

**Reprint
as at 1 August 2020**

Education Amendment Act (No 2) 1974

Public Act 1974 No 136
Date of assent 8 November 1974

Education Amendment Act (No 2) 1974: repealed, on 1 August 2020, pursuant to section 669(3)(a) of the Education and Training Act 2020 (2020 No 38).

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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:

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.

This Act is administered by the Ministry of Education.

1 Short Title

- (1) This Act may be cited as the Education Amendment Act (No 2) 1974, and shall be read together with and deemed part of the Education Act 1964 (hereinafter referred to as the principal Act).
- (2) Sections 3, 6, and 7 of this Act shall come into force on such date as may be appointed for the purpose by the Governor-General by Order in Council.
- (3) Subject to subsection (2) of this section, this Act shall come into force on its passing.

Subsection (3) was amended, as from 22 August 1975, by section 4(1) Education Amendment Act 1975 (1975 No 26) by substituting the word “passing” for the word “commencement”.

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3 Constitution of Education Boards

- (1) *This subsection inserted section 15(2)(c) of the principal Act.*
- (2) *This subsection inserted section 15(2A) of the principal Act.*
- (3) *This subsection amended section 15(2) of the principal Act.*
- (4) Notwithstanding anything in subsections (1) to (3) of this section, the members of each Education Board holding office at the commencement of this Act shall, subject to sections 17 to 19 of the principal Act and to the provisions of any other Act, continue to hold office for the term of their appointment, and neither the offices of those members nor the powers of any Board shall be affected by the change in membership of the Board as provided by those subsections, nor by the fact of any vacancy in the appointment of any member pursuant to those subsections.

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6 [Repealed]

Sections 6 and 7 came into force as from 15 March 1976; see regulation 2 Education Amendment Act Commencement Order 1976 (SR 1976/34).

Section 6 was repealed, as from 18 May 1989, by section 24(6)(g) School Trustees Act 1989 (1989 No 3).

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Sections 6 and 7 came into force as from 15 March 1976; see regulation 2 Education Amendment Act Commencement Order 1976 (SR 1976/34).

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9 [Repealed]

Section 9 was repealed, as from 1 January 1991, by section 2(2)(c) Education Amendment Act (No 2) 1990 (1990 No 118).

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16 *[Repealed]*

Section 16 was repealed, as from 22 August 1975, by section 6(2) Education Amendment Act 1975 (1975 No 26).

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19 Correspondence schools and classes for continuing education

(1) *This subsection substituted section 96 of the principal Act.*

(2) Any correspondence school or classes established by the Minister for the provision of further education under the principal Act or any former Education Act and existing at the commencement of this section shall be deemed to have been established for the provision of continuing education under this section.

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22 *[Repealed]*

Section 22 was repealed, as from 23 July 1990, by section 50(5) Education Amendment Act 1990 (1990 No 60).

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39 Repeal of Rangiora High School Act 1881

- (1) The following enactments are hereby repealed—
 - (a) The Rangiora High School Act 1881:
 - (b) The Rangiora High School Amendment Act 1960:
 - (c) The Rangiora High School Amendment Act 1963.
- (2) Notwithstanding anything in subsection (1) of this section, the Rangiora High School Board of Governors constituted under the Rangiora High School Act 1881 shall, until the 31st day of March 1976, continue to be the Board of Governors of the Rangiora High School and to exercise control over the school in every way as if none of the enactments mentioned in subsection (1) of this section had been repealed.
- (3) Notwithstanding anything in section 50 of the principal Act, the Rangiora High School Board of Governors shall, commencing with the 1st day of April 1976, be constituted as provided for by subsection (11) of section 57 of the principal Act, and the members of the Board shall be appointed or elected and hold office accordingly.
- (4) Notwithstanding anything in subsection (3) of this section, the members of the Rangiora High School Board of Governors holding office on the 31st day of March 1976 shall, unless they cease to hold office pursuant to any other enactment, continue to hold office until the appointment or election of their successors is notified to the Board.

40 Repeal of Southland Boys' and Girls' High Schools Act 1877

- (1) The following enactments are hereby repealed:
 - (a) The Southland Boys' and Girls' High Schools Act 1877:
 - (b) The Southland Boys' and Girls' High Schools Amendment Act 1951:
 - (c) The Southland Boys' and Girls' High Schools Amendment Act 1971.

- (2) Notwithstanding anything in subsection (1) of this section, the Southland High Schools Board of Governors constituted under the Southland Boys' and Girls' High Schools Act 1877 (as amended by section 2 of the Southland Boys' and Girls' High Schools Amendment Act 1951 and section 2 of the Southland Boys' and Girls' High Schools Amendment Act 1971) shall, until the 31st day of May 1976 or such other date in that year in substitution therefor as may be prescribed by regulations made under the principal Act as the date until which members of Boards of Governors of secondary schools shall hold office (hereinafter referred to as the effective date), continue to be the Board of Governors of the Southland Boys' and Girls' High Schools and to exercise control over the schools in every way as if none of the enactments mentioned in subsection (1) of this section had been repealed.
- (3) Notwithstanding anything in section 50 of the principal Act, the Southland Boys' and Girls' High Schools Board of Governors shall, commencing with the day next following the effective date, be constituted in accordance with section 51 of the principal Act, and the members of the Board shall be appointed or elected and hold office in accordance with section 52 of the principal Act.
- (4) Notwithstanding anything in subsection (3) of this section, the members of the Southland Boys' and Girls' High Schools Board of Governors holding office on the effective date shall, unless they cease to hold office pursuant to any other enactment, continue to hold office until the appointment or election of their successors is notified to the Board.

41 Repeal of Greymouth High School Act 1883

The Greymouth High School Act 1883 is hereby repealed.

Schedule
**Amendments to principal Act consequential on introduction of
community colleges and continuing education**

Section 14(2)

Reprint notes

1 *General*

This is a reprint of the Education Amendment Act (No 2) 1974 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 669(3)(a)