

**A**T the Court at *Windsor*, the 27th day of *November*, 1872.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

**W**HEREAS the School Board of Berkhamstead, Saint Peter, appointed under "The Elementary Education Act, 1870," have, in virtue of the powers conferred upon them by the seventy-fourth section of that Act, with the approval of the Education Department, made certain Bye-laws, bearing date the twenty-second of June, one thousand eight hundred and seventy-two, numbered 147.

And whereas all the conditions in regard to the said Bye-laws, which are required to be fulfilled by the said Act, have been fulfilled, and the said Bye-laws have been submitted for the sanction of Her Majesty in Council: now, therefore, Her Majesty, having taken the said Bye-laws (copy whereof is hereunto annexed) into consideration, is pleased, by and with the advice of Her Privy Council, to declare, and doth hereby declare, Her sanction of the same.

*Arthur Helps.*

*Bye-laws referred to in the foregoing Order.*

No. CXLVII.

# THE ELEMENTARY EDUCATION ACT, 1870.

*Parish of Berkhamstead.*

## BYE-LAWS OF THE BERKHAMPSTEAD SCHOOL BOARD.

At a meeting of the School Board of the parish of Berkhamstead Saint Peter, held at the Town Hall, in the said parish, on Saturday, this 22nd day of June, 1872, at which meeting a quorum of the members of such Board are present, the said Board do hereby, in pursuance of the powers of the Act, and subject to the approval of the Education Department, make and ordain the following Bye-laws:—

1. The term "Education Department" means "The Lords of the Committee of the Privy Council on Education."

The term "Her Majesty's Inspectors" means "The Inspectors of Schools appointed by Her Majesty on the recommendation of the Education Department."

The term "Parish" means "The Parish of Berkhamstead Saint Peter"—and includes any future enlargement or extension of such School District.

The term "School Board," or "Board," means the School Board of the parish of Berkhamstead Saint Peter."

The term "School," or "Public Elementary School," means a "Public Elementary School" as defined by the Elementary Education Act of 1870.

The term "School Managers," includes all persons who have the management of any Public Elementary School.

The term "Officer," means an officer appointed by the Board, pursuant to the 36th section of the said Act.

The term "Parent," includes guardian and every person who is liable to maintain, or has the actual custody of any child, but does not include the mother of a child when the father is living and is residing within the district, and is under no legal disability.

Every term importing Males includes Females.

2. Subject to the provisions of the Elementary

Education Act, 1870, and of these Bye-laws, the parent of every child not less than five years of age, nor more than thirteen years of age, residing within the said district, shall cause such child to attend school unless there be a reasonable excuse for non-attendance.

3. The time during which every child shall attend school shall be the whole time for which the school shall be open for the instruction of children of similar age, provided that nothing herein contained shall prevent the withdrawal of any child from any religious observance or instruction in religious subjects, and that no child shall be required—

- (a.) To attend school on any day exclusively set apart for religious observance by the religious body to which his parent belongs.
- (b.) To attend school on Sunday, Christmas Day, Good Friday, or on any day set apart for a day of Public Fast or Thanksgiving.
- (c.) To attend school on any day fixed for the inspection of the school, and the examination of the scholars therein, in respect of religious subjects.

Provided also that any requirement herein contained shall not be held or construed to apply to any child employed in labour, and receiving instruction in conformity with the provisions of any Act for regulating the education of children employed in labour.

4. In case one of Her Majesty's Inspectors of Schools shall certify that any child between ten and thirteen years of age has reached the fifth standard of education mentioned in the Revised Code of Regulations of the Education Department, made on the sixth day of February, 1872, such child shall be totally exempt from the obligation to attend school, and any such child who has been so certified to have reached the fourth standard of education mentioned in the said Code shall be exempt from the obligation to attend School more than five times in each week.

5. Any of the following shall be a reasonable excuse for non-attendance:—

- (a.) That such child is under efficient instruction in some other manner.
- (b.) That such child has been prevented from attending school by sickness, or any unavoidable cause.
- (c.) That there is no Public Elementary School which such child can attend within one mile, measured according to the nearest road from the residence of such child.

6. If the parent of any child attending or required by the Board to attend any School which is not a Free School, satisfies the School Board that he is unable, from poverty, to pay the whole or some part of the School fees of such child, the School Board, in the case of a School provided by the Board, will remit, and in the case of any other School selected by the parent will pay, the whole or such part of the fees as, in the opinion of the Board, the parent is unable to pay, for a renewable period to be fixed by the Board, not exceeding six calendar months. Provided that the amount paid shall not exceed the ordinary rate of payment at the School by such child.

7. An Officer of the Board appointed under section 36 of the Elementary Education Act, shall, by the direction of the Board, visit the parent of any child, who, according to his information and belief, is not attending School, or is not under efficient instruction, and may then, or at a subsequent time, serve upon such parent a Notice in the form or to the effect prescribed in the schedule to these Bye-laws; and the officer