



Education (Scotland) Act 1945

1945 CHAPTER 37

PART III

ADMINISTRATION AND STAFFING.

Miscellaneous Administrative Provisions.

61 Revocation and variation of orders and directions.

Any rule, regulation or order made or direction given by the Secretary of State or an education authority under the provisions of the Education Acts may be varied or revoked by a further rule, regulation or order made or direction given by the Secretary of State or that authority, as the case may be :

Provided that where the power to make or give any such rule, regulation, order, or direction is exercisable only upon the application or with the consent of any person, or after consultation with or intimation to any person or is otherwise subject to any conditions, no rule, regulation, order or direction made or given under such power shall be varied or revoked except upon the like application, with the like consent, after the like consultation or intimation or subject to the like conditions, as the case may be.

62 Regulations to be laid before Parliament.

- (1) The Secretary of State shall, not less than forty days before making regulations under the Education Acts, cause a draft of the regulations to be published and send a copy thereof to every education authority, and shall have regard to any representations made by an education authority or by any person interested before he makes the regulations. The regulations may be made in the same form as in the published draft or in an amended form:

Provided that where the Secretary of State certifies that on account of urgency or any special reason any regulation ought to come into immediate operation, he may make such regulation come into operation immediately as a provisional regulation, but such

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regulation shall continue in force only until a regulation to the same effect has been made in accordance with the foregoing provisions.

- (2) All regulations made by the Secretary of State under the Education Acts shall be laid before Parliament as soon as may be after they are made, and if either House of Parliament, within the period of forty days beginning with the day on which any such regulations are laid before it, resolves that the regulations be annulled, the regulations shall cease to have effect, but without prejudice to anything previously done thereunder or to the making of any new regulations.

In reckoning any such period of forty days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

- (3) A reference in any provision of the Education (Scotland) Acts, 1872 to 1942, to a minute by the Secretary of State shall be construed as a reference to regulations.

63 Certificates of birth.

- (1) Where the age of any person is required to be ascertained or proved for the purposes of the Education Acts or of any enactment relating to the employment of children or young persons, the registrar of births, deaths and marriages having the custody of the register of births containing the entry relating to the birth of that person shall, upon being presented by any person with a written requisition in such form and containing such particulars as may be prescribed and upon payment of a fee of sixpence, supply that person with a copy of the entry certified under his hand,
- (2) Every registrar shall, upon being requested so to do, supply free of charge a form of - requisition for the purposes of this subsection.

64 Notices.

Any notice or other document required or authorised by the Education Acts to be served on or sent to any person may be served or sent—

- (a) by delivering it to him personally ; or
- (b) by leaving it for him at his dwelling-place or place of business with some person resident or employed therein, or, if he has no known dwelling-place or place of business, at any other place in which he may at the time be resident, or, in the case of a master of or seaman or person employed in any ship or vessel, in the hands of a person on board thereof and connected therewith, or in the case of a company, association, or incorporation, at their ordinary place of business in the hands of -a partner, director, secretary or other official thereof, or in the case of a body of trustees in the hand's of one of their number or of their known solicitor ; or
- (c) by sending it in a prepaid registered letter addressed to him at his dwelling-place or last known place of residence, or in the case of a company, association or incorporation at their ordinary place of business, or in the case of a body of trustees at the dwelling-place or last known place of residence of one of their number or at the office of their known solicitor.

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65 Actuarial inquiry under 15 and 16 Geo. 5. c. 55.

The Secretary of State shall, as soon as may be after the passing of this Act and thereafter at intervals of seven years, cause an actuarial inquiry to be held for the purpose mentioned in section seven of the Act of 1925 (which section relates to actuarial inquiries with regard to the Education (Scotland) (Superannuation) Acts, 1919 to 1939) ; and that section shall have effect, and shall be deemed always to have had effect, as if the words " and at the expiration of every subsequent period of seven years " were omitted therefrom.