



Education (Scotland) Act 1945

1945 CHAPTER 37

PART II

RIGHTS AND DUTIES OF PARENTS AND FUNCTIONS OF EDUCATION AUTHORITIES IN RELATION TO INDIVIDUAL PUPILS.

Provision to enable Pupils to take advantage of Educational Facilities.

32 Power of education authorities to enable persons to take advantage of educational facilities.

- (1) For the purpose of enabling persons resident in their area to take advantage, without financial hardship to themselves or their parents, of any educational facilities available to them, an education authority shall have power—
 - (a) to defray such expenses of pupils attending any school as may be expedient to enable them to take full part in the activities of the school; and
 - (b) to pay the whole or any part of the fees payable in respect of pupils attending schools at which fees are payable; and
 - (c) to grant scholarships, bursaries and other allowances to persons over school age.
- (2) The powers conferred by the last foregoing subsection shall be exercised in accordance with regulations made by the Secretary of State.
- (3) The said regulations may include a provision requiring the education authority to leave out of account, in assessing the needs of the applicants, the whole or such part of any scholarship, bursary, prize or other award won in open competition as may be prescribed and any award made by the Carnegie Trustees for the Universities of Scotland. The expression " open competition " means a competition with regard to which the education authority are satisfied that there are no restrictions upon entry which unduly limit the field from which candidates may be drawn.

Status: This is the original version (as it was originally enacted).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

33 Education of pupils in exceptional circumstances, 34. Provision of transport and other facilities.

(1) Where in the opinion of an education authority—

- (a) any pupil resident in their area is, owing to the remoteness of his home or the conditions under which he is living or other exceptional circumstances, unable to receive the full benefit of primary or secondary education unless special arrangements are made for him, or
- (b) primary or secondary education suitable to the age, ability and aptitude of any pupil can best be provided for him at any particular school, or
- (c) compulsory further education should in the case of any pupil be provided by requiring his continuous attendance at a junior college under section twenty-nine of this Act,

the authority shall, after consultation with the parent and, in any case falling under paragraph (c) of this subsection, with the pupil, make such arrangements of either a temporary or a permanent character as they think best suited to the purpose of enabling that pupil to attend an appropriate school or college.

(2) The arrangements made under the last foregoing subsection may include—

- (a) the provision of travelling facilities or the payment of travelling expenses under section thirty-four of this Act; or
- (b) the accommodation of the pupil at a boarding school, or at a junior college where boarding is provided, or in a hostel, home or other institution ; or
- (c) other provision of board and lodging, provided that the education authority shall, so far as practicable, give effect to the wishes of the parent with respect to the religious denomination of the person with whom the pupil will reside ; or
- (d) provision for the travelling, board and lodging of teachers.

34 Provision of transport and other facilities.

An education authority shall make such arrangements as they consider necessary or as the Secretary of State may direct—

- (a) for the conveyance of pupils without charge for the whole or part of the journey between their homes and the schools or other educational establishments which they are attending ;
- (b) for making bicycles or other suitable means of transport available to the pupils attending schools or other educational establishments, or to their parents for the use of the pupils, upon such terms and conditions as may be arranged, or for paying a money allowance in lieu thereof ; .
- (c) for paying the reasonable travelling expenses of pupils attending schools and other educational establishments for whom no provision is made under the foregoing paragraphs.

35 Recovery of cost of board and lodging.

Where an education authority have provided a pupil with board and lodging, whether at a school, junior college or hostel or elsewhere, the authority shall require the parent to pay to them in respect thereof such sums if any not exceeding the cost of such board and lodging as in the opinion of the authority he is able without financial hardship to pay :

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

Provided that—

- (a) where the board and lodging provided for any pupil were so provided under arrangements made by the authority for any of the reasons specified in subsection (1) of section thirty-three of this Act, no sum shall be recoverable in respect thereof under this section ; and
- (b) where the board and lodging have been so provided for a young person in voluntary attendance at a junior college or, under section nine of this Act, at another educational establishment, the authority, if satisfied that he is in a financial position to pay the whole or any part of a sum recoverable from his parent under this section, may recover that sum or that part thereof from the young person instead of from the parent.