



# Education Act 1944

## 1944 CHAPTER 31

### PART II

#### THE STATUTORY SYSTEM OF EDUCATION.

#### PRIMARY AND SECONDARY EDUCATION.

#### *Provision and Maintenance of Primary and Secondary Schools.*

- 16 Transfer of county and voluntary schools to new sites, and substitution of new voluntary schools for old ones.**
- (1) Where the Minister is satisfied that it is expedient that any county school or any voluntary school should be transferred to a new site either because it is not reasonably practicable to make to the existing premises of the school the alterations necessary for securing that they should conform to the prescribed standards, or in consequence of any movement of population or of any action taken or proposed to be taken under the enactments relating to housing or to town and country planning, the Minister may by order authorise the transfer of the school to the new site ; and any transfer so authorised shall not be deemed, for the purposes of this Act, to constitute the discontinuance of the school or the establishment of a new school.
- (2) Where in connection with any proposals submitted to the Minister under subsection (2) of section thirteen of this Act it is claimed that any school or schools thereby proposed to be established should be maintained by the local education authority as a voluntary school in substitution for another school at the time being maintained by a local education authority as a voluntary school or for two or more such schools which is or are to be discontinued, then, if the Minister is satisfied that the school or schools proposed to be established will be so maintained, he may, if he approves the proposals with or without modifications, by order direct that the school or schools proposed to be established shall be established in substitution for the school or schools to be discontinued, and where such an order is made, the provisions of this Act relating to the discontinuance of voluntary schools shall not apply with respect to the discontinuance of the school or schools to be discontinued.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Before making any order under this section, the Minister shall consult any local education authority which will, in his opinion, be affected by the making of the order, and the managers or governors of any voluntary school which in his opinion will be so affected ; and any such order may impose such conditions on any such local education authority or managers or governors and may contain such incidental and consequential provisions as the Minister thinks fit.