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1966, No.17

An Act to make better provision for the education of the people of the Cook Islands

(2 February 1967)

BE IT ENACTED by the Legislative Assembly of the Cook Islands in Session assembled, and by the authority of the same, as follows:

1. Short Title, Commencement and Division into Parts - (1) This Act may be cited as the Education Act 1966.

(2) This Act shall come into force on the first day of January 1967.

(3) This Act is divided into parts as follows:

Part I	- Administration
Part II	- Government Schools
Part III	- Private Schools
Part IV	- Teachers Colleges
Part V	- Registration of Teachers
Part VI	- Attendance at Schools
Part VII	- School Associations
Part VIII	- Miscellaneous.

2. Interpretation - In this Act, unless the context otherwise requires, -

"Cabinet" means the Cabinet of the Cook Islands duly appointed under Article 13 of the Constitution;

"Constitution" means the Constitution of the Cook Islands as contained in the Second Schedule to the Cook Islands Constitution Amendment Act 1965;

"Department" means the Department of Education under this Act:

"Director" means the Director of Education under this Act:

"Government School" means any college, junior high school, primary school or other school established or approved under Part II of this Act and subject to the control and management of the Minister:

"Guardian" means and includes in respect of any child

- (a) the father of the child;
- (b) the mother of the child;
- (c) the adoptive father of the child;
- (d) the adoptive mother of the child;
- (e) Any person with whom the child lives or who has in fact, the care, custody, guardianship or control of that child:

"High Commissioner" means the High Commissioner of the Cook Islands duly appointed under Article 3 of the Constitution:

"Minister" means the Minister of Education duly appointed under Article 13 of the Constitution:

"Private School" means any private school where there are more than eight children over the age of 5 years receiving educational instruction:

"Public Service" means the Public Service as defined in Article 72 of the Constitution:

"Teacher" means a schoolmaster or schoolmistress, or an assistant schoolmaster or assistant schoolmistress engaged in teaching in any Government or private school or in a teachers college, or engaged as a teacher of a special subject or in any specialist training service.

#### PART I - ADMINISTRATION

3. Department of Education - There is hereby constituted a Department of Education.

4. Minister of Education - There shall be a Minister of Education appointed by the High Commissioner under the provisions of Article 13 of the Constitution who shall have the control and direction of the Department, and, subject to the provisions hereinafter contained, shall generally administer this Act.

5. Officers of Department - (1) There shall be the following officers of the Department who shall be appointed under the provisions of the Public Service Act 1965:

- (a) A Director of Education who shall be the administrative head of the Department of Education:
- (b) A Deputy Director of Education who shall, in the case of absence from duty of the Director (from whatever cause arising) or on the occurrence from any cause of a vacancy in the position of Director (whether by reason of death, resignation, or otherwise) and so long as such absence or vacancy continues, have and exercise the powers and duties of the Director:
- (c) Such Inspectors of Schools, Head Teachers, First Assistant, Senior, or other teachers, clerks, and other employees as may be deemed necessary for the purposes of this Act.

(2) The fact that the Deputy Director of Education exercises any power or duty of the Director shall be sufficient evidence of his authority to do so.

6. Expenses of administration to be appropriated by Legislative Assembly - There shall be paid out of the moneys from time to time appropriated by the Legislative Assembly the moneys required for the administration of the Department including the establishment, maintenance, and operation of Government Schools and the payment of the salaries and wages of the employees of the Department.

7. Education to be free - Education as provided at the schools established or approved by the Minister under Part II of this Act shall be free to any person enrolled at and attending such schools.

## PART II - GOVERNMENT SCHOOLS

8. Establishment and Control of schools - (1) The Minister may establish, or approve the establishment of such schools as he deems necessary for the education of the inhabitants of the Cook Islands.

(2) No school shall be established after the date of coming into force of this Act except by the Minister or with his approval.

(3) The Director shall from time to time advise the Minister regarding schools, teachers, and curricula necessary to ensure progressive education throughout the Cook Islands.

(4) Having due regard to the provision of education in any locality, the Minister may, with the concurrence of Cabinet, disestablish any Government school if, in his opinion, the number of pupils therein is such as to warrant disestablishment, or if he considers that the

pupils attending the school could conveniently attend any other Government school at which comparable means of education are provided, and that it is expedient that the first-mentioned school should be disestablished.

(5) Where the Minister has directed that a Government school should be disestablished, the land, buildings, and equipment of that school shall, subject to such terms or agreement under which the Crown holds the land, and without conveyance or transfer, vest in the Crown or such public authority as the High Commissioner may, by Order in Executive Council, determine, and shall be utilised for such educational or other public purposes as the High Commissioner by the same or a subsequent Order in Executive Council may direct.

**9. Head Teachers** - (1) Each Government school shall have a Head Teacher who shall be responsible to the Director for the efficient operation and administration of the school, and the supervision and custody of school grounds, buildings and equipment.

(2) The Head Teacher shall ensure that all reasonable care, safety, control and discipline is taken in the case of each child attending the school during the time that such child is present at the school.

(3) Each Government School shall have a First Assistant Teacher or a Senior Assistant Teacher who shall, in the case of any absence from duty of the Head Teacher (from whatever cause arising) or on the occurrence of a vacancy in the position of Head Teacher (whether by reason of death, resignation or otherwise) and so long as such absence or vacancy continues, have and exercise the powers and duties of the Head Teacher.

(4) The fact that a First Assistant Teacher or Senior Assistant Teacher exercises any power or duty of a Head Teacher shall be sufficient evidence of his authority to do so.

**10. School Zones** - (1) The Minister may from time to time by notice in the Cook Islands Gazette declare any area to be a school zone. Such areas shall be defined by reference to the school situate within that area.

(2) Children required by the provisions of this Act to attend a school and who are living within any area declared as a school zone under subsection (1) of this section shall attend the school within that zone, and shall not be enrolled in any other school provided that this provision shall not apply to any child attending a private school duly registered under the provisions of this Act.

(3) The Minister in his discretion may exempt any child from the provisions of subsection (2) of this section.

**11. Classification of pupils** - The Director may adopt or amend any systems of classification with appropriate nomenclature for distinguishing different classes, standards or forms within schools according to the stage and nature of education provided therein.

**12. Hours and Terms of Instruction** - (1) All Government schools shall remain open during the daily hours as prescribed by the Director.

(2) The daily hours of instruction shall not exceed 5½ hours for any child who has not completed his fourteenth year, and shall not exceed 4 hours for any child who has not completed his seventh year.

(3) Except by direction of the Minister or Director no Government school shall be open on weekends or statutory holidays.

(4) All Government schools shall be open for not less than 200 school days during any school year.

(5) No Government school shall remain continuously open for a term exceeding 15 weeks.

(6) The Director may from time to time at his discretion declare that any Government school be not opened for any period of time and no such school shall remain open during that time.

**13. Instruction Curricula** - (1) Instruction subjects in Government schools shall be secular and in such combination and of such content and to such standards as may from time to time be approved by the Director provided that the curriculum for primary schools (other than the Nikao Side School) shall include study in the Cook Islands Maori language and culture.

(2) Subject to the approval of the Minister, provision for religious instruction for a period not exceeding 30 minutes in any week, additional to the provisions of subsection (1) of this section, may be made in any school provided that -

(a) No teacher shall be compelled to give or be present at, such instruction against the dictates of his conscience; and

(b) If the guardian of any child requests that the child be wholly or partly excused from attendance at any religious instruction, the child shall be excused accordingly.

**14. Visitors Access to Government schools** - Any person desirous of visiting any Government school and whose purpose in so doing may interfere with, or otherwise affect the normal functions of the school or the welfare of the children or teachers attending such school, shall first

obtain the approval of the Director or Head Teacher before so visiting the school provided that this provision shall not apply to any officer of the Department authorised to visit such schools.

### PART III - PRIVATE SCHOOLS

15. Registration of Private Schools - (1) Any private school may be registered by the Minister at his discretion if he is satisfied that such school -

- (a) is staffed by teachers whose names are included in the Teachers Register as provided in section 26 of this Act;
- (b) is quartered in premises which conform to minimum physical standards as required from time to time by the Director and Chief Medical Officer of the Cook Islands;
- (c) is and will continue to be conducive to the physical, mental, and moral welfare of the pupils attending such school, and that no instruction is or is likely to be given therein to any pupil which is prejudicial to the peace, order and good government of the Cook Islands.

(2) Notice of any registration of a private school under this section shall be given in the Cook Islands Gazette.

16. Operating non-registered private schools - (1) No person or group of persons shall establish, manage or operate any private school or assist in the establishment, management or operation of any private school unless such private school is registered under the provisions of this Act.

(2) Any person acting in contravention of subsection (1) of this section commits an offence and on conviction shall be liable to a fine not exceeding one hundred pounds or imprisonment for a term not exceeding six months.

(3) Any person managing or operating any private school established before the commencement of this Act shall apply for registration of that private school under the provisions of this Act forthwith but until such time as the Minister determines such application the continued operation or management of that school shall be deemed not to be an offence under subsection (2) of this section.

17. Application for registration of private school - (1) Any application for registration of a private school shall be made in the manner prescribed by the Minister and shall set forth all relevant information as required by the Minister.

(2) Any such application shall be accompanied by the recommendations of the Director.

18. Establishment of private school - For the purposes of this Act the establishment of a private school shall be deemed to include:

- (a) the provision of any additional class, grade or form not provided for in the registration of the private school;
- (b) the provision of any nature or form of education different from that provided for in the registration of the school;
- (c) the reopening of a private school which has remained closed for at least six months consecutively, other than by compulsory closure authorised by the Minister or other emergency;
- (d) the transfer of the ownership or management of a private school; and
- (e) the transfer of a private school to a new site.

19. Cancellation of registration - (1) The Minister may at his discretion cancel the registration of any private school at any time if as a result of inspection or inspections in accordance with the provisions of this Act or by any other means he is satisfied that the school no longer meets the requirements for registration as contained in section 15 of this Act.

(2) The Minister shall give 14 days notice in writing to the management of any private school to be de-registered under this section before such de-registration takes effect for the purposes of section 16 of this Act.

(3) The Minister shall give notice of the cancellation of the registration of any private school under this section in the Cook Islands Gazette.

20. Private schools shall have no claim on Government funds - No Private School shall have any claim to financial assistance from Government funds either for its establishment or subsequent maintenance and operation:

Provided that this provision shall not affect the right of the Legislative Assembly to appropriate moneys for the benefit of such schools.

21. Hours and Conditions for private schools - Private Schools shall observe hours and terms similar to, and not less than the minimum of, those set for Government schools and the management shall keep such registers and records and make such returns as may be required by the Director from time to time.



22. Private schools to be inspected - (1) Private schools shall be subject to inspection from time to time, with or without notice, by the Director or any officer authorised by him and the Director shall report annually on the efficiency of such schools to the Minister.

(2) For the purposes of this section, a private school shall be deemed to include any buildings and grounds used in direct connection with the operation of the school as registered or as proposed to be registered, but shall not include staff quarters.

(3) The Director, or any officer authorised by him, may inspect and take copies of, or extracts from any records kept in relation to the management and operation of the school.

#### PART IV - TEACHERS COLLEGES

23. Establishment of Teachers Colleges - (1) For the purpose of ensuring the better education and training of teachers, the Minister may establish Teachers Colleges and classes at such places as he may from time to time determine and, having due regard to the maintenance of the standard of that education and training, may, with the concurrence of Cabinet, disestablish any such Teachers College or class, whether established before or after the commencement of this Act.

(2) Where the Minister has directed that a Teachers College shall be disestablished the land, buildings, and equipment of that College shall, subject to such terms or agreement under which the Crown holds the land, and without conveyance or transfer, vest in the Crown or any such other public authority as the High Commissioner may, by Order in Executive Council, determine and shall be utilised for such educational or other public purposes as the High Commissioner by the same or a subsequent Order in Executive Council may direct.

24. Regulations - The High Commissioner may from time to time, by Order in Executive Council, make regulations for all or any of the following purposes:-

- (a) Providing for the control, organisation, management, and conduct of Teachers Colleges and classes:
- (b) Prescribing the courses and curricula for students of the various divisions in Teachers Colleges:
- (c) Providing for the certification of teachers completing courses of training.

#### PART V - REGISTRATION OF TEACHERS

25. Teachers to be registered - Without derogating from any other requirement of this Act or of any regulation thereunder, it is hereby declared that no person shall be

eligible to be appointed to be, or to continue to be, a teacher, unless his name is registered in the Register of Teachers hereinafter required to be kept.

26. Teachers Register - (1) The Director shall keep, in such manner as may be prescribed, a Register of Teachers, which shall be known as the Teachers Register.

(2) In addition to the names of every person who is employed as a teacher in the Cook Islands at the commencement of this Act, the names of the following persons shall be entered by the Director in the Teachers Register:

- (a) Every person to whom is issued on or after the commencement of this Act a teaching certificate recognized in accordance with regulations made under this Act and who applies to be registered:
- (b) Every person whose name appears in the Teachers Register of New Zealand authorised under the provisions of the Education Act 1964 of the New Zealand Parliament and who applies to be registered:
- (c) Every person who applies in the prescribed manner to be registered and who satisfies the Director that he has sufficient qualification and is in other respects a fit and suitable person to be appointed as a teacher:

Provided that a person who has been refused registration for any reason other than that of lack of the prescribed educational qualifications may, within two calendar months of the date of the refusal, appeal in the manner prescribed in the case of cancellation of registration in section 29 of this Act, the provisions of which shall apply so far as they are applicable and with the necessary modifications.

27. Publication of Register - A copy of the Teachers Register, corrected to a date specified in that copy shall be published in the Cook Islands Gazette before the 31st day of March 1967 and thereafter shall be published in the Cook Islands Gazette in each second year before the 31st day of March:

Provided that the Director may from time to time publish in the Cook Islands Gazette a supplementary list of names added to the Teachers Register subsequently to the date of the last publication of any names.

28. Removal of certain names from Register - The Director shall from time to time remove from the Teachers Register the names of all persons recorded therein who are deceased, or who have notified their resignation or retirement from the teaching profession, or who have not within the preceding

three years held any appointment as a teacher and have not applied for the retention of their names on the Register.

**29. Cancellation of registration for misconduct, etc.** - (1) In the case of a person whose name appears on the Teachers Register and who has been dismissed or transferred from his duties as a teacher under the provisions of the Public Service Act 1965 as a result of misconduct or conviction for any offence in any Court, the Director shall cancel the registration of that person and remove his name from the Register.

(2) No action shall lie in any Court in respect of any cancellation of registration under subsection (1) of this section:

Provided that nothing in this subsection shall affect the right to appeal against dismissal or transfer conferred by subsection (2) of section 39 of the Public Service Act 1965.

(3) In the case of a person not being an employee of the Public Service whose name appears in the Teachers Register and who in the opinion of the Director has been guilty of immorality or gross misbehaviour, or gross inefficiency or other conduct unfitting him for employment as a teacher, the Director may, with the approval of the Minister, and subject to the existing provisions of this section cancel the registration of that person and remove his name from the Teachers Register.

(4) Before the cancellation of the registration of any person under subsection (3) of this section takes effect, the Director shall give not less than two calendar months' notice of the cancellation to the person affected, setting out in the notice with sufficient particularity the grounds of the cancellation.

(5) Any person receiving notice of the cancellation of his registration as aforesaid may at any time before the date on which the cancellation takes effect, appeal in the prescribed manner against the cancellation.

(6) The appeal shall be heard and determined by a Judge of the High Court nominated for the purpose by the Minister of Justice.

(7) On any such appeal the appellant and the Director, as respondent, may appear personally, or may be represented by some other person or by counsel.

(8) The Judge shall make such order as he thinks proper having regard to the merits of the case and the public welfare.

(9) If an appeal is not made, or is dismissed by the Judge, the cancellation of the registration shall take effect as from the date specified by the Director in his notice of cancellation.

30. Notification of removal of name from Register - Where the name of any person has been removed from the Teachers Register under section 29 of this Act, a notice of the removal shall be published in the Cook Islands Gazette, and such other notification shall be made to the employers of the teacher as the Director deems necessary.

#### PART VI - ATTENDANCE AT SCHOOLS

31. Compulsory Attendance - (1) Subject to the provisions of section 33 and section 34 of this Act, every child from the time of his sixth to fifteenth birthdays shall be enrolled at, and shall attend, a school.

(2) The guardian of any child who is required by subsection (1) of this section to be enrolled at a school commits an offence if without just cause or excuse he fails to procure the enrolment of such child at a school.

(3) The guardian of any child who is required by subsection (1) of this section to attend a school commits an offence if without just cause or excuse he fails to procure the regular attendance of such child at a school at all times when such school is open.

(4) The guardian of any child who has reached the age at which education ceases to be compulsory but who remains on the roll of any school commits an offence if without just cause or excuse he fails to procure the regular attendance of such child at such school at all times when such school is open.

(5) In any proceedings before a Court under this section it shall lie on the guardian to prove any claim by the guardian that a child is not of the age in respect of which attendance at school is compulsory.

(6) Any person guilty of an offence under this section shall be liable on conviction to a fine not exceeding five pounds and on conviction for any second or subsequent offence of a similar nature to a fine not exceeding ten pounds.

32. Duty of Head Teacher to enrol child and to report non-attendance - (1) It shall be the duty of the Head Teacher of a school to enrol and record the attendance of each pupil in the manner from time to time prescribed by the Director.

(2) It shall be the duty of every Head Teacher at every school to report to the Director or to an officer approved by the Director, any case of a pupil who without just cause or excuse regularly fails to attend the school.

33. Exemption from attendance - The Director may, at any time, in his discretion exempt any guardian from the provisions of section 31 of this Act in respect of any child of that guardian who -

- (a) is prevented from attendance at a school by reason of ill-health, danger of infection, severe stress of weather, sudden and serious illness of a guardian or other sufficient cause whether of a temporary or permanent nature which the Director may deem a sufficient excuse for non-attendance at a school; or
- (b) is, in the opinion of the Director, receiving efficient and equivalent education in some other way; or
- (c) is, in the opinion of the Director, no longer benefitting from attendance at a school.

**34. Suspension and Expulsion** - (1) The Director may at his discretion suspend any child of or over the age of twelve years from attendance at any school for a period not exceeding two weeks at any one time if, in the opinion of the Director, such child is guilty of misbehaviour to the prejudice of the good conduct and discipline of any school.

(2) The Director may at his discretion expel any child of or over the age of twelve years and remove such child's name from the school register if in the opinion of the Director such child is guilty of gross misbehaviour to the prejudice of the good conduct and discipline of any school.

(3) Written notice of any suspension or expulsion under this section shall be given by the Director to the Head Teacher of the school at which such child had been enrolled and attending, and to the guardians of such child.

(4) Any child suspended or expelled under this section shall not attend any school -

- (a) in the case of a suspension for the period of such suspension;
- (b) in the case of an expulsion until the written consent of the Director for the child to so attend is obtained.

**35. Attendance at entertainments** - (1) No child enrolled at and attending any school shall attend any commercial entertainment either as a participant or as a spectator on any day between the hours of 8.00 p.m. of that day and 6.00 a.m. of the following day unless that following day by reason of public holiday or otherwise is a day on which such child is not required to attend any school:

Provided however that any such child may attend such entertainment if the guardian has the prior approval for the child to do so from the Head Teacher of the school he is attending.

(2) The guardian of any child who permits or allows such child to attend any commercial entertainment or any person who admits such child to any commercial entertainment in contravention of subsection (1) of this section commits an offence and is liable on conviction to a fine not exceeding ten shillings and on any second or subsequent offence to a fine not exceeding one pound.

(3) For the purposes of this section "commercial entertainment" shall mean public gathering of a cinematic, social or sporting nature at which a charge is made for admission.

36. Employment of children of school age - No person shall, after the commencement of this Act, employ or continue to employ any child of school age required by Section 31 of this Act to attend a school at any time within school hours or at any other time if the employment of the child would prevent or interfere with his attendance at school unless that child is exempted (otherwise than on the ground that he is under suitable instruction elsewhere than at school) from the obligation to be enrolled to be a pupil at any school:

Provided that the Head Teacher may approve occasional absences for the purpose of children helping their families in seasonal agricultural work.

37. Guardians not to permit employment of children of school age - The guardian of any child of school age required by Section 31 of this Act to attend a school who permits that child to be employed contrary to the provisions of section 36 of this Act, and any person who so employs any such child commits an offence and is liable on conviction to a fine not exceeding £20.

#### PART VII - SCHOOL ASSOCIATIONS

38. School Associations - There may be a School Association for each Government school in the Cook Islands, which may be of the nature of a parent/teacher association or a home and school association.

39. Functions and powers of School Associations - The functions and powers of each School Association shall be as follows:

- (a) To represent the community in school affairs of a general interest;
- (b) To co-operate with the Department, Head Teacher and staff in promoting the welfare and improvement of the school;
- (c) To assist in the effective maintenance of school grounds, buildings, equipment and amenities;
- (d) To raise and maintain funds to be used by the School Association for any of the purposes contained in paragraphs (a), (b) and (c) of this section.

40. School Association not to Influence Head Teacher or teachers - The School Association shall not influence the Head Teacher or teachers of a school in the carrying out of policy instructions and school duties and programmes of the Department, or interfere with the approved operation or management of the school.

41. Membership of School Association - (1) The guardians of any child enrolled at any Government school may be members of the School Association in respect of that school while that child remains so enrolled.

(2) Any other interested member of the public may be an associate member of a School Association, and shall have a right to speak but not to vote at general meetings.

(3) A membership fee may be levied by the Association in any year subject to the approval of two-thirds of the members present and voting at the annual general meeting of that Association.

42. General Meetings of School Associations - (1) The annual general meeting of the School Association for which seven days' public notice shall be given by any officer of the School Committee, shall be held on or before the 31st day of March each year:

Provided that seven days' public notice of the first general meeting of each School Association, which shall be deemed to be an annual general meeting for the purposes of sections 41, 45 and 46 and subsection (2) of section 50 of this Act, shall be given by the Head Teacher of the school who shall act as chairman until such time as a chairman is elected under section 50 of this Act.

(2) Ordinary general meetings shall be held at least once every school term.

(3) All general meetings shall be open to the public who shall have a right to speak but not to vote.

43. School Committees - Each School Association shall have a School Committee which shall have the responsibility of carrying out the functions and powers of the Association on behalf of its members.

44. Constitution of School Committee - School Committees shall consist of the following members:

(a) ex officio members:

The Head Teacher of the school;  
A representative of the teachers of the school elected by such teachers;  
A representative of the Island Council in the islands other than Rarotonga where the school is situate, and for Tereora College and Nikao Side School in Rarotonga: in all other cases in Rarotonga a representative of the District Council in the district where the school is situate. Such representatives shall be elected by the respective Councils.

(b) Ordinary members who shall be elected under the provisions of section 46 of this Act; and whose number shall be determined as follows:

Four members where the school roll is less than 100;  
Six members where the school roll is between 100 and 199 (both inclusive);  
Eight members where the school roll is between 200 and 299 (both inclusive);  
Ten members where the school roll is 300 or more.

Such members shall be guardians of children enrolled at the school for the year in which the election is held.

(c) Outer Island Members:

In the case of Atiu Junior High School, two members representing the guardians of pupils from Mauke and Mitiaro, to be appointed by the Atiu Island Council;  
In the case of Aitutaki Junior High School, four members representing the guardians of pupils from Manihiki, Rakahanga, Penrhyn and Pukapuka, to be appointed by the Aitutaki Island Council.

In the case of Tereora College, four members representing the guardians of pupils from

- (i) Aitutaki;
- (ii) Mangaia;
- (iii) Atiu, Nauke, and Mitiaro;
- (iv) Manihiki, Rakahanga, Penrhyn, Pukapuka, and Palmerston;

to be appointed by the Rarotonga Island Council.



45. Term of office - The term of office for all members of the School Committee shall be from the annual general meeting of the School Association at which they are elected to the completion of the next following annual general meeting. Any member of the School Committee who is still qualified shall be eligible for re-election.

46. Elections of School Committees - (1) The Ordinary members of the School Committee shall be elected at the annual general meeting of the School Association.

(2) The elections shall be by secret ballot and the Head Teacher or the representative of the teachers of the school shall act as returning officer.

47. Casual Vacancies - The School Committee may co-opt any member of the School Association to fill any casual vacancy among the ordinary members of the Committee.

48. School Committee meetings - (1) School Committee meetings shall be held at least once every two months.

(2) The quorum at such meetings shall be two-thirds of the School Committee members.

49. Disqualification of members of School Committees - The office of any member of the School Committee shall be vacated -

- (a) If, being an ordinary member, he ceases to be eligible for membership of the School Association as provided in subsection (1) of section 41 of this Act;
- (b) If he dies or resigns by giving notice of resignation to the Chairman;
- (c) If he fails to attend three consecutive meetings of the Committee without leave of absence being granted by the Committee before or after the event;
- (d) If the member is sentenced to a term of imprisonment exceeding seven days.

50. Officers of School Committees - (1) There shall be the following officers of each School Committee:-

- (a) A Chairman, who shall preside over general meetings of the School Association and meetings of the Committee;
- (b) A Secretary, who shall keep minutes of meetings, conduct correspondence and keep all general records of the Association and the Committee;
- (c) A Treasurer, who shall receive all moneys due to the Association and make such payments as are authorised by the Committee; keep full and regular accounts, and report on the finances

of the Association at each meeting of the Committee and furnish at the annual general meeting of the Association an annual financial report and balance sheet for the year ending 31 December.

(2) Such officers may be elected either by the School Committee from its own members, or at the annual general meeting of the School Association in accordance with the provisions of subsection (2) of section 46 of this Act;

Provided that in the case of election of officers at the annual general meeting of the Association; such election of officers shall not alter the composition of the School Committee as provided in Section 44 of this Act.

#### PART VIII - MISCELLANEOUS

51. Certificates as to Education - Certificates attesting the courses of education completed, or the standards of education attained, may be issued by or under the authority of the Director to pupils of any school, or to any other persons who have, in the opinion of the Director, attained a standard of education warranting the issue of the certificates.

52. Medical treatment - (1) Every child in attendance at any school shall be entitled to medical and dental inspection and treatment without cost by the Department of Health or by officers authorised by that Department.

(2) The prior approval of the guardians of any child shall be obtained before any treatment of a major nature is carried out under subsection (1) of this section.

53. Disturbing schools - Every person commits an offence who wilfully disturbs any school in session or who insults or abuses or upbraids any teacher in the course of his duties and in the presence of any pupils assembled in the school or the school grounds or, for the purpose of any authorised school activity, at any other place, and shall be liable on conviction to a fine not exceeding twenty pounds.

54. Tethering animals in school grounds - Every person commits an offence who without the permission of the Head Teacher of any school tethers any animals, or allows any animals to graze in the grounds of such school and shall be liable on conviction to a fine not exceeding two pounds.

55. Rules and Instructions to schools - (1) Subject to the provisions of this Act, the Director may make such rules and issue such instructions to schools as he may deem necessary or convenient for carrying out or giving effect to the provisions of this Act.

(2) Any instruction, notice, approval, certificate, or document made, given or issued under the provisions of this Act shall be deemed, until the contrary is proved, to have been made, given or issued by the Director.

56. Annual Report - (1) The Director shall, before the thirtieth day of June in each and every year, present to the Minister a report upon the progress and condition of public education in the Cook Islands during the year ending with the 31st day of March immediately preceding.

(2) A copy of the report shall be laid before the Legislative Assembly within 28 days after the date on which it is presented to the Minister, if the Legislative Assembly is then in session, and, if not, then within 28 days after the date of the commencement of the next ensuing session.

57. Regulations - (1) The High Commissioner may from time to time by Order in Executive Council make such Regulations as may in his opinion be necessary for giving full effect to the provisions of this Act and for the due administration thereof.

(2) Regulations made under this section may prescribe for offences against the Regulations punishable by a term of imprisonment not exceeding three months or a fine not exceeding fifty pounds or both.

(3) All Regulations made under this section shall be laid before the Legislative Assembly within 28 days after the date of the making thereof if the Legislative Assembly is then in session and, if not, shall be laid before the Legislative Assembly within 28 days after the date of commencement of the next ensuing session.

58. Repeals and Savings - (1) Section 31 of the Cook Islands Amendment Act 1957 is hereby repealed.

(2) The Cook Islands Regulations as to Education 1916 together with the Amending Regulations 1922 and 1948 are hereby revoked.

(3) The Regulations relating to Schools in the Cook Islands made 22nd day of October 1934 are hereby revoked.

(4) Without limiting the provisions of the Acts Interpretation Act 1924 as amended and applied to the Cook Islands it is hereby declared that the repeal or revocation of any provision by this Act shall not affect any document made or any thing whatsoever done under any provision so repealed or revoked or under any corresponding former provision and every such document, or thing so far as it is subsisting or in force at the time of the repeal or revocation and could have been made or done under this Act shall continue and have effect as if it had been made or done under the corresponding provision of this Act and as if that provision had been in force when the document was made or the thing was done.