



Education Act 1944

1944 CHAPTER 31

PART II

THE STATUTORY SYSTEM OF EDUCATION.

PRIMARY AND SECONDARY EDUCATION.

Transitional Provisions as to County and Voluntary Schools.

31 Transitional provisions as to the separation of primary and secondary schools.

- (1) The provisions of this section shall have effect with respect to the area of every local education authority, until the local education order for that area first comes into operation.
- (2) Save as may be otherwise directed by the Minister, every county school and voluntary school which immediately before the commencement of this Part of this Act was used for providing primary education shall be managed and conducted as a primary school, every such school which was used for providing secondary education shall be managed and conducted as a secondary school, and every such school which was used for providing primary and secondary education indiscriminately shall be managed and conducted as if it were a primary school.
- (3) If it appears to the Minister to be expedient that any county school or voluntary school should be managed and conducted otherwise than in accordance with the provisions of the last foregoing subsection, he may direct that the school be managed and conducted as a primary school or as a secondary school as the case may be :

Provided that no such direction shall be given except after consultation with the local education authority and, in the case of a voluntary school, with the managers or governors of the school.

- (4) Where it appears to a local education authority that the process of securing that primary and secondary education shall be provided in separate schools can be accelerated by

Status: This is the original version (as it was originally enacted).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

the giving of a direction under this section, it shall be the duty of the authority to apply to the Minister for such a direction.

32 Transitional provisions as to the management and maintenance of voluntary schools.

- (1) Any school which became a voluntary school by virtue of the provisions of subsection (3) of section nine of this Act shall, during the period until the question whether the school shall be a controlled school an aided school or a special agreement school is determined by an order made under this Act with respect to the school or by reason of the expiration of the time limited by this Act for making application for such an order, be deemed to be an aided school so, however, that the provisions of this Act relating to aided schools shall, in relation to any such school as aforesaid, have effect during that period subject to the following modifications, that is to say :—
- (a) the provisions relating to the constitution of a body of managers or governors shall not apply, and the body of managers or governors shall be constituted in like manner as the body of managers was constituted immediately before the date of the commencement of this Part of this Act:
 - (b) the provisions relating to rules of management or articles of government shall not apply, and the school shall be managed and conducted in like manner as it was immediately before that date :
 - (c) the school shall be maintained in like manner as it was immediately before that date, but the local education authority shall not require any alteration to be made to the school premises :
 - (d) the Minister shall not, under the powers conferred by this Act, make to the managers or governors of the school any maintenance contribution in respect of alterations or repairs to the school premises.
- (2) If, during the period during which a school is by virtue of this section deemed to be an aided school, the Minister is satisfied that the managers or governors of the school have failed to discharge any of their duties with respect to the maintenance of the school, he may authorise the local education authority to discharge that duty on behalf of the managers or governors and shall reimburse to the authority any sums which in his opinion have been properly expended by them for that purpose; and the amount of any sums so reimbursed shall be a debt due to the Crown from the managers or governors.