

**Reprint  
as at 1 August 2020**

**Education Amendment Act 1985**

Public Act     1985 No 124  
Date of assent     20 August 1985

Education Amendment Act 1985: repealed, on 1 August 2020, pursuant to section 669(3)(a) of the Education and Training Act 2020 (2020 No 38).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:

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**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 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.

## Schedule

### Designated schools

Section 3(1)

*Whangarei*

Tikipunga High School  
Kamo Intermediate  
Raumanga Intermediate  
Whangarei Intermediate  
Glenbervie Primary  
Kamo East Primary  
Ngungaru Primary  
Otangarei Primary  
Tikipunga Primary

*Porirua*

Aotea College  
Waitangirua Intermediate  
Corinna Primary  
Discovery Primary  
Natone Park Primary  
Papakowhai Primary  
Paremata Primary  
Pauatahanui Primary  
Plimmerton Primary  
Postgate Primary  
Rangikura Primary  
Russell Primary  
Tairangi Primary

*Te Awamutu*

Te Awamutu College  
Te Awamutu Intermediate  
Kihikihi Primary  
Paterangi Primary  
Pekerau Primary  
St Patrick's Primary  
Te Awamutu Primary

*Christchurch*

Hillmorton High School  
Christchurch South Intermediate  
Manning Intermediate  
Halswell Primary  
Hoon Hay Primary  
Lady of Assumption  
Oaklands Primary  
Rowley Avenue Primary  
Spreydon Primary

## **Reprint notes**

### ***1 General***

This is a reprint of the Education Amendment Act 1985 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)