



Education Act 1959

1959 CHAPTER 60

An Act to enlarge the powers of the Minister of Education to make contributions, grants and loans in respect of aided schools and special agreement schools, and for purposes connected therewith. [29th July 1959]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Extended powers to make contributions, etc.

(1) Subject to the provisions of this section, in the following sections of the Education Act, 1944 (which provide for the making of contributions or grants by the Minister of Education in respect of aided schools and special agreement schools), that is to say—

- (a) section one hundred and two (maintenance contributions); and
- (b) section one hundred and three (grants for schools transferred to new sites or established in substitution for former schools); and"
- (c) section one hundred and four (grants for schools established for accommodation of displaced pupils);

three-quarters of the expenses in respect of which the contribution or grant is made shall be substituted for one half as the amount of the contribution, or as the maximum amount of the grant, as the case may be.

(2) Where the Minister of Education—

- (a) has approved proposals submitted to him under subsection (2) of section thirteen of the Education Act, 1944, that a school proposed to be established should be maintained by a local education authority as a voluntary school, and has directed that the proposed school shall be an aided school; and
- (b) is satisfied that the establishment of the school is wholly or mainly due to the need of providing secondary education for pupils for whom primary education was provided at schools in the area to be served by the proposed school, being schools which—

Status: This is the original version (as it was originally enacted).

- (i) are aided schools or special agreement schools; and
 - (ii) either were aided schools or special agreement schools before the relevant date or were established in pursuance of proposals approved before that date under subsection (4) of the said section thirteen, or have replaced schools satisfying the conditions of this sub-paragraph;
- then, subject to the provisions of this section, he may, out of moneys provided by Parliament, pay to the governors of the proposed school, in respect of any sums expended by them on the provision of a site for the school or of the school buildings, a grant not exceeding three-quarters of those sums.
- (3) Where under subsection (4) of section sixty-seven of the Education Act, 1944, the Minister determines that any alterations to the school premises of an aided school or of a special agreement school would amount to the establishment of a new school, subsection (2) of this section shall apply as if in paragraph (a) the words " and has directed that the proposed school shall be an aided school " were omitted.
- (4) For the purposes of section one hundred and five of the Education Act, 1944 (which authorises the Minister of Education to make loans to the managers or governors of aided schools and special agreement schools for certain initial expenses involving capital expenditure), any expenses in respect of which the Minister may make a grant under subsection (2) of this section shall be included in the expression " initial expenses ", and in determining the governors' share of any initial expenses the amount of any such grant paid or payable in respect of them shall be taken into account in the same way as grants under sections one hundred and three and one hundred and four of that Act.
- (5) For the purposes of subsection (2) of this section, a school " replaces " another if, but only if, the Minister by an order under section sixteen of the Education Act, 1944, directs that it shall be established in substitution for the other, or grant is payable under section one hundred and four of that Act in respect of the provision at it of education for displaced pupils from the other, or it is constituted in pursuance of an order dividing the other under section two of the Education Act, 1946.
- (6) The Minister shall not make a grant in respect of the same expenditure both under subsection (2) of this section and under section one hundred and three or one hundred and four of the Education Act, 1944.
- (7) Nothing in this section shall extend to contributions or grants in respect of expenditure on work which—
- (a) was begun before the relevant date; or
 - (b) was approved by the Minister before that date under subsection (6) of section thirteen of the Education Act, 1944, or under any arrangements relating to work to which that section does not apply; or
 - (c) was included in a programme notified to a local education authority as the main building programme approved by the Minister for the twelve months beginning with April, nineteen hundred and fifty-nine, or for any earlier period;
- or in respect of expenditure on the provision of the site on which or buildings to which any such work was done or proposed to be done.
- (8) In this section " the relevant date " means the fifteenth day of June, nineteen hundred and fifty-nine; and any provision of the Education Acts, 1944 to 1953, which assigns

a meaning for the purposes of the Education Act, 1944, to any expression used in this section shall have effect also for the purposes of this section.

2 Short title, citation and extent.

- (1) This Act may be cited as the Education Act, 1959, and this Act and the Education Acts, 1944 to 1953, may be cited together as the Education Acts, 1944 to 1959.
- (2) This Act does not extend to Scotland or to Northern Ireland.