

Reprint
as at 1 July 2013

New Plymouth High School Act
1889

Local Act 1889 No 2
Date of assent 16 September 1889

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

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An Act to provide for the better management of the New Plymouth High School.

1 Short Title

The Short Title of this Act is the New Plymouth High School Act 1889.

2 Repeal of the New Plymouth High School Act 1878

[Repealed]

Section 2 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

3 Board of Governors a corporate body

The whole control and management of the New Plymouth High School shall be vested in a Board of Governors consisting of seven members, appointed as hereinafter set forth,

which Board shall be and is hereby constituted a body corporate, by the name of **The New Plymouth High School Board**, by which name such body corporate shall have a perpetual succession and a common seal, and may hold lands, and may sue and be sued, and may do and suffer any such things as corporate bodies may do and suffer.

4 Retirement of members

[Repealed]

Section 4 was repealed, as from 5 December 1927, by section 74(13) Local legislation Act 1927 (1927 No 58).

5 How vacancies shall be filled

[Repealed]

Section 5 was repealed, as from 5 December 1927, by section 74(13) Local legislation Act 1927 (1927 No 58).

6 Forfeiture of seats at Board

If any member of the Board shall, without leave given by the Board, be absent from 3 consecutive meetings of the Board, or shall, by writing under his hand addressed to the Chairman of the Board, resign his office, or become bankrupt, or be convicted of an offence punishable by 2 or more years' imprisonment, he shall immediately thereupon cease to be a member of the Board.

Section 6: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

7 First meeting of Board and election of Chairman

[Repealed]

Section 7 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

8 Chairman's tenure of office

[Repealed]

Section 8 was repealed, as from 20 October 1966, by section 2(1) New Plymouth High School Amendment Act 1966 (1966 No 78).

9 Board may regulate proceedings

The Board may make, and may from time to time revoke, vary, and make fresh regulations for the conduct of business at their meetings, for the election of Chairman and Acting-Chairman, for determining how meetings shall be convened, and for such like other matters as may be requisite for the conduct or the business of the Board.

10 Proper minutes of all proceedings to be kept

Minutes of the proceedings of the Board shall be regularly entered in a proper book to be kept for that purpose; and at every meeting of the Board the minutes of the previous meeting shall be read over and signed by the Chairman of the meeting at which the same shall be read; and the minutes, when so signed, shall be held to be *prima facie* evidence of the proceedings of the Board for all purposes whatever.

11 Board to pass resolutions

All things required by this Act to be done by the said Board shall be done in accordance with or in pursuance of a resolution passed at a meeting of the said Board, and no act of the said Board shall be invalid or liable to be questioned on the ground that 1 or more of the members of the said Board was or were incapacitated, or had ceased to hold office as members of the said Board.

12 Moneys of Board to be paid into bank

[Repealed]

Section 12 was repealed, as from 27 November 1970, by section 2 New Plymouth High School Amendment Act 1970 (1970 No 93).

13 Accounts to be kept

[Repealed]

Section 13 was repealed, as from 27 November 1970, by section 2 New Plymouth High School Amendment Act 1970 (1970 No 93).

14 All estate to be held on trust for general purposes of Act

All real and personal estate which may be purchased by the Board, or granted as site or sites for a High School, devised,

bequeathed, or given to the said Board for the benefit of the High School, without any trusts of a different nature being expressed, shall be held by the said Board upon trust for the general purposes of this Act.

15 Income to be applied for maintenance of High School

The rents, profits, and annual income of all real and personal estate which may be vested in the said 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 High School shall be applied by them for the maintenance of the said High School, and the payment of all salaries and expenses connected therewith, and for prizes, exhibitions, and scholarships for the students therein: Provided that the said Board shall have power to set apart, if they shall see fit, out of the said rents, profits, and annual income, such part as they shall consider advisable, either as an addition to the capital fund, which shall then be invested in manner hereinafter mentioned, and dealt with as part of such capital fund, or as a reserve fund to meet extraordinary expenses, which shall be invested and dealt with in such manner as the said Board shall direct.

16 Certain moneys may be invested in purchase of mortgages, etc.

With respect to any moneys bequeathed or given to the said Board for the said High School, or being rents, profits, and annual income set apart under the preceding section, the said Board shall have power to invest the same in the purchase or upon first 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.

17 Board to have control of teachers, etc—And to make bylaws

The said Board shall have full power to appoint and dismiss all teachers, lecturers, examiners, and other officers and servants

for the management of the said High School; and, in all cases unprovided for by this Act, it shall be lawful for the said Board to act in such manner as shall appear to them best calculated to further the purposes intended to be served by the establishment of a High School. And the said Board shall have full power from time to time to make bylaws and regulations for defining the course of study and education on secular subjects in the said High 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 High School.

18 Certain lands vested in Taranaki Education Board

[Repealed]

Section 18 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

19 Other lands vested in Board of Governors

[Repealed]

Section 19 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

20 Schedule 1, High School site

[Repealed]

Section 20 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

21 Portion of street vested in Board

[Repealed]

Section 21 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

22 Lands in Schedule 2 transferred to Corporation

[Repealed]

Section 22 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

23 High School to be open to Inspector

The New Plymouth High School shall at all times be open to inspection by any Inspector appointed by the Minister of Education for that purpose.

Schedule 1

[Repealed]

Schedule 1 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

Schedule 2

[Repealed]

Schedule 2 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

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Notes**1 General**

This is an eprint of the New Plymouth High School Act 1889. The eprint incorporates all the amendments to the Act as at 1 July 2013. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

3 List of amendments incorporated in this eprint (most recent first)

Criminal Procedure Act 2011 (2011 No 81): section 413
