The letter of 13 June 1985 from the Registrar of the university to him,—

he shall give 2 copies to the Minister; and within 8 sitting days of being given those copies, the Minister shall lay a copy before Parliament for reference to a select committee.

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**Schedule**  
**Designated schools**

Section 3(1)

<i>Whangarei</i>	<i>Te Awamutu</i>
Tikipunga High School	Te Awamutu College
Kamo Intermediate	Te Awamutu Intermediate
Raumanga Intermediate	Kihikihi Primary
Whangarei Intermediate	Paterangi Primary
Glenbervie Primary	Pekerau Primary
Kamo East Primary	St Patrick's Primary
Ngungaru Primary	Te Awamutu Primary
Otangarei Primary	
Tikipunga Primary	
<i>Porirua</i>	<i>Christchurch</i>
Aotea College	Hillmorton High School
Waitangirua Intermediate	Christchurch South Intermediate
Corinna Primary	Manning Intermediate
Discovery Primary	Halswell Primary
Natone Park Primary	Hoon Hay Primary
Papakowhai Primary	Lady of Assumption
Paremata Primary	Oaklands Primary

*Whangarei*

Pauatahanui Primary

Plimmerton Primary

Postgate Primary

Rangikura Primary

Russell Primary

Tairangi Primary

*Te Awamutu*

Rowley Avenue Primary

Spreydon Primary