

## SCHEDULES.

### FOURTH SCHEDULE

Section 86.

#### MINOR AND CONSEQUENTIAL AMENDMENTS.

Session and Chapter.	Short Title.	Nature of Amendment.
35 & 36 Vict. c. 62.	The Education (Scotland) Act, 1872.	<p>The following section shall be substituted for section forty-six :—</p> <p>“<b>46</b> (1) Where property or money has been or shall be vested in any persons as trustees for behoof of a public school or other educational establishment under the management of an education authority, or for the promotion of any branch of education in such schools or educational establishments or to increase the income of any teachers therein, the free income of such property or money shall be accounted for and paid to the education authority, and shall be applied and administered by the education authority according to the trusts attaching thereto.</p> <p>(2) It shall be lawful for the education authority, with the approval of the Secretary of State, to vary or depart from</p>

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Session and Chapter.	Short Title.	Nature of Amendment.
		<p>the said trusts, with a view to increasing the efficiency of the school or educational establishment by raising the standard of education therein or by other means.”;</p> <p>in section forty-seven after the words ' ' school or schools ' ' in both places where they occur there shall be inserted the words " or other educational establishments ";</p> <p>in section fifty-one after the words " school board " there shall be inserted the words " and of the managers of schools and other educational establishments in respect of which, and of persons providing educational services to whom, grants are made by the Secretary of State " , and the following proviso shall be added at the end of the section :—</p> <p style="padding-left: 40px;">“Provided that the abstract and report shall not relate to a school or other educational establishment in respect of which the only grant paid is a grant in aid of the managers contributions under the Education (Scotland) (Superannuation) Acts, 1919 to 1939, or to any other educational establishment which may be excepted by the Secretary of State.”;</p> <p>the following section shall be substituted for section fifty-five :—</p>

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Session and Chapter.	Short Title.	Nature of Amendment.
8 Edw. 7. c. 63.	The Education (Scotland) Act, 1908.	<p data-bbox="987 394 1353 837">“55 The function of appointing teachers for service in public schools and other educational establishments under the management of an education authority shall be in the education authority, and every appointment shall be during the pleasure of the authority.”;</p> <p data-bbox="987 842 1353 1570">in section sixty-one after the words " public school " there shall be inserted the words " or other educational establishment under their management ": and in section sixty-eight for the words " subject to inspection and in receipt of any public money as herein-before provided " there shall be substituted the words " in receipt of grants from the Secretary of State other than grants in aid of the managers' contributions under the Education (Scotland) (Superannuation) Acts, 1919 to 1939, " and for the words " children " and " child " wherever they occur there shall respectively be substituted the words " pupils " and " pupil ".</p> <p data-bbox="987 1588 1353 1682">The following section shall be substituted for section three :—</p> <p data-bbox="987 1700 1353 2018">“3 (1) It shall be lawful for an education authority to maintain an agency for collecting and distributing information as to employments open to pupils on leaving school.</p>

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		<p>(2) It shall be lawful for an education authority to pay such reasonable expenses incidental to the proper discharge of their duties as may be sanctioned by regulations made by the Secretary of State. Such expenses may include contributions to any association of education authorities concerned in the consideration of educational questions.”;</p> <p>in section twelve, in paragraph (a) of subsection (2), there shall be inserted after the words " Act of Parliament " the words " or under the Endowed Institutions (Scotland) Act, 1878 ", and for paragraph (c) of that subsection there shall be substituted the following paragraph :—</p> <p style="padding-left: 40px;">“(c) a committee or other body for the training of teachers constituted under section forty-nine of the Education (Scotland) Act, 1945”;</p> <p>in section sixteen, in paragraph (a) of subsection (1) as amended by section sixteen and the Schedule to the Act of 1936, for the words from " the inspection " to " leaving certificate examination "</p>

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Session and Chapter.	Short Title.	Nature of Amendment.
		<p>there shall be substituted the words " conducting leaving certificate examinations " , and for paragraph (d) of the said subsection there shall be substituted the following paragraph :—</p> <p>“(d) To making payment to any committee or other body for the training of teachers constituted under section forty-nine of the Education (Scotland) Act, 1945, in addition to any sums voted by Parliament for the training of teachers, of such sums as may be determined by regulations made by the Secretary of State;”</p> <p>and the following proviso shall be added at the end of the subsection :—</p> <p>“Provided that payments under paragraphs (c), (d) and (f), shall be made in accordance with regulations made by the Secretary of State.”;</p> <p>in section twenty-one there shall be added at the end the words " but ' such suspension</p>

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		<p>shall not affect the teacher's rights to the salary or other emoluments attached to his office " ; in section twenty-three for subsection (3) there shall be substituted the following subsection :—</p> <p>“(3) Save as may be otherwise prescribed, it shall be a condition of the payment by the Secretary of State of a grant to the managers of a school or other educational establishment not under the management of an education authority or to other persons providing educational services approved by the Secretary of State that the accounts of the income and expenditure of such managers or persons in respect of such school, educational establishment or service shall be set out according to a form prescribed by the Secretary of State and shall together with the relative vouchers and other documents be submitted for examination and report to the accountant appointed in pursuance of section fifty of the Act of 1872.”;</p> <p>in section twenty-nine, in subsection (1), for the words " may after due notice and inquiry, and after hearing any party who desires to</p>

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3 & 4 Geo. 5. c. 38.	The Mental Deficiency and Lunacy (Scotland) Act. 1913.	<p>be heard," there shall be substituted the words " shall cause a local inquiry to be held, and may, after considering the report of the said inquiry, " and the words from " Provided also " to the end of the subsection shall be omitted ; and in section thirty-three the words " with the consent of the Department " shall be omitted.</p> <p>In section two, in subsection (4), for the words " notified " and " under this section " there shall be substituted the words " reported " and " under section forty-two of the Education (Scotland) Act, 1945," respectively, and for the word " this " where it first occurs there shall be substituted the word " that " ; and in section three for sub-paragraph (v) of paragraph (c) of subsection (1) there shall be substituted the following sub-paragraph :—</p> <p style="text-align: right;">“(v) who is a child with respect to whom a report has been issued under the enactments relating to education that he has</p>

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8 & 9 Geo. 5. c. 48.	The Education (Scotland) Act, 1918.	<p style="text-align: right;">been found incapable of receiving education at school, or that by reason of a disability of mind he may require to be dealt with under the Mental Deficiency Acts after leaving school; or”;</p> <p>and in the proviso to the said subsection for the word " notified " there shall be substituted the word " reported " .</p> <p>In section five for the words " children and young persons " there shall be substituted the word " pupils ", and for the words " or continuation classes " there shall be substituted the words " junior colleges or other educational establishments "; in section seven for the words "to give instruction in religion to children " there shall be substituted the words " for religious observance to be practised and for instruction</p>



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		<p>in religion to be given to pupils ", for the words " the instruction so given " there shall be substituted the words " such observance or instruction ", and after the words " their children should not " there shall be inserted the words " take part in such observance or "; in section nine, in subsection (1), after the word " school " in both places where it occurs there shall be inserted the words " or other educational establishment ", and at the end of the said subsection there shall be added the words " and the Secretary of State may by order make such modifications in the provisions of any trust deed or other instrument relating to any school, or other educational establishment or central institution in receipt of contributions under this subsection as may be necessary to enable provision to be made for such representation as aforesaid, and any such trust deed or other instrument shall, so long as such contributions continue to be paid, have effect subject to any modifications so made. ", in subsection (3) the words " of maintenance of the training colleges" shall be omitted, and the words " of the committees and other bodies for the training of teachers constituted tinder section forty-nine of the Education (Scotland) Act, 1945, " shall be inserted after the word " Scotland and the following subsection shall be inserted at the end of the section :—</p>

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		<p>“(5) It shall be lawful for an education authority to make payments to the managers of schools other than public schools in order to secure the admission thereto and education therein free of charge of pupils nominated by the education authority.”;</p> <p>in section eleven, in subsection (3), for the words from " the First Schedule " to the end of the subsection there shall be substituted the words</p> <p>“Part III of the First Schedule and the Third Schedule to the Town and Country Planning (Scotland) Act, 1932, subject, however, to the following and any other necessary modifications—</p> <ul style="list-style-type: none"> <li>(i) for references to a local inquiry there shall be substituted references to a local inquiry under section fifty-eight of the Education (Scotland) Act, 1945 ;</li> <li>(ii) for references to the Town and Country Planning (Scotland) Act, 1932, there shall be substituted references to</li> </ul>

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		<p>the Education Acts ;</p> <p>(iii) for references to the responsible authority there shall be substituted references to the education authority." ;”;</p> <p>in section twenty, at the beginning, there shall be inserted the figure (1), and the following, subsections shall be added at the end of the section :—</p> <p>“(2) Provision may be made in the said order for the appointment by the advisory council of special committees to deal with remits on particular subjects made to the council by the Secretary of State, for such special committees to be composed of persons nominated by the Secretary of State of whom some shall be members of the council and the remainder shall be persons having special knowledge or experience of the subjects of the respective remits, and for the reports of special committees to be submitted to the Secretary of State by the advisory council, who shall be entitled in submitting the reports to make such comments thereon as they think fit.</p>

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Session and Chapter.	Short Title.	Nature of Amendment.
		<p>(3) The Secretary of State may, after consultation with education authorities and other persons interested, by order establish a Regional Advisory Council for any branch of education, to advise the education authorities and other managers of schools, junior colleges and other educational establishments in the region as to the development of the branch of education for which the Council is appointed.”;</p> <p>in section twenty-one the following paragraph shall be inserted at the end of subsection (1) :—</p> <p>“Any other moneys applicable to a purpose to which the said fund may be applied may also, with the consent of the Treasury, be paid into the said fund for application to the said purpose.”;</p> <p>the following subsection shall be inserted after the said subsection :—</p> <p>“(1A) It shall be competent to the Treasury to make such adjustments in the methods of calculating the sums payable under the last foregoing subsection as may be expedient in view of any changes which may be made in the</p>

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18 & 19. Geo. 5. c. 30.	The Educational Endowments (Scotland) Act, 1928.	<p>votes from which any expenditure either in Scotland or in England and Wales may be made.”, and in paragraph (a) of subsection (2) for the words from " in aid of " to the end of the paragraph there shall be substituted the words " in accordance with regulations made by the Secretary of State in aid of the expenditure of education authorities, of the managers of schools and other educational establishments, and of other persons providing educational services approved by the Secretary of State. "; in section thirty-one, in paragraph (4), for the words " within the meaning of the Education (Scotland) Act, 1872 " there shall be substituted the words " issued in accordance with regulations made under the Education (Scotland) Acts, 1872 to 1945 "; and in the Fifth Schedule, in subparagraph (d) of paragraph 1, for the words " an approved scheme of the education authority " there shall be substituted the words " regulations made by the Secretary of State under section thirty-two of the Education (Scotland) Act, 1945 ".</p> <p>In section five, for the words " on or before the thirty-first day of December, nineteen hundred and twenty," there shall be substituted the words " at one time " and for the words " after the said day," there shall be substituted the words " at a later time "; in</p>

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19 & 20 Geo. 5. c. 25.	The Local Government (Scotland) Act, 1929.	<p>Nature of Amendment.</p> <p>section six the words " any part of " shall be omitted, and for the words " the whole of it were an educational endowment " there shall be substituted the words " it were an educational endowment applied wholly to educational purposes "; in section twenty-eight for the words from " endowments belonging " to " 1872 to 1925 " there shall be substituted the words " an educational endowment ", and the words " or the education authority within whose area the school is situated, as then case may be," shall be omitted ; in section forty-one, in paragraph (c) of subsection (1), the words " which in the opinion of the Court of Session is contrary to law " shall be omitted, and in paragraph (d) of the said subsection after the words " The provisions regarding " there shall be inserted the words " inquiries by the Commissioners and, " and for the words from " if for an " to the end of the paragraph there shall be substituted the words " a provision empowering the Secretary of State to cause a local inquiry to be held, and the provisions of the Second Schedule to the Education (Scotland) Act, 1945, with the exception of paragraphs 7 and 8 thereof, shall apply to such inquiry " ; and in section forty-two, at the end of the definition of " Provisional Order " there shall be added the words " or made under the Endowed Institutions (Scotland) Act, 1878 ".</p> <p>In section three, in subsection (2), for the</p>

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		<p>word " fund " there shall be substituted the word " account "; in section twelve, in subsection (1), for the words from " subsection (1) " to the words " any other " there shall be substituted the words " subsections (8), (12), (13) and (14) of section fourteen of this Act shall, with any ", in subsection (7), in sub-paragraph (c) of proviso (iii), for the words "or of centres of advanced technical instruction " there shall be substituted the words " junior colleges or other educational establishments "; in section fourteen, in subsection (4), for the words "school children" there shall be substituted the words " pupils attending schools, junior colleges and other educational establishments " , and for subsection (5) the following subsection shall be substituted :—</p> <p>“(5) Every administrative scheme relating to education made by the council of a county within which a large burgh is included for the purpose of education shall, unless the Secretary of State otherwise directs, include provision for the co-operation of the county council and the town council in the execution by the county council of the functions of the county council as education authority relating to the medical examination, inspection,</p>

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25 & 26 Geo. 5. c. 5	The Educational Endowments (Scotland) Act, 1935.	<p>supervision and treatment and to the cleansing of pupils attending schools, junior colleges and other educational establishments in the large burgh. The county council before making any such scheme and the Secretary of State before approving any such scheme shall consult with the town council, and any such scheme, when so approved, shall be binding on the town council.”;</p> <p>in section seventeen, in subsection (3), for the words from " a local" to the end of the subsection there shall be substituted the words " any body of persons, whether members of the council or not, constituted by the council to advise or assist them in the execution of any of their functions under the Education (Scotland) Acts, 1872 to 1945. "; and in section thirty-one, in subsection (1), after the words " to discontinue " there shall be inserted the words " religious observance or " .</p>
25 & 26 Geo. 5. c. 8.	The Unemployment Insurance Act, 1935.	<p>In section two after the word " training " there shall be inserted the words " centres and " .</p> <p>In section seventy-eight for the word " Minister " wherever that word occurs there shall be substituted the words " Secretary of State " , in subsection (2) for paragraph (b) there shall</p>



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		<p>be substituted the following paragraph :—</p> <p>“(b) in Scotland he shall be liable on conviction by a court of summary jurisdiction in the case of a first offence to a fine not exceeding one pound, in the case of a second offence to a fine not exceeding five pounds, and in the case of a third or subsequent offence to a fine not exceeding ten pounds or to imprisonment for a term not exceeding one month or to both such fine and such imprisonment.”,</p> <p>and in subsection (4) for the words from " and, for the purpose " to the end of the subsection there shall be substituted the words " Regulations made by the Secretary of State under this section shall make provision as to the functions to be performed by education authorities with respect to persons required under this section to attend at authorised</p>

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		<p>courses, and, in particular, shall direct such authorities to make in any attendance notice served on any such person such modifications as may be provided by the regulations, and shall make provision as to the circumstances in which and the extent to which attendances in pursuance of requirements under this section may be reckoned as attendances in pursuance of the requirements of attendance notices: " ; in section eighty-seven the following subsection shall be inserted after subsection (4) :</p> <p style="text-align: center;">—</p> <p style="text-align: center;">“(5) This section shall not apply to proceedings in Scotland for offences under section seventy-eight of this Act.”;</p> <p>in section one hundred and four, in subsection (1), after the word " Act " where that word first occurs there shall be inserted the words " except under section seventy-eight thereof " ; in section one hundred and thirteen, in subsection (1), for the definition of " Authorised course " there shall be substituted the following definition :—</p> <p style="text-align: center;">“ Authorised course ' means a course at a junior college established under the enactments relating to education or a training course provided under section seventy-seven of this, Act, and includes, in relation to insured</p>

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26 Geo. 5. & 1 Edw. 8. c. 32.	The National Health Insurance Act, 1936.	<p>contributors who have attained the age of eighteen years, any training course provided by the Assistance Board under the Unemployment Act, 1934;”</p> <p>and in the First Schedule, in paragraph 7 of Part II, for the words from "as a teacher," to "such a school," there shall be substituted the words "pending completion of training of a person provisionally recognised for temporary service as an uncertificated teacher in a school or other educational establishment in Scotland under the management of an education authority or other managers to whom grants are paid by the Secretary of State other than grants in aid of the managers' contributions under the Education (Scotland) (Superannuation) Acts, 1919 to 1939. "</p> <p>In the First Schedule, for paragraph (f) of Part II, there shall be substituted the following paragraph:—</p> <p>“(f) Employment in Scotland as a teacher to whom a scheme under the Education (Scotland) (Superannuation) Acts, 1919 to 1939, applies, or employment pending completion of training</p>

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26 Geo. 5 & 1 Edw. 8. c. 42.	The Education (Scotland) Act, 1936.	<p style="text-align: right;">of a person provisionally recognised for temporary service as an uncertificated teacher in a school or other educational establishment in Scotland under the management of an education authority or other managers to whom grants are paid by the Secretary of State other than grants in aid of the managers' contributions under the said Acts".</p> <p>In section four, in subsection (2), for the words from " Any such exemption " to " the ensuing term " there shall be substituted the words " No such exemption as aforesaid shall extend beyond the date for commencing school attendance next following the date upon which the exemption was granted " ; and in section fourteen, in paragraph (a), for the words "day school as defined in section thirty-four of the Act of 1908 " there shall be substituted the words " school other than an independent school " , and for paragraph (b) the</p>

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1 Edw. 8 & 1 Geo. 6. c. 37.	The Children and Young Persons (Scotland) Act, 1937.	<p data-bbox="1099 461 1345 1066">“(b) any committee or other body for the training of teachers constituted under section forty-nine of the Education (Scotland) Act, 1945, and the certificated teachers employed by them in a school.”.</p> <p data-bbox="987 1081 1345 2038">In section twenty-one, in subsection (1), after the word " 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 young person " ; in section twenty-eight, in subsection (1), for paragraph (a) there shall be</p>

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		<p>substituted the following paragraph :—</p> <p style="padding-left: 40px;">“(a) until he has attained an age not less than two years below that at which under the enactments relating to education children cease to be of school age ; or”,</p> <p>and in subsection (2), in sub-paragraph (i) of paragraph (a), for the words " under the age of twelve years (notwithstanding anything in paragraph (a) of the last foregoing subsection) " there shall be substituted the words " before they attain the age at which employment ceases to be prohibited under paragraph (a) of the last foregoing subsection " ; in section thirty-two, after subsection (3), there shall be inserted the following subsection :—</p> <p style="padding-left: 40px;">“(3A) A licence granted under this section shall specify the times, if any, during which the child to whom the licence relates may be absent from school for the purposes authorised by the licence, and for the purposes of the enactments relating to education a child who is so absent during any times so specified shall,</p>

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		<p data-bbox="979 383 1426 831">notwithstanding anything in section three of the Education (Scotland) Act, 1901, or in section four of the Education (Scotland) Act, 1936, be deemed to have been granted exemption from the obligation to attend school during the specified times.”;</p> <p data-bbox="979 831 1426 1211">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 fifty, for paragraph (ii) of subsection (1), there shall be substituted the following paragraph :—</p> <p data-bbox="1214 1211 1426 2022">“(ii) to hear proceedings regarding any child with respect to whom a direction has been given under section twenty-eight of the Education (Scotland) Act, 1945 ;”;</p>

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1 Edw. 8. & 1 Geo. 6. c. 67.	The Factories Act, 1937.	<p>in section sixty-five, in paragraph (c) of subsection (1), after the word "child" there shall be inserted the words " or young person ", and after the word " children " there shall be inserted the words " or young persons "; 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 ".</p>
2 & 3 Geo. 6. c. 96.	The Education (Scotland) (War Service Superannuation) Act, 1939.	<p>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 " :—</p> <p style="padding-left: 40px;">“ Period of war service ' in relation to any person includes—</p>



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

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5 & 6 Geo. 6. c. 5.	The Education (Scotland) Act, 1942.	<p style="text-align: right;">all one year, or such longer period not exceeding two years as the Secretary of State may in any particular case allow”.</p> <p>In section one the following paragraphs shall be substituted for paragraphs (1), (2) and (3) :—</p> <p>“(1) When it is brought to the notice of an education authority that a pupil attending a public school in their area is unable by reason of the inadequacy or unsuitability of his clothing to take full advantage of the education provided, the education authority shall make such provision for the pupil for the purpose of ensuring that he is sufficiently and suitably clad as they may deem necessary during such period while the pupil is attending school (including days when the school does not meet) as they may determine.</p> <p>(2) Where an education authority make provision for a pupil in pursuance of this section, they shall be entitled to recover from the parent of the pupil the expense thereby incurred</p>

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		<p>or, if the authority are satisfied that the parent is unable without financial hardship to pay the whole of that expense, such part thereof, if any, as he is, in the opinion of the authority able without financial hardship to pay.”;</p> <p>and in section three the word " pupil " shall be substituted for the word " child " wherever that word occurs, and in paragraph (b) for the words " under any enactment to make special provision " there shall be substituted the words " to provide special educational-treatment ".</p>