



# Education (Scotland) Act 1945

## 1945 CHAPTER 37

### PART III

#### ADMINISTRATION AND STAFFING.

##### *Miscellaneous Powers of Secretary of State.*

#### **60 Powers of Secretary of State to enforce duty of authorities and other persons.**

If the Secretary of State is satisfied, either on complaint by any person interested or otherwise, that an education authority, the managers of a school or educational establishment, or other persons have failed to discharge any duty imposed on them by or for the purposes of the Education Acts, the Secretary of State may make an order declaring them to be in default in respect of that duty and requiring them before a date stated in the order to discharge that duty. If by the said date the education authority, managers or other persons have not discharged the duty, one or other of the following steps may be taken to secure the discharge thereof—

- (a) the Secretary of State may make such arrangements as he thinks fit for the discharge of the duty, and all expenses incurred by the Secretary of State in so doing shall be recoverable as a debt due by the authority, managers or other persons to the Secretary of State ; or
- (b) the Court of Session may, on the application of the Lord Advocate, order specific performance of the duty.