

(No. 131.)



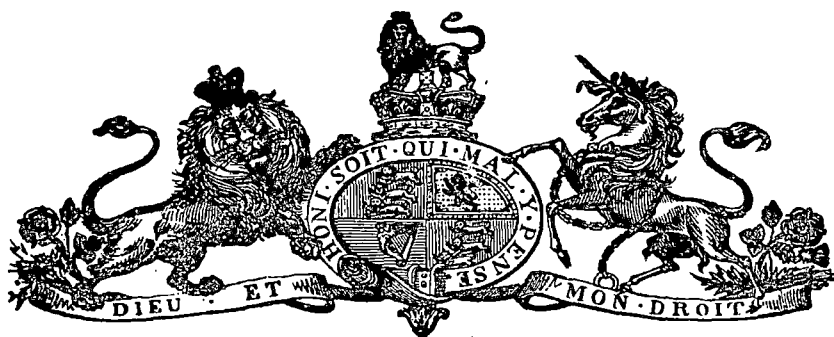
1886.

PARLIAMENT OF TASMANIA.

ERECTION OF PUBLIC SCHOOLS UNSANCTIONED BY PARLIAMENT.

Return to an Order of the House of Assembly. (Mr. Braddon.)

Laid upon the Table by the Attorney-General, October 12, and ordered by the House of Assembly to be printed, October 15, 1886.



EXTRACT from Deputy Auditor's Queries.

PLEASE state whether the sanction of Parliament has been obtained, in accordance with the respective Acts under which the payments have been made.

		£	s.	d.
45 Vict. 27.				
J. P. Dooley	Schoolroom, Kindred	276	5	0
	Residence, ditto.....	292	10	0
46 Vict. 28.				
H. T. Russell	Schoolroom, George Town	209	0	0
	Residence, ditto.....	279	0	0
45 Vict. 27.				
R. & T. Robson	Schoolroom, Fernbank.....	250	0	0
	Teacher's residence, ditto.....	280	0	0
46 Vict. 28.				
Wise & Maddison	Schoolroom, North Bridgewater	360	0	0
	Teacher's residence, ditto.....	264	0	0
45 Vict. 27.				
J. Anderson.....	Schoolroom, Campania.....	295	15	0
	Teacher's residence, ditto.....	309	10	0
45 Vict. 27.				
J. Dunn	Trinity Hill School			
45 Vict. 27.				
G. Robson	Schoolroom, Barrington Junction	237	10	0
	Teacher's residence, ditto.....	280	0	0
45 Vict. 27.				
W. H. Piper	Schoolroom, Green's Creek.....	247	15	6
	Teacher's residence, ditto.....	282	10	6
46 Vict. 28.				
T. F. King	Schoolroom, Forest Road	238	7	0
	Teacher's residence, ditto.....	346	17	0
45 Vict. 27.				
J. G. Pierce.....	School premises, Penguin	755	0	0
45 Vict. 27.				
G. Robson	Schoolroom, Melrose Creek	295	0	0
	Teacher's residence, ditto.....	286	5	0
45 Vict. 27.				
M. Wood	Schoolroom, Formby	775	10	0
	Teacher's residence, ditto.....	356	10	0

Will the Director of Education kindly supply the desired information?

J. FINCHAM, *Engineer-in-Chief.*
13. 5. 86.

I AM informed by Mr. Richardson, the late Secretary, that the plans and estimates for school buildings at Trinity Hill, Penguin, and Formby were submitted to and approved by Parliament; and, as to the other items in this schedule, that the Chief Secretary (Mr. Douglas) decided that the schoolroom and residence in each case should be regarded separately, and that, each being under £500, the plans and estimates did not require the approval of Parliament.

The Engineer-in-Chief.

T. STEPHENS, *Director of Education.*
14. 5. 86.

No. 258.

Audit Office, 18th June, 1886.

QUERY or Observation on the Accounts of the Honorable the Treasurer, to which Answer or Explanation written in the blank space left for that purpose is requested as early as possible.

*The Hon. the Treasurer.**Description of Voucher.*

Tenders for Erection of School-houses.

		£	s.	d.
1. J. Dunn	Trinity Hill School
2. J. G. Price	Penguin	755	0	0
3. M. Wood	Schoolroom and Teacher's Residence, Formby	1132	0	0
4. J. P. Dooley.....	Schoolroom, Kindred	276	5	0
	Residence, ditto.....	292	10	0
5. R. and T. Robson.....	Schoolroom, Fernbank.....	250	0	0
	Residence, ditto	280	0	0
6. J. Anderson	Schoolroom, Campania.....	235	15	0
	Residence, ditto	309	10	0
7. G. Robson.....	Schoolroom, Barrington Junction	237	10	0
	Residence, ditto	280	0	0
8. W. H. Piper	Schoolroom, Green's Creek.....	247	15	6
	Residence, ditto	282	10	6
9. G. Robson.....	Schoolroom, Melrose Creek.....	295	0	0
	Residence, ditto.....	286	5	0

Query or Observation.

Referring to the accompanying Memorandum of the Director of Education of 14th May last, addressed to the Engineer-in-Chief, (which has been forwarded to this office in connection with Replies to Queries Nos. 226, 235, and 247), the Deputy-Auditor would be glad to have a reference to the dates when the Parliamentary sanction was given for the items marked 1, 2, and 3. It has been usual in similar cases for the authority of the Governor-in-Council to contain an intimation that such approval had been obtained.

With regard to the other portion of Mr. Stephen's Memorandum—and which applies to the remaining items in this query—the Deputy-Auditor begs to point out—

1st. That Section 2 of 45 Vict. No. 27 provides that when the estimated cost of any school-house exceeds Five hundred Pounds, the erection shall not be proceeded with unless Parliament shall approve of the same.

2nd. That Section 1 of 44 Vict. No. 6 defines the term "school-house" as including the teacher's dwelling attached thereto and all necessary buildings in any case where the Governor in Council determines that a school-house shall be erected with such dwelling and buildings.

He therefore submits, that as the total estimated cost of each of these "school-houses" exceeded £500, the sanction of Parliament should have been obtained before their erection. The fact of tenders having been taken separately for the school-room and teacher's residence does not appear to him to affect the question, inasmuch as the two together make up the "school-house."

The Deputy-Auditor would also suggest that, in future, when any authority of the Governor-in-Council is obtained for the erection of school-houses, an intimation should at once be forwarded to the Treasury (for transmission to the Auditor), as is the case with all other authorities. The plan hitherto adopted of keeping back the authorities until asked for by the Audit Office is very unsatisfactory, and the cause of unnecessary trouble.

A reference to the authority of the Governor-in-Council should also be given on each account to enable the Treasury to pass it.

ALEXANDER REID, *Deputy-Auditor.*
18th June, 1886.

Answer or Explanation.

No. 2. Penguin. Acceptance of tenders agreed to by both Houses of Parliament on 18th November, 1884.

No. 3. Formby. Plans tabled by Minister of Lands in House of Assembly, 23rd September, 1885.

FORWARDED to the Hon. the Minister of Lands and Works.

J. E. PACKER, *Acting Under Treasurer.*
22. 6. 86.

WILL the Director of Education be good enough to supply the information required by Deputy-Auditor with reference to No. 1, and also note remarks relative to sanction of Parliament as required by 45 Vict. No. 27, Section 2.

J. FINCHAM, *Engineer-in-Chief,*
For Minister of Lands and Works.

MEMO.

THE accompanying letter from the Hon. the Chief Secretary, dated 29th February, 1884, will show that the plans, &c. for Trinity Hill school building were submitted to Parliament.

The Engineer-in-Chief.

T. STEPHENS, *Director.*
Education Office, 2nd August, 1886.

Chief Secretary's Office, Hobart, 29th February, 1884.

SIR,

WITH reference to the subject-matter of your letters of the 19th December and 10th January last, I have the honor to inform you that the Plans for the proposed School Buildings at Trinity Hill and Goulburn-street having been duly laid before Parliament, and no objection thereto having been taken in either House of the Legislature, the provisions of the Act have at least practically been complied with; and considering the immediate necessity for the erection of the proposed Schools, the Government deem it desirable that the work should be proceeded with.

I have, &c.

WM. MOORE.

The Chairman Board of Education.

RETURNED to the Hon. the Treasurer, with the information required in Items 1, 2, 3. Instructions have been noted in other respects for future guidance.

NICHOLAS J. BROWN, *Minister of Lands and Works.*
4. 8. 86.

RETURNED to the Auditor.

J. E. PACKER, *Acting Under Treasurer.*
6. 8. 86.

Continuation of Query No. 258.

WITH regard to the items 1, 2, 3, the letter from the Hon. the Chief Secretary of 29th February, 1884, states that the Plans for the School Buildings had been submitted to Parliament; and although it is also stated that no objection was raised, it is clear that this cannot be considered to meet the requirement of the Act *that Parliament shall approve*; for it is evident that the intention of Parliament could easily be evaded by an omission to introduce the matter in a formal and proper manner if the mere submission were taken to be sufficient.

Respecting the other cases, the decision of the Chief Secretary, referred to in the Director of Education's Memo. of the 14th May last, cannot be accepted, as it would override an evident intention of the Legislature. Further explanation is therefore requested.

W. LOVETT, *Colonial Auditor.*
13th August, 1886.

RETURNED to the Hon. the Minister of Lands and Works.

J. E. PACKER, *Acting Under Treasurer.*
18. 8. 86.

FORWARDED to the Hon. the Minister of Education, as the questions raised by the Auditor can be more properly dealt with by him.

NICHOLAS J. BROWN.
21. 9. 86.

ITEM No. 2 appears to have been already explained satisfactorily, it being stated, in reply to Query No. 258; that the "acceptance of Tenders had been agreed to by both Houses of Parliament." In the two other instances quoted, Nos. 1 and 3, it seems that the plans were only submitted for approval. With regard to the other items, it is clear that the intention of Parliament under 45 Vict. No. 27 was to control every expenditure upon school buildings involving an outlay of more than £500, and that when the estimated cost of schoolroom or residence, or of both together, exceeded that amount the approval of Parliament should have been asked for and obtained. All similar cases in future will be dealt with under the 26th Section of the Education Act, 49 Vict. No. 15. In order to legalise the payments to which exception has been taken by the Auditor, it is suggested that the several items be scheduled and formally submitted for Parliamentary sanction.

T. STEPHENS.
22. 9. 86.

The Hon. the Chief Secretary.