



Education (Scotland) Act 1945

1945 CHAPTER 37 8 and 9 Geo 6

An Act to amend the law relating to education in Scotland.

[15th June 1945]

PARTS I—IV

1—43. F1

Textual Amendments

F1 Ss. 1–43, 45–85, 86(1)(2), 88, 89(2), Schs. 1–3, 5, 6 repealed by [Education \(Scotland\) Act 1946 \(c. 72\)](#), [Sch. 8](#)

44 F2

Textual Amendments

F2 Ss. 44, 87 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

45—71 F3

Textual Amendments

F3 Ss. 1–43, 45–85, 86(1)(2), 88, 89(2), Schs. 1–3, 5, 6 repealed by [Education \(Scotland\) Act 1946 \(c. 72\)](#), [Sch. 8](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1945. (See end of Document for details)

PART V

GENERAL

Miscellaneous

72— **F4**
85.

Textual Amendments

F4 Ss. 1–43, 45–85, 86(1)(2), 88, 89(2), Schs. 1–3, 5, 6 repealed by [Education \(Scotland\) Act 1946 \(c. 72\)](#), [Sch. 8](#)

86 **Amendment of enactments.**

- (1) **F5**
- (3) The amendments specified in the third column of the Fourth Schedule to this Act, being amendments of a minor or consequential nature, shall be made in the enactments specified in the first and second columns of that Schedule.

Textual Amendments

F5 Ss. 1–43, 45–85, 86(1)(2), 88, 89(2), Schs. 1–3, 5, 6 repealed by [Education \(Scotland\) Act 1946 \(c. 72\)](#), [Sch. 8](#)

Modifications etc. (not altering text)

C1 The text of s. 86(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

87 **F6**

Textual Amendments

F6 Ss. 44, 87 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

88 **F7**

Textual Amendments

F7 Ss. 1–43, 45–85, 86(1)(2), 88, 89(2), Schs. 1–3, 5, 6 repealed by [Education \(Scotland\) Act 1946 \(c. 72\)](#), [Sch. 8](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1945. (See end of Document for details)

89 †Citation, repeal and commencement.

(1) This Act may be cited as the Education (Scotland) Act 1945, and the Education (Scotland) Acts 1872 to 1942, the Education (Scotland) (Superannuation) Acts 1919 to 1939, the Educational Endowments (Scotland) Act 1882, the Educational Endowments (Scotland) Acts 1928 to 1935, the Highland Schools Act 1873, and this Act shall be construed as one, and may be cited together as the Education (Scotland) Acts 1872 to 1945.

(2) ^{F8}

(3) Save as otherwise expressly provided this Act shall come into operation on the appointed day, and the appointed day shall be such day as the Secretary of State may appoint, and different days may be appointed for different purposes and different provisions of this Act: Provided always that the day appointed for the coming into operation of section twenty-three shall be not later than the first day of April nineteen hundred and forty-six and the day appointed for the coming into operation of sections twenty-nine to thirty-one and eighty-three shall be not later than three years after the date on which the upper limit of the school age is raised to fifteen.

Textual Amendments

F8 Ss. 1–43, 45–85, 86(1)(2), 88, 89(2), Schs. 1–3, 5, 6 repealed by [Education \(Scotland\) Act 1946 \(c. 72\)](#), [Sch. 8](#)

Modifications etc. (not altering text)

C2 Unreliable marginal note.
C3 Power conferred by s. 89(3) fully exercised

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1945. (See end of Document for details)

FIRST—THIRD
SCHEDULES.

F9

Textual Amendments

F9 Ss. 1–43, 45–85, 86(1)(2), 88, 89(2), Schs. 1–3, 5, 6 repealed by [Education \(Scotland\) Act 1946 \(c. 72\)](#), [Sch. 8](#)

Modifications etc. (not altering text)

C4 The text of Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

FOURTH SCHEDULE

MINOR AND CONSEQUENTIAL AMENDMENTS.

Session and Chapter.	Short Title.	Nature of Amendment.
...	...	F10 ...
1 Edw. 8 & 1 Geo. 6. c. 37.	The Children and Young Persons (Scotland) Act, 1937.	In section twenty-one, in subsection (1), after the words “years” there shall be inserted the words “or any young person who has not attained the age at which under the enactments relating to education children cease to be of school age”, and for the words from “is totally exempted” to the end of the subsection there shall be substituted the words “or young person is not, by being so taken with him, prevented from receiving efficient education suitable to his age, ability and aptitude, be liable on conviction by a court of summary jurisdiction to a fine not exceeding twenty shillings”, and, in subsection (2), after the word “child” in both places where that word occurs there shall be inserted the words “or

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1945. (See end of Document for details)

young person”; in section thirty-eight, in subsection (2), for the year “1936” there shall be substituted the year “1945”, and for the words “continuation classes” there shall be substituted the words “junior colleges”; in section one hundred and one, in subsection (5), for the words “of section forty-five of the Education (Scotland) Act, 1872, as amended by any subsequent enactment” there shall be substituted the words “of section sixteen of the Education (Scotland) Act, 1945”; and in section one hundred and ten, in subsection (1) in the definition of “child,” for the words “as provided in section thirty-seven” there shall be substituted the words “in Part III”.

F10

...

...

2 & 3 Geo. 6. c. 96.

...

The Education (Scotland) (War Service Superannuation) Act, 1939.

In section seven the following definition shall be substituted for, and shall be deemed always to have been, the definition of the expression “period of war service”:—
“Period of war service” in relation to any person includes—

(a) any period during which, though not actually engaged in war service, he is as a result of war service prevented or hindered from procuring work as a teacher; and (b) in the case of a person who, having been admitted or accepted for admission to preliminary training or to a training centre or training college, gives war service before completing his course of training, any period during which, though not actually

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education (Scotland) Act 1945. (See end of Document for details)

engaged in war service, he is as a result of war service prevented or hindered from entering upon or completing his course of training:

Provided that a person's period of war service shall not, by virtue of this definition, be extended by a period or periods exceeding in all one year, or such longer period not exceeding two years as the Secretary of State may in any particular case allow.

Textual Amendments

- F10** Entries repealed by Acquisition of Land (Authorisation Procedure) Act 1946 (c. 49), **Sch. 6**, National Insurance Act 1946 (c. 67), **Sch. 9**, Education (Scotland) Act 1946 (c. 72), **Sch. 8**, Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**, Mental Health (Scotland) Act 1960 (c. 61), **Sch. 5**, Children Act 1972 (c. 44), **Sch.** and Statute Law (Repeals) Act 1978 (c. 45), **Sch. 1**, Pt. V

FIFTH AND SIXTH SCHEDULES.

F11

Textual Amendments

- F11** Ss. 1–43, 45–85, 86(1)(2), 88, 89(2), Schs. 1–3, 5, 6 repealed by Education (Scotland) Act 1946 (c. 72), **Sch. 8**

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Education (Scotland) Act 1945.