

**Reprint
as at 1 August 2020**

Thames Boys' and Girls' High School Act 1878

Local Act 1878 No 54
Date of assent 1 November 1878

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An Act to provide for the establishment and management of a Boys' and Girls' High School at the Thames.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint. See the notes at the end of this reprint for further details.

1 Short Title

The Short Title of this Act shall be the Thames Boys' and Girls' High School Act 1878.

2 Board of Governors to be appointed and incorporated

A Board of Governors, to be composed and appointed as hereinafter provided, shall be and is hereby constituted a body corporate by the name of the Thames High School Board (hereinafter called the **Board**), by which name such body corporate shall have perpetual succession and a common seal, and may hold lands, and may sue and be sued, and may do and suffer all such things as corporate bodies may do and suffer.

3 Constitution of Board of Governors

- (1) On and after 1 June 1964, the Board shall be constituted in accordance with section 90 of the Education Act 1914.
- (2) Until the 1 June 1964, the Board shall continue to be constituted as it was constituted immediately before the passing of this section.
- (3) For the purposes of subsection (1) of this section, and without restricting the generality of section 90 of the Education Act 1914, it is hereby declared that, at any time after the passing of this section, an Order in Council, to come into force on 1 June 1964, may be made under subsection (1) of the said section 90 (as amended by section 10 of the Educational Amendment Act 1952) varying section 10 of the Board as prescribed in the said section 90.

Section 3 was substituted, as from 2 October 1963, by section 2 Thames Boys' and Girls' High School Amendment Act 1963 (1963 No 20).

3A Term of Office

- (1) Subject to the provisions of this section, every member of the Board shall hold office for a term of 3 years, but may from time to time be reappointed or re-elected.
- (2) Every member of the Board, unless he sooner vacates his office under subsection (2) of section 3, shall continue in office until his successor comes into office.
- (3) On 31 May 1961, all members of the Board as it is then constituted shall go out of office.
- (4) The first members of the Board, as it is to be constituted on 1 June 1961, shall be appointed and elected not later than 31 May in that year, and shall come into office on 1 June that year.

Section 3A was inserted, as from 7 October 1960, by section 3 Thames Boys and Girls' High School Amendment Act 1960 (1960 No 21).

4 Board to establish a High School

As soon as conveniently may be after the passing of this Act, the Board shall establish and maintain a public school in the Borough of the Thames, to be called the Thames High School.

5 Board to have control of school

The Board shall have the whole control and management of the said school, and shall have full power to dismiss all masters, teachers, and other officers and servants for the management of the said school, and also the entire management and superintendence over all the affairs, concerns, and property thereof.

The Board shall also have full power from time to time to make by-laws and regulations for defining the course of study and education on secular subjects in the said school, and also for the discipline and examination of the same, the conditions upon which scholars shall be admitted, and the fees to be paid in respect of such admission, and in general touching all other matters, purposes, and things regarding the said school.

6 Part of Te Aroha Block to be granted to Board

Out of the lands comprised within the block of land known as the Te Aroha Block, in the Provincial District of Auckland, the Governor may set apart any block or blocks, not exceeding in value \$20,000, and shall grant the same to the Board free from all charges or incumbrances as an endowment for the said school.

The expression "ten thousand pounds" was substituted, as from 10 July 1967, for the expression "ten thousand pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

7 Power to deal with and lease lands vested in Board

The Board shall have power to manage and deal with all lands that may be vested in them by virtue of this Act for the purposes of an endowment in such manner as they may see fit, and from time to time may let the same or any part thereof for any term not exceeding 21 years from the time when such lease shall be made, at such rent and on such terms and conditions as they shall think fit.

Every such lease shall be put up to public competition by auction or tender, of which 1 month's previous notice shall have been given by public advertisement in some newspaper circulating in the district in which the land about to be leased shall be situated; but no fine, premium, or foregift shall be taken by the Board in respect of any such lease.

8 Real or personal estate purchased or acquired by the Board, how to be held

All real and personal estate which may be purchased by, or granted, devised, bequeathed, or given to, the Board for the benefit of the said school, without

any trust of a different nature being expressed, shall be held by the Board for the general purposes of this Act.

9 Proceeds of rents and other income, how to be applied

The rents, profits, and annual income of all real and personal estate which may be vested in the Board, together with all funds which may from time to time be derived from fees or payments made in respect of scholars or students attending the said school, shall be applied by them for the maintenance of the said school, and the payment of all salaries and expenses connected therewith, and for prizes, exhibitions, and scholarships for the students therein.

10 Board may invest moneys not required for annual expenditure

With respect to any moneys bequeathed or given to the Board for the said school, or being rents, profits, and annual income set apart under the preceding section, the Board shall have power to invest the same in the purchase or upon mortgage of freehold lands in New Zealand, or upon the stocks, bonds, bills, or debentures of the Government of the Colony of New Zealand, or of any Municipal Corporation established within such colony, and from time to time to vary any such investment.

11 Application of moneys for building a school

The Board may, out of such moneys as shall come into their hands by virtue of this Act or otherwise for the benefit of the said school, expend any sum or sums not exceeding on the whole \$10,000 in erecting suitable buildings and premises for the use of the said school.

The expression “ten thousand dollars” was substituted, as from 10 July 1967, for the expression “five thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

12 Inspection

The said school shall at all times be open to inspection by an inspector appointed under the Education and Training Act 2020.

Section 12: amended, on 1 August 2020, by section 668 of the Education and Training Act 2020 (2020 No 38).

Reprint notes

1 *General*

This is a reprint of the Thames Boys' and Girls' High School Act 1878 that incorporates all the amendments to that Act as at the date of the last amendment to it.

2 *About this reprint*

This reprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this reprint*

Education and Training Act 2020 (2020 No 38): section 668