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 STATUTORY INSTRUMENTS
 

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1981 No. 1017 (S. 103)

**EDUCATION, SCOTLAND**  
**The Teachers Colleges of Education (Scotland)**  
**Regulations 1981**

*Made* - - - - - 14th July 1981  
*Laid before Parliament* 16th July 1981  
*Coming into Operation* 15th September 1981

ARRANGEMENT OF REGULATIONS

PART I

COMMENCEMENT AND INTERPRETATION

*Regulation*

1. Citation and commencement
2. Definitions
3. Interpretation

PART II

DISSOLUTION OF CERTAIN GRANT-AIDED COLLEGES OF EDUCATION  
 AND TRANSFER OF STAFF AND PROPERTY ETC.

4. Dissolution of certain grant-aided colleges of education
5. Application of transfer provisions
6. Transfer of staff of dissolved colleges
7. Savings for training arrangements
8. Transfer of property, rights, liabilities and obligations
9. Vehicle licences

PART III

CONSTITUTION OF COLLEGE OF EDUCATION UNDER SECTION 77(2)  
 OF THE EDUCATION (SCOTLAND) ACT 1980

10. Interpretation
11. Establishment of college of education
12. Establishment and composition of governing body
13. Incorporation and other matters relating to the college of education
14. Periods of office of governors
15. Functions and obligations with respect to land and buildings
16. Appointment of staff

## PART IV

## CONSEQUENTIAL PROVISIONS

17. Revocation and amendment of certain provisions of the Regulations of 1967

## SCHEDULES

Schedule 1—composition of governing body of college of education.

Schedule 2—application to the college of education of certain provisions of the Regulations of 1967.

Schedule 3—lands and buildings.

Schedule 4—revocation and amendment of certain provisions of the Regulations of 1967.

In exercise of the powers conferred on me by section 77(1), (2), (3) and (4) of the Education (Scotland) Act 1980(a) and of all other powers enabling me in that behalf after consultation under section 5(1)(b) of the Teaching Council (Scotland) Act 1965(b) with the General Teaching Council, and the governing bodies of the colleges of education appearing to me to be concerned regarding functions assigned to the Council under the Teachers (Colleges of Education) (Scotland) Regulations 1967(c) and to be applied in these regulations, I hereby make the following regulations:—

## PART I

## COMMENCEMENT AND INTERPRETATION

*Citation and commencement*

1. These regulations may be cited as the Teachers Colleges of Education (Scotland) Regulations 1981 and shall come into operation on 15th September 1981.

*Definitions*

2. In these regulations, unless where the context otherwise requires, the following expressions shall have the meanings respectively assigned to them, that is to say

“the Act” means the Education (Scotland) Act 1980;

“Callendar Park College of Education” means the college of education provided, administered and conducted by the governing body constituted under the name of The Governors of Callendar Park College of Education by Regulation 4(2) of the Regulations of 1967;

“Craiglockhart College of Education” means the college of education provided, administered and conducted by the governing body constituted under the name of The Governors of Craiglockhart College of Education by Regulation 4(2) of the Regulations of 1967;

“dissolved college” means a grant-aided college of education which is dissolved by these regulations; and a reference to the governing body of a dissolved college is a reference to the governing body of the grant-aided college of education prior to its dissolution;

(a) 1980 c. 44.

(b) 1965 c. 19.

(c) S.I. 1967/29, amending instruments are S.I. 1969/1460; 1972/1891; 1975/640; and 1977/634.

“Hamilton College of Education” means the college of education provided, administered and conducted by the governing body constituted under the name of The Governors of Hamilton College of Education by Regulation 4(2) of the Regulations of 1967;

“Jordanhill College of Education” means the college of education provided, administered and conducted by the governing body constituted under the name of The Governors of Jordanhill College of Education by Regulation 4(2) of the Regulations of 1967;

“Moray House College of Education” means the college of education provided, administered and conducted by the governing body constituted under the name of The Governors of Moray House College of Education by Regulation 4(2) of the Regulations of 1967;

“Notre Dame College of Education” means the college of education provided for, administered and conducted by the governing body constituted under the name of The Governors of Notre Dame College of Education by Regulation 4(2) of the Regulations of 1967;

“receiving college” means a grant-aided or other college of education to whom the staff, property, rights, liabilities and obligations of a dissolved college are transferred by virtue of these regulations;

“Regulations of 1967” means the Teachers (Colleges of Education) (Scotland) Regulations 1967;

“St. Andrew’s College of Education” means the institution established in Part III of these regulations to be administered and conducted by the governing body constituted in that Part III under the name of The Governors of St. Andrew’s College of Education.

### *Interpretation*

3.—(1) In these regulations unless the context otherwise requires an expression used in these regulations and defined in the Regulations of 1967 shall have the same meaning as is assigned to it in the Regulations of 1967.

(2) In these regulations, a reference to a relevant receiving college shall be construed in relation to any dissolved college as a reference to the receiving college to whom or in whom the staff, property, rights, liabilities and obligations of that dissolved college are transferred and vested by virtue of these regulations.

(3) In these regulations, unless the context otherwise requires, a reference to a regulation Schedule or paragraph of a regulation or Schedule is a reference to a regulation Schedule or paragraph of a regulation or Schedule of these regulations.

## PART II

### DISSOLUTION OF CERTAIN GRANT-AIDED COLLEGES OF EDUCATION AND TRANSFER OF STAFF AND PROPERTY ETC.

#### *Dissolution of certain grant-aided colleges of education*

4. Callendar Park College of Education, Craiglockhart College of Education, Hamilton College of Education and Notre Dame College of Education shall be dissolved on 15th September 1981.

*Application of transfer provisions*

5. The provisions of these regulations for the transfer of staff of a dissolved college apply to any member of staff who immediately before 15th September 1981 is in whole time or part time employment of the governing body of a dissolved college:

Provided that these provisions shall not apply to any such member of staff who is so employed wholly or mainly in connection with functions which are not dischargeable by a governing body of a college of education under Part III of the Regulations of 1967.

*Transfer of staff of dissolved colleges*

6. On 15th September 1981

- (a) the staff of Callendar Park College of Education shall be transferred to Moray House College of Education;
- (b) the staff of Craiglockhart College of Education shall be transferred to St. Andrew's College of Education;
- (c) the staff of Hamilton College of Education shall be transferred to Jordanhill College of Education; and
- (d) the staff of Notre Dame College of Education shall be transferred to St. Andrew's College of Education.

*Savings for training arrangements*

7.—(1) Where a member of staff transferred by virtue of Regulation 6 is undergoing or is to undergo a course of training or has entered or is about to enter an apprenticeship in accordance with arrangements made by the governing body of a dissolved college, which have not been discharged before 15th September 1981, those arrangements shall continue in force on and after that date as if they had been made by the governing body of the relevant receiving college into whose employment he is so transferred.

(2) Where any such member of staff is on 14th September 1981 undergoing a course of training or undertaking research work these regulations shall apply—

- (a) if it was part of the arrangements by virtue of which he is undergoing such a course that at the completion of the course he should be transferred to employment different from that in which he was engaged prior to the commencement of the course, as if he was on 14th September 1981 so employed; or
- (b) in the absence of any such arrangement as if he was on 14th September 1981 in the employment in which he was engaged immediately prior to the commencement of such training.

*Transfer of property, rights, liabilities and obligations*

8.—(1) On 15th September 1981, the whole property heritable and moveable, and the rights, liabilities and obligations to which the governing body of a dissolved college specified in Column (2) below opposite a serial number specified in Column (1) below was entitled or subject immediately before that day shall, by virtue of this Regulation and subject to the provisions of these regulations, be transferred to, vest in and become the property, rights, liabilities and obligations of the governing body of the relevant receiving college specified in Column (3) below opposite that serial number:—

Serial No. (1)	Dissolved college (2)	Relevant receiving college (3)
1.	Callendar Park College of Education	Moray House College of Education
2.	Craiglockhart College of Education	St. Andrew's College of Education
3.	Hamilton College of Education	Jordanhill College of Education
4.	Notre Dame College of Education	St. Andrew's College of Education

(2) Any agreement made, transaction effected or other thing done in connection with a dissolved college by, to or in relation to the governing body of that college which is in force or effective immediately before 15th September 1981 shall have effect on and after that day as if made or done in connection with the relevant receiving college by, to or in relation to the governing body of that college in all respects as if the governing body of the relevant receiving college were the same person in law as the governing body of the dissolved college and accordingly references to the governing body of a dissolved college—

- (a) in any agreement whether or not in writing and in any deed, bond, instrument or notice;
- (b) in any action or proceeding pending or existing at 15th September 1981 by or against that governing body before any court or other tribunal; and
- (c) in any other document whatsoever (other than an enactment) relating to or affecting any property, right, liability or obligation of or relating to that dissolved college which vests by virtue of this regulation in a relevant receiving college;

shall be taken on and after 15th September 1981 as referring to the governing body of the relevant receiving college.

(3) Without prejudice to the generality of paragraphs (1) and (2) above—

- (a) the rights, liabilities and obligations transferred and vested by virtue of paragraph (1) shall include the rights, liabilities and obligations of the governing body of a dissolved college under any contract of employment in force immediately before 15th September 1981 between them and any member of staff of the dissolved college transferred by virtue of Regulation 6;
- (b) by virtue of paragraph (2) above, any such contract of employment shall be modified by substituting for any reference therein to the governing body of the dissolved college a reference to the governing body of the relevant receiving college;
- (c) without prejudice to paragraph (b) above for the purposes of any such contract of employment (as it has effect by virtue of paragraphs (1) and (2) of this Regulation in relation to the governing body of the relevant receiving college) any period of employment with the governing body of a dissolved college under that contract shall count as employment with the governing body of the relevant receiving college; and
- (d) nothing in these regulations shall have the effect of terminating any such contract of employment or of varying it in any other way.

(4) In relation to any heritable property of a dissolved college being Callendar Park College of Education or Hamilton College of Education, transferred by virtue of paragraph (1) above the provisions of Regulation 19 of the Regulations of 1967 relating to disposal of and intromission with rights in land and buildings shall not apply but paragraphs (5) and (6) below shall apply.

(5) Such part of any heritable property mentioned in paragraph (4) above as was, during the academic year of the dissolved college ending in 1981, used for any purpose in connection with provision of courses for students attending that college, shall, to the extent that it is required by the governing body of the relevant receiving college to be used in connection with provision, by them, of courses for students who having attended the dissolved college during that academic year are, on 15th September 1981 due to commence further years of study in attendance at the relevant receiving college, be retained vested in the governing body of the relevant receiving college and be so used by them until 15th September 1982.

(6) Subject to the provisions of paragraph (5) above the governing body of a relevant receiving college may, and shall if so required by the Secretary of State, sell or otherwise dispose of the whole or any part of any heritable property transferred by virtue of paragraph (1) above on such terms and conditions as may be approved by the Secretary of State and shall pay to the Secretary of State the whole or such part of any proceeds of such sale or disposal as he may require.

(7) In relation to any heritable property of either of the dissolved colleges being Craiglockhart College of Education or Notre Dame College of Education transferred by virtue of paragraph (1) above, the provisions of Regulation 15 shall apply and paragraphs (5) and (6) above shall not apply.

(8) Where accommodation in any property of a dissolved college, transferred to and vested in a relevant receiving college by virtue of paragraph (1) is used (or in the case of accommodation not yet in occupation, proposed to be used), otherwise than temporarily, for the purpose of any functions which on and after 15th September 1981 are not dischargeable by the governing body of that relevant receiving college, the user shall be subject to paragraph (5) (6) or as the case may be (7) above be entitled to the use of such accommodation for such purposes as were authorised by the governing body of the dissolved college.

#### *Vehicle licences*

9. Any excise licence, operators' licence, public service vehicle licence, road service licence, plating certificate or other document issued in respect of any vehicle transferred by Regulation 8 above shall have effect as if it had been issued to the governing body of the relevant receiving college to whom the vehicle is transferred and any reference to the governing body of the dissolved college from whom the vehicle is transferred in any such licence or certificate or in any registration book or other document issued in respect of such vehicle shall have effect as if it were a reference to the governing body of the relevant receiving college.

## PART III

CONSTITUTION OF COLLEGE OF EDUCATION UNDER SECTION 77(2)  
OF THE EDUCATION (SCOTLAND) ACT 1980*Interpretation*

10. In Part III of and Schedules 1, 2 and 3 to these regulations unless the context otherwise requires a reference to a college of education is a reference to the institution established in Regulation 11, a reference to a governing body is a reference to the governing body of that institution and a reference to a governor is a reference to a governor of that governing body.

*Establishment of college of education*

11. For the purpose of provision of further education in the form of courses of instruction ensuring that persons are adequately prepared for service as teachers in educational establishments of Scotland and for the purpose of carrying this Part of these regulations and any other regulations relating to the education and training of teachers into effect there shall be, and is hereby, established an institution being a college of education under the name of St. Andrew's College of Education.

*Establishment and composition of governing body*

12. The governing body of the college of education are hereby established and constituted under the name of "The Governors of St. Andrew's College of Education" and shall be composed in the manner prescribed in Schedule 1.

*Incorporation and other matters relating to the college of education*

13.—(1) For the purposes of the incorporation of the governing body, conferring functions upon them and with respect to other matters relating to them and to the college of education, the provisions of the Regulations of 1967 specified for the purposes of this paragraph in Schedule 2 shall apply subject to the modifications thereof mentioned in that Schedule and for the purposes of such application the governing body shall be deemed to be a governing body constituted under Regulation 4 of the Regulations of 1967 under the name of The Governors of St. Andrew's College of Education and Regulation 2(9) of the Regulations of 1967 shall be construed as including a governing body deemed to be constituted under that Regulation 4.

(2) The religious instruction and religious training of the students attending the college of education shall be the sole responsibility of the Scottish Hierarchy of the Roman Catholic Church.

*Periods of office of governors*

14.—(1) The period of office of the governors first appointed or elected under this Part of these regulations shall, subject to Regulation 7 of the Regulations of 1967, end on the second Tuesday of May 1983 and the period of office of the governors appointed or elected to succeed those governors shall subject to that Regulation end on the second Tuesday of May 1987 and so on at intervals of 4 years.

(2) The governing body shall on or about 1st February in each year in which periods of office expire under paragraph (1) intimate impending vacancies to the appointing bodies concerned or to the Secretary of State as the case may be and those appointing bodies or the Secretary of State as the case may be shall make appointments to fill the vacancies in accordance with the relevant provisions of Schedule 1 before or as soon as possible after the second Tuesday of May of that year.

*Functions and obligations with respect to land and buildings*

15.—(1) For the purposes of this Part of these regulations, the governing body shall be vested in any heritable property of the dissolved colleges, being Craiglockhart College of Education or Notre Dame College of Education, transferred and vested by virtue of Regulation 8(1).

(2) For the purposes of this Part of these regulations the rights, liabilities and obligations of the governors of Craiglockhart College of Education relating to property of the Society of the Sacred Heart transferred to and vested in the college of education by virtue of Regulation 8 shall be so transferred and vested subject to the arrangements specified in Schedule 3.

(3) The governing body may acquire and subject to the provisions of Regulation 13 applying Regulation 27 of the Regulations of 1967 or as the case may be paragraph (2) above, dispose of and otherwise intromit with rights in land and buildings.

(4) The governing body shall erect, enlarge, improve, equip, furnish and generally maintain in good order such buildings as may be required by them for the purposes of this Part of these regulations.

*Appointment of staff*

16. For the purposes of exercising their functions under this Part of these regulations, the governing body shall appoint a principal and such other whole time and part time staff as they may require provided that no person shall be appointed by the governing body to the teaching staff of the college of education unless he is approved as regards religious belief and character by the Scottish Hierarchy of the Roman Catholic Church.

## PART IV

## CONSEQUENTIAL PROVISIONS

*Revocation and amendment of certain provisions of the Regulations of 1967*

17. The Regulations of 1967 shall have effect in accordance with Schedule 4 to these regulations.

*George Younger,*  
One of Her Majesty's Principal  
Secretaries of State.

New St. Andrew's House,  
Edinburgh.  
14th July 1981.



## SCHEDULE 1

## Regulation 12

## COMPOSITION OF GOVERNING BODY OF COLLEGE OF EDUCATION

1. The governing body of the college of education shall be composed as follows—
- (1) 1 person appointed by the education authority for Strathclyde Region from the members of their education committee;
  - (2) 1 person appointed by the education authority for Lothian Region from the members of their education committee;
  - (3) 2 persons appointed by the Convention of Scottish Local Authorities from the members of education committees;
  - (4) 1 person appointed by the Association of Directors of Education in Scotland from their own number;
  - (5) 2 persons appointed jointly by the Senates of the Universities of Scotland from their own number;
  - (6) the principal and vice-principal of the college of education and the senior member (not being the principal or vice-principal) of the academic staff of the unit in the East of Scotland, and one other member of the academic staff appointed by the board of studies;
  - (7) 4 persons elected by the full time academic staff of the college in accordance with Regulation 6(4)(a) of the Regulations of 1967;
  - (8) 5 teachers elected in accordance with the provisions of Regulation 6(3) and Schedule 2 of the Regulations of 1967 being teachers approved as regards their religious belief and character by the Scottish Hierarchy of the Roman Catholic Church who are serving in schools or further education establishments in Scotland, of whom—
    - (a) 1 shall be the head teacher of a primary school;
    - (b) 2 shall be head teachers of secondary schools;
    - (c) 2 shall be registered teachers elected without regard to the posts in which they are employed;
  - (9) 2 persons elected by the full time matriculated students of the college from their own number in accordance with the rules made under Regulation 6(4)(b) of the Regulations of 1967 of whom one shall be an office bearer in the students' representative council in the college;
  - (10) 3 persons appointed by the Scottish Hierarchy of the Roman Catholic Church;
  - (11) 1 person appointed by the Provincial of the British Province of the Congregation of Notre Dame;
  - (12) 1 person appointed by the Provincial for Ireland and Scotland of the Society of the Sacred Heart;
  - (13) 3 persons appointed by the Secretary of State, of whom at least one shall be a member of the Roman Catholic Church;

2. In this Schedule, a reference to the unit in the East of Scotland is a reference to that part of the college of education which is for the time being conducted by the governing body in the premises occupied by the dissolved college namely Craiglockhart College of Education immediately prior to 15th September 1981.

## SCHEDULE 2

## Regulation 13(1)

APPLICATION TO THE COLLEGE OF EDUCATION  
OF CERTAIN PROVISIONS OF THE REGULATIONS OF 1967

The following provisions of the Regulations of 1967 are specified for the purposes of Regulation 13(1) namely—

- (a) In Part II, Regulations 4(3) and (4), 5(2) and 6(3) and (4) and Schedule 2, Regulations 7, 8, 9, 10, 11 and 12; subject that in Regulation 7(3) and (3A) for

the references therein to Schedule 1 of the Regulations of 1967 there shall be substituted a reference to Schedule 1 of these regulations;

- (b) Part III;
- (c) Part IV, other than Regulations 19 and 20(1);
- (d) Part V and Schedule 4;
- (e) Part VI;
- (f) In Part VII Regulations 30 and 31.

## Regulation 15(2)

## SCHEDULE 3

## LANDS AND BUILDINGS

1. The lands and buildings of the dissolved college namely Craiglockhart College of Education being lands vested in the Society of the Sacred Heart immediately before 1st April 1959 and so vested immediately before 15th September 1981 shall remain vested in the Society of the Sacred Heart. The said Society shall be responsible for the upkeep of the said lands and buildings and for the payment to the proper authority or superior or other creditor of all rates and taxes, feuduties and other burdens thereon. No rent or other consideration shall be payable by the governing body of St. Andrew's College of Education for any use which they may make of the said lands and buildings or any part thereof for the purposes of that college. The Society shall provide such facilities as may be required by the governing body of that college on and in the said lands and buildings for the purposes of any such use and shall keep such part of the said lands and buildings or any part thereof as may be so used in proper repair and in a healthy and sanitary condition to the satisfaction of the governing body.

2. Notwithstanding the provisions of paragraph 1 above the governing body shall enter into agreements with the Society of the Sacred Heart for the repayment in whole or in part to the said Society of any sums expended by the Society for the purposes of paragraph 1 above.

## Regulation 17

## SCHEDULE 4

## REVOCATION AND AMENDMENT OF CERTAIN PROVISIONS OF THE REGULATIONS OF 1967

1. The Regulations of 1967 shall cease to have effect with respect to the dissolved colleges namely Callendar Park College of Education, Craiglockhart College of Education, Hamilton College of Education and Notre Dame College of Education and in particular but without prejudice to that generality the following provisions of those Regulations shall be revoked—

- (a) in Regulation 4(2), the words "The Governors of Callendar Park College of Education", "The Governors of Craiglockhart College of Education", "The Governors of Hamilton College of Education" and "The Governors of Notre Dame College of Education";
- (b) Regulation 4(5);
- (c) in Regulation 19, the proviso;
- (d) in Regulation 20(1) in subparagraph (a) the words "other than Craiglockhart College of Education or Notre Dame College of Education" and subparagraphs (b) to (e);
- (e) in Schedule 1, paragraphs 2, 4, 7 and 10;
- (f) in Schedule 2 Part III the references to Callendar Park College of Education and Hamilton College of Education in Column (2), the reference to serial 6 in Column (4) with respect to serial numbers 3 and 4 in Column (1) of the table; and the provisions made in Columns (2), (3) and (4) in respect of serial numbers 5 and 6 in Column (1);

- (g) in Schedule 2 Part IV, in paragraph 5(1)(c) and (d) the respective references to the Governors of Callendar Park College of Education, Craiglockhart College of Education, Hamilton College of Education and Notre Dame College of Education;
- (h) Schedule 3.
2. The following amendments shall be made to the Regulations of 1967:—
- (a) in Regulation 19, after “27”, there shall be inserted the following words—  
“and to Regulation 8 of the Teachers Colleges of Education (Scotland) Regulations 1981”;
- (b) in paragraph 8 of Schedule 1 at the end there shall be inserted the following proviso—  
“Provided that in respect of the period from 15th September 1981 until 10th May 1983 both dates inclusive, the composition of the governors shall also include 4 persons appointed by the governing body of the dissolved college namely Hamilton College of Education”;
- (c) in paragraph 9 of Schedule 1—
- (i) after subparagraph (1) there shall be inserted the following subparagraph—  
“(1A) 1 person appointed by the education authority for Central Region from the members of their education committee”;
- (ii) after subparagraph (7), there shall be inserted the following subparagraph—  
“(7A) 1 person appointed by the Academic Council of the University of Stirling from their own number”; and
- (iii) at the end there shall be inserted the following proviso—  
“Provided that in respect of the period from 15th September 1981 until 10th May 1983 both dates inclusive, the composition of the governors shall also include 4 persons appointed by the governing body of the dissolved college namely Callendar Park College of Education”;
- (d) in Schedule 2 Part III there shall be inserted into the table the following entry—
- |     |                                      |                      |   |
|-----|--------------------------------------|----------------------|---|
| (1) | (2)                                  | (3)                  | (4)   |
| “5  | St. Andrew’s College<br>of Education | The whole<br>country | Teachers who are approved as regards<br>their religious belief and character by<br>the Scottish Hierarchy of the Roman<br>Catholic Church not being teachers<br>entitled to vote under serial 7.” |
- (e) in Schedule 2 Part IV paragraph 5(1) there shall be inserted the following subparagraph—  
“(e) the Governors of St Andrew’s College of Education for the election to the governing body of the said college.”

## EXPLANATORY NOTE

*(This Note is not part of the regulations.)*

These regulations make provision for dissolving 4 colleges of education, for the transfer of the staff of those colleges and of their property etc. to 3 other colleges including a new college constituted under the regulations and for the consequential amendment and revocation of the provisions of the Teachers (Colleges of Education) (Scotland) Regulations 1967.

Part I of the regulations makes provision for citation and interpretation etc.; in Part II of the regulations the staff and property etc. of the dissolved college of Callendar Park College of Education are transferred to Moray House College of Education; those of Hamilton College of Education are transferred to Jordanhill College of Education; and those of Craiglockhart and Notre Dame Colleges of Education are transferred to the new college known as St. Andrew's College of Education; Part III and Schedules 1, 2 and 3 of the regulations make provision for the composition of and the functions to be exercised by the governing body of that new college; and Part IV and Schedule 4 make provision for the revocation and amendment of the 1967 Regulations.

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