

1982 No. 73 (S.12)

EDUCATION, SCOTLAND

**The Moray and Nairn Educational Trust
(Amendment) Scheme 1982**

Made - - - 22nd January 1982

Coming into Operation 22nd January 1982

In exercise of the powers conferred on him by sections 105(1), 116 and 112(2) of the Education (Scotland) Act 1980(a) and all other powers enabling him in that behalf and after:—

- (a) preparing a draft scheme to amend the Moray and Nairn Educational Trust Schemes 1935 and 1938
- (b) carrying out the procedure specified in section 112(1) of the said Act, and
- (c) no objections or proposed amendments to the draft scheme having been received by him,

the Secretary of State hereby makes the following scheme:—

Citation

1. This scheme may be cited as the Moray and Nairn Educational Trust (Amendment) Scheme 1982. The principal scheme and this scheme shall be construed as one and may be cited together as the Moray and Nairn Educational Trust Schemes 1935 to 1982.

Interpretation

2.—(1) In this scheme, unless the context otherwise requires:—

“principal scheme” means the Moray and Nairn Educational Trust Schemes 1935 and 1938;

“Council” means Grampian Regional Council as statutory successor to the Joint County Council of the Combined County of Moray and Nairn and acting as governing body of the Moray and Nairn Educational Trust;

“Governors” means the Governors of Anderson’s Institution, Elgin; and

“area of benefit” means the former County of Moray and the parishes of Duthil and Abernethy.

(2) References in this scheme to a section, Schedule or column shall, except where the context otherwise requires, be construed as references to a section of or the Schedule to this scheme or a column of that Schedule, as the case may be.

Transfer and vesting of funds

3.—(1) As soon as can conveniently be arranged after the coming into operation of this scheme, the Governors shall transfer to the Council all capital sums, cash balances, books, deeds and papers relating to the Simpson Bursary Fund to which the Governors have right as governing body and the said Fund shall be vested in the Council without the necessity of any other instrument or conveyance. The said funds shall be held, administered and applied by the Council exclusively in accordance with the conditions and provisions of the Moray and Nairn Educational Trust Schemes 1935 to 1982.

(2) As a condition of the payment or transfer specified in sub-paragraph (1) above, the Council shall discharge such lawful debts of the Fund as remain unpaid by the Governors and shall, after satisfactory examination and audit of the accounts grant to the Governors a discharge of their intromissions with the said funds.

Amendments to the principal scheme

4. The principal scheme shall be amended as follows:—

- (a) in the rubric there shall be inserted after the reference to the Schoolbraid Bursary Fund the description of the Simpson Bursary Fund specified in Part I of the Schedule;
- (b) in section 19(1) the words “and the Grantown Bursaries” where first occurring shall be deleted and there shall be substituted the words “the Grantown Bursaries and the Simpson Bursaries”; and
- (c) there shall be added at the end of the third Schedule to the principal scheme the details specified in Part II of the Schedule.

Additional section

5. The following section shall be added after section 35:

“Variation of preferences etc

35A. If at any time the ratio between the income of the endowment and the sums set forth in this scheme shall be materially altered by an increase or decrease in the said income, it shall be in the power of the Council to restore the said ratio by making an increase or decrease in the said sums.”

Revocation

6. Sections 23 to 31 inclusive of the Anderson’s Institution Scheme 1933 shall cease to have effect on the coming into operation of this scheme.

Given under the seal of the Secretary of State for Scotland.

A. D. F. Findlay,
Assistant Secretary.

Scottish Education Department,
New St. Andrew’s House,
Edinburgh.
22nd January 1982.

SCHEDULE

Paragraphs 4 and 6

PARTICULARS OF THE ENDOWMENT TO WHICH THIS SCHEME RELATES

PART I

Name of Endowment	Designation of Founder	Governing Instrument
Simpson Bursary Fund	Dr Donald Simpson, Fern Tree Valley, State of Victoria.	Anderson's Institution Scheme 1933.

PART II

Name of Bursary	Annual Value	Number to be awarded	Description of Persons to whom Bursaries may be Awarded	Special Conditions
1.	2.	3.	4.	5.
Simpson Bursary	£750	At the discretion of the Council	Persons ordinarily resident in the area of benefit, with a preference for orphans or children of one-parent families.	The holder shall pursue a course of study leading to graduation in any of the Scottish Universities or to the award of an associateship, diploma or certificate of a Scottish institute of further education or to obtain qualifications in addition to those already possessed.