

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES

FIRST SCHEDULE

Sections 2, 11.

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS OF THE PRINCIPAL ACT (7 & 8 GEO. 6. C. 31.)

<i>Enactment amended and subject matter thereof.</i>	<i>Amendment.</i>
Section thirty-three, subsection (2). (Special educational treatment in a maintained or assisted school in lieu of in a special school)	For the words " in any school maintained or assisted by the local education authority ", substitute " in any school maintained or assisted by a local education authority ".
Section forty, subsection (2). (Duty to take proceedings to enforce school attendance)	For the words " It shall be the duty of the local education authority ", substitute " It shall be the duty— (a) in the case of an offence against section thirty-seven of this Act, of the local education authority by whom the school attendance order in question was made, or (b) in the case of an offence against section thirty-nine of this Act, of the local education authority for the area to which the child in question belongs (unless they are satisfied that proceedings for the offence have been or are to be instituted by the local education authority for the area in which the school is at which the child is a registered pupil), 01, if the child does not belong to the area of any local education authority, of the local education authority for the area in which that school is ".
Section forty (Enforcement of school attendance)	After subsection (3) insert— “(3A) The power to direct that a child be brought before a juvenile court conferred by the last preceding subsection on the court before which a person is prosecuted in respect of

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

<i>Enactment amended and subject matter thereof.</i>	<i>Amendment.</i>
<p>Section forty-eight, subsection (3). (Provision of free medical treatment)</p>	<p>failure of the child to attend regularly at the school at which the child is a registered pupil shall be exercisable also by the court before which a person is convicted of failing to comply with the requirements of a school attendance order, and, where a child is brought before the juvenile court pursuant to a direction given by virtue of this subsection, that court shall have the like power as is conferred on such a court by the last preceding subsection.”</p> <p>For the words " for pupils in attendance at any school or county college maintained by them ", substitute " for pupils for whom primary secondary or further education is provided by them at any school or county college maintained by them " ; and for the words " pupils in attendance at any other educational establishment maintained by them", substitute " pupils for whom secondary or further education is provided by them at any other educational establishment maintained by them ".</p>
<p>Section fifty, subsection (1). (Circumstances in which board and lodging may be provided)</p>	<p>Before the words " the authority may provide such board and lodging for him under such arrangements as they think fit ", insert " and where a local education authority are satisfied, with respect to a pupil requiring special educational treatment, that provision for him of board and lodging is necessary for enabling him to receive the required special educational treatment ".</p>
<p>Section fifty-three, subsection (1). (Provision by local education authority of facilities for recreation and training)</p>	<p>For the words " available for persons for whom primary secondary or further education is provided by the authority", substitute " available for persons receiving primary secondary or further education ".</p>
<p>Section fifty-five, subsection (2). (Payment of travelling expenses of pupils)</p>	<p>For the words " may pay the reasonable travelling expenses ", substitute " may pay the whole or any part, as the authority think fit, of the reasonable travelling expenses ".</p>
<p>Section fifty-six (Provision for full-time education otherwise than at school in extraordinary circumstances)</p>	<p>For the words " they shall have power with the approval of the Minister to make special arrangements for him to receive such education otherwise than at school ", substitute " they shall have power with the</p>

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

<i>Enactment amended and subject matter thereof.</i>	<i>Amendment.</i>
Section fifty-seven, subsection (6). (Dealing with certain children under the Mental Deficiency Act, 1913)	approval of the Minister to make special arrangements for him to receive education otherwise than at school, being primary or secondary education, as the case may require, or, if the authority are satisfied that it is impracticable for him to receive full-time education and the Minister approves, education similar in other respects but less than full-time ". For the words " ought to be dealt with under that Act", substitute " ought to be dealt with under the enactments relating to mental health ".
Section one hundred and sixteen. (Exclusion from principal Act of persons of unsound mind and persons detained by order of a court)	In the provision " is undergoing treatment as a voluntary patient under section one, or a temporary patient under section five, of the Mental Treatment Act, 1930 ", omit the words " a voluntary patient under section one or ". For the words " has been reported under subsection (3) of section fifty-seven of this Act ", substitute " is for the time being the subject of a report in force under subsection (3) of section fifty-seven of this Act ". At the end of the section insert— “” or of an order of recall made by the Prison Commissioners, but a local education authority shall have power to make arrangements for a person who is detained in pursuance of an order made by a court, or of such an order of recall, to receive the benefit of educational facilities provided by the authority. Where a child or young person is being educated as a boarder at a school, the fact that he is required to be at the school by virtue of an order made by a court under the Children and Young Persons Act, 1933, or by virtue of anything done under such an order, or by virtue of a requirement of a probation order or by virtue of anything done under such a requirement, shall not render him a person detained in pursuance of an order made by a court within

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

<i>Enactment amended and subject matter thereof.</i>	<i>Amendment.</i>
<p>Third Schedule, paragraph 5. (Amount of grant on execution of special agreement proposals)</p>	<p style="text-align: center;">the meaning of those words in this section”.</p> <p>At the end of the paragraph insert— “Provided that, where the proposals include proposals for establishing a playing field or any buildings of a kind which it is, under subsection (7) of section thirteen of this Act, the duty of the local education authority to provide,—</p> <p style="margin-left: 2em;">(a) if the proposals as respects the playing field or buildings are to be executed by the persons specified in the agreement, the amount of the grant so far as attributable to the cost thereof, shall be equal to the whole of that cost; and</p> <p style="margin-left: 2em;">(b) if the proposals as respects the playing field or buildings are to be executed by the local education authority, the cost thereof shall be borne by them and excluded in computing the amount of the grant.”</p>
<p>Fourth Schedule, paragraph 4. (Times for meetings of managers or governors of schools)</p>	<p>For the words " at least once in every three months ", substitute " at least Once in every school term ".</p>

PART II

AMENDMENTS OF OTHER ENACTMENTS

The Endowed Schools Act, 1869 (32 & 33 Vict. c. 56.)

<i>Enactment amended and subject matter thereof.</i>	<i>Amendment.</i>
<p>Section five (Definition for purposes of the Endowed Schools Acts of " educational endowment ")</p>	<p>For the section substitute the following section—</p> <p>“5 In this Act, unless the context otherwise requires, the expression " educational endowment " means an endowment or any part of an endowment which, or the income whereof, has been made applicable or is applied for the purposes of</p>

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

<i>Enactment amended and subject matter thereof.</i>	<i>Amendment.</i>
Section nine (Purposes for which schemes may be made)	education, whether the same has been made so applicable by the original instrument of foundation or by any subsequent Act of Parliament, letters patent, decree, scheme, order, instrument, or other authority". For the words " the education of boys and girls, or either of them ", substitute " education ".
Section twelve (Extension to girls of benefits of endowments)	For the section substitute the following section— “12 Without prejudice to the generality of this Act as to the provision which may be made by schemes thereunder, provision may be made thereby for extending to persons of either sex the benefits of endowments which might otherwise be limited to persons of the other sex”.
Sections fifteen and sixteen. (Exemption from attending religious worship etc.)	At the end of each of those sections insert— “In the application of this section to a scholar attending an educational establishment other than a school within the meaning of the Education Act, 1944, references to the scholar himself shall be substituted for the references therein to his parent or guardian or the person liable to maintain him or having the actual custody of him”.
Section nineteen (Exception of certain endowments from certain provisions of Act unless governing body assents)	In the provision " unless the governing body, constituted as it would have been if no scheme under this Act had been made, assents to such scheme ", omit the words " constituted as it would have been if no scheme under this Act had been made ".

The Mental Deficiency Act, 1913 (3 & 4 Geo. 5. c. 28.)

<i>Enactment amended and subject matter thereof.</i>	<i>Amendment.</i>
Section one, subsection (1), paragraph (c). (Definition of defectives)	For the words " or, in the case of children, that they appear to be permanently incapable by reason of such defectiveness of receiving proper benefit from the instruction in ordinary schools", substitute " or, in the case of children, involves disability of mind of such a nature and extent as to make them,

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

<i>Enactment amended and subject matter thereof.</i>	<i>Amendment.</i>
Section two, subsection (1), paragraph (b)(v). (Persons who may be dealt with as defectives as mentioned in that section)	<p>for the purposes of section fifty-seven of the Education Act, 1944, incapable of receiving education at school ".</p> <p>For the words " who is a person with respect to whom a report has been issued under the enactments relating to education ", substitute " who is for the time being the subject of a report in force under the enactments relating to education ".</p>

The Children and Young Persons Act, 1933 (23 & 24 Geo. 5. c. 12.)

Section eighteen, subsection (1), paragraph (a). (Minimum age for employment)	<p>For the paragraph substitute the following paragraph—</p> <p>“(a) until he has attained the age two years below that which is for the time being the upper limit of the compulsory school age by virtue of section thirty-five of the Education Act, 1944, together with any Order in Council made under that section (without regard to the provisions of subsection (1) of section thirty-eight of that Act as to the age of pupils at special schools, or to the provisions of section eight of the Education Act, 1946, as to deeming a person not to have attained a given age until the end of a School term)”.</p>
--	--