

**Reprint
as at 3 November 1989**



**Education (School Attendance)
Regulations 1951
(SR 1951/181)**

B C Freyberg, Governor-General

Order in Council

At the Government House at Wellington this 8th day of August 1951

Present:
His Excellency the Governor-General in Council

Pursuant to the Education Act 1914, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

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Note

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

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

These regulations are administered by the Ministry of Education.

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Regulations

1

These regulations may be cited as the Education (School Attendance) Regulations 1951.

2

In these regulations, unless the context otherwise requires,—
head teacher means the teacher in charge of a school, whether the school has 1 or more teachers

school means a State primary school, an intermediate school, an intermediate department, a Maori school, a secondary school, or a private school registered under the Education Act 1989.

Regulation 2 **school**: amended, on 1 October 1989, pursuant to section 142(3) of the Education Act 1989 (1989 No 80).

Regulation 2 **school**: amended, on 15 October 1965, pursuant to section 2(2)(b) of the Education Act 1964 (1964 No 135).

Regulation 2 **school**: amended, on 15 October 1965, pursuant to section 2(2)(c) of the Education Act 1964 (1964 No 135).

3

The head teacher of every school shall be responsible for the accurate keeping of an admission register and a register of daily attendance for all the pupils attending his school. The registers referred to in this regulation shall be supplied by the

2

chief executive of the Ministry of Education and shall be in a form approved by the chief executive of the Ministry of Education.

Regulation 3: amended, on 3 November 1989, by regulation 3(1) of the Education (School Attendance) Regulations 1951, Amendment No 2 (SR 1989/328).

4

Assistant teachers on the staff of a school shall assist in keeping the said registers and in making up summaries of attendances for each week and each term.

5

The registers referred to in regulation 4 shall be retained in the school until their destruction is authorized by the Minister.

6

Instruction shall be given at every school on the morning and afternoon of every day on which the school is not closed for holidays and on which at least 1 pupil attends the school for the purpose of receiving instruction before the first half hour of the ordinary school opening time for the morning or afternoon, as the case may be, has passed.

7

Morning school shall not be extended beyond the ordinary closing time fixed in the school timetable, nor shall the interval between morning and afternoon school be curtailed. The afternoon school period as indicated in the school timetable shall not be omitted or curtailed on account of weather conditions, except in the case of individual pupils, to ensure their safe return home:

provided that, when in the opinion of the head teacher the weather conditions are such as to make it clearly desirable in the interests of the pupils to depart from the usual school hours, the interval between morning and afternoon school may be curtailed by up to half an hour and the school closed for the day correspondingly earlier:

provided also that the curtailing of the lunch hour and early closing of the school shall not be given effect in any school

without the prior approval of the Board of Trustees constituted under the School Trustees Act 1989 or any Act passed in substitution for that Act of the adoption of the practice in general in its school.

Regulation 7 first proviso: inserted, on 28 April 1954, by regulation 2 of the Education (School Attendance) Regulations 1951, Amendment No 1 (SR 1954/63).

Regulation 7 second proviso: inserted, on 28 April 1954, by regulation 2 of the Education (School Attendance) Regulations 1951, Amendment No 1 (SR 1954/63).

Regulation 7 second proviso: amended, on 3 November 1989, by regulation 2(1) of the Education (School Attendance) Regulations 1951, Amendment No 2 (SR 1989/328).

8

The attendance of pupils in every school shall be recorded every morning and every afternoon in the register of daily attendance, which shall be marked not later than 2 hours before the time of the close of morning school nor later than one hour and a half before the time of the close of afternoon school.

9

Attendance by a pupil (including necessary travelling time) at a recognized class for manual instruction or at any Government clinic or at a court of justice shall be reckoned as time spent in attendance at school.

10

If a pupil produces written authority from a dental officer or dental practitioner for absence, and attends school whenever practicable during the remaining portion of the morning or afternoon, the time spent by the pupil, not exceeding 1 day at a time, in receiving dental treatment shall be reckoned as attendance at school. Every such authority for absence as aforesaid shall show the day and hour at which the examination or treatment is made and also the time when it is completed. Attendance so recorded shall be marked in the register of daily attendance thus: d/, or /d, or d, or in a similar distinct manner.

11

On the day on which the head teacher first knows that a pupil has left his school, he shall record that the pupil has left the school and the last day of the pupil's attendance in the admission register and in the register of daily attendance. He shall record also that a pupil has left the school when the pupil has been absent for any period of 20 consecutive school days, unless he has been informed that the pupil's absence is only temporary.

12

If a pupil is transferred temporarily to a Health Camp School under the control of a Board of Trustees constituted under the School Trustees Act 1989 or any Act passed in substitution for that Act his name shall be retained on the register of daily attendance, but his attendance shall not be recorded until he actually resumes attendance at school.

Regulation 12: amended, on 3 November 1989, by regulation 2(2) of the Education (School Attendance) Regulations 1951, Amendment No 2 (SR 1989/328).

13

The head teacher of every public school shall, within 3 days after the end of each term, send to the chief executive of the Ministry of Education on a form provided by that chief executive, a return of attendance for each term.

Regulation 13: amended, on 3 November 1989, by regulation 3(2) of the Education (School Attendance) Regulations 1951, Amendment No 2 (SR 1989/328).

14

The regulations specified in the Schedule are hereby revoked.

**Schedule
Regulations revoked**

Date of order	Published in <i>Gazette</i>		
	Year	Page	Extent of revocation
10 December 1928	1928	3480	Schedule 1
14 October 1929	1929	2654	Schedule 1
16 May 1934	1934	1448	clause 2
11 February 1935	1935	287	clause 7

T J Sherrard,
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 9 August 1951.

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Notes

1 *General*

This is a reprint of the Education (School Attendance) Regulations 1951. The reprint incorporates all the amendments to the regulations as at 3 November 1989, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Education (School Attendance) Regulations 1951, Amendment No 2 (SR 1989/328)

Education Act 1989 (1989 No 80): section 142(3)

Education Act 1964 (1964 No 135): section 2(2)(b), (c)

Education (School Attendance) Regulations 1951, Amendment No 1 (SR 1954/63)