

1982 No. 965 (S. 127)

EDUCATION, SCOTLAND

**The Grant Aided Secondary Schools (Scotland)
Grant Amendment Regulations 1982**

<i>Made</i> - - - - -	13th July 1982
<i>Laid before Parliament</i>	28th July 1982
<i>Coming into Operation</i>	18th August 1982

In exercise of the powers conferred on me by sections 73(c) and 74(1) of the Education (Scotland) Act 1980(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Grant-Aided Secondary Schools (Scotland) Grant Amendment Regulations 1982 and shall come into operation on 18th August 1982.

Interpretation

2. In these regulations, a reference to the principal regulations is a reference to the Grant-Aided Secondary Schools (Scotland) Grant Regulations 1976(b) and, unless the context otherwise requires, expressions used in these regulations shall have the same meaning in these regulations as they have in the principal regulations.

Amendment of the Grant-Aided Secondary Schools (Scotland) Grant Regulations 1976

3.—(1) Subject to paragraphs (2) and (3) of this Regulation, the principal regulations shall be amended as follows—

(a) In regulation 2(1)—

- (i) the definitions of “Act of 1973” and “local authority” shall be deleted;
- (ii) for the definition of “financial year” there shall be substituted the following definition—

“‘financial year’ in relation to a specified schools means, subject to regulation 15 of these regulations, any period of twelve months to which the accounts of that school relate, beginning after 30 June 1982 and ending in the calendar year 1983”; and

- (iii) in the definition of “group of specified schools” for the words “16 to 19” there shall be substituted the words “12 and 14”.

(a) 1980 c. 44.

(b) S.I. 1976/475, amended by S.I. 1979/766, 1980/799 and 1981/626.

- (b) In regulation 3(2)(a) for the words from “according” to “Columns (3) to (8)” there shall be substituted the words “in Column (3)”;
- (c) In regulation 8—
- (i) for the words “in the next financial year” there shall be substituted the words “within the period of 3 months mentioned therein or such other period as the Secretary of State may approve in terms of that Regulation”; and
 - (ii) in paragraph (b) of that regulation for the words “the first mentioned” there shall be substituted the word “that”;
- (d) Regulations 12 and 16 shall be revoked;
- (e) Regulation 17 shall be revoked;
- (f) Regulation 18 shall be revoked and there shall be substituted therefor the following regulation—
- “*General Conditions*
18. The managers of a specified school or of any school included in a group of specified schools shall be, in the opinion of the Secretary of State, fit and proper persons to be such managers and they shall at all times ensure that
- (a) efficient and suitable instruction is being provided at that school, having regard to the ages and sex of the pupils attending the school;
 - (b) the school premises are suitable for a school;
 - (c) the accommodation provided at the school premises is adequate and suitable, having regard to the number, ages and sex of the pupils attending the school; and
 - (d) any teacher employed at the school is a fit and proper person to be a teacher in that school.”;
- (g) In Schedule 1, the items comprising serial nos 2 and 3 in Column 1 and the specified schools and amounts to which those serial numbers relate are hereby revoked;

(h) For Schedule 1, there shall be substituted the following Schedule—

Column (1)	Column (2)	Column (3)
Serial No.	Name of School	Financial Year ending in 1983
		£
1	Dollar Academy	126,780
2	Albyn School for Girls	59,880
3	Robert Gordon's College	155,680
4	St Margaret's School	62,540
5	George Heriot's School	163,710
6	Craigholme School for Girls	70,050
7	Kelvinside Academy	87,530
8	Laurel Bank School	76,800
9	St Aloysius' College	121,350
10	Westbourne School for Girls	62,630
11	High School of Dundee	155,770
12	Daniel Stewart's and Melville College } The Mary Erskine School for Girls } George Watson's College }	631,200
13	Hutchesons' Grammar School	178,340
14	The Park School } St Columba's School }	148,360
15	Morrison's Academy	116,940"

(2) The provisions of

(a) paragraph (1)(a)(ii) of this Regulation shall not affect the application of the definition of financial year in regulation 2(1) of the principal regulations as enacted before the coming into operation of this Regulation; and

(b) the provision of paragraph (1)(g) of this Regulation shall not affect the application of the item comprising serial no 2 in Column 1 of Schedule 1 to the principal regulations as so enacted;

to any grant which may be payable under the principal regulations as so enacted to the managers of the Benedictine Convent School, Dumfries in respect of their financial year ending in the calendar year 1982.

(3) The provisions of paragraph (1)(e) shall not affect the application of regulation 17 of the principal regulations for the purposes of the observance by the managers of a specified school of Part IV of the Schools General (Scotland) Regulations 1975(a).

(a) S.I. 1975/1135, amended by S.I. 1982/56.

Amendment of other regulations

4. At the end of the proviso to regulation 26 of the School Premises (General Requirements and Standards) (Scotland) Regulations 1967(a) there shall be inserted the words "as amended".

New St. Andrew's House,
Edinburgh.
13th July 1982.

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

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Grant-Aided Secondary Schools (Scotland) Grant Regulations 1976 (the principal regulations) so as to extend their general operation to the financial year of grant-aided schools ending in 1983 and by removing or making substitute provision for certain existing detailed controls on such schools in connection with their operational activities.

Regulation 3(1)(h) substitutes for Schedule 1 to the principal regulations (which related to financial years ending in the years 1977 to 1982) a new Schedule 1 and Regulation 3(1)(a)(ii) redefines "financial year" to enable a further financial year to be taken into account for the purposes of payment of grant under the principal regulations. The amendments made in Regulation 3(1)(b) and (c) are consequential thereon.

Regulation 3(1)(d) of these Regulations revokes Regulations 12 (the submission of estimates of expenditure and income to the Secretary of State) and 16 (remuneration payable to teachers) of the principal regulations.

Regulation 3(1)(e) of these Regulations revokes the application of the provisions of the Schools (Scotland) Code 1956 (S.I. 1956/894)(as amended) and the Schools General (Scotland) Regulations 1975 (as amended) except Part IV of those Regulations of 1975 concerning inspection by members of HM Inspectorate of Schools.

Regulation 3(1)(f) revokes Regulation 18 of the principal regulations (application of provisions of Parts I and III of the School Premises (General Requirements and Standards) (Scotland) Regulations 1967, (as amended)) and replaces it with a regulation requiring grant-aided secondary schools to observe general standards in relation to the instruction provided, premises, accommodation and teachers employed.

Regulation 3(1)(g) revokes in respect of certain schools now discontinued as specified schools provisions in Schedule 1 to the principal regulations and Regulation 3(1)(h) substitutes a revised Schedule 1 stating revised amounts for the purposes of calculation of maintenance grant awarded to each school or group of schools listed therein for the financial year ending in 1983.

(a) S.I. 1967/1199; relevant amending instruments are S.I. 1973/322 and 1976/475.

Regulation 3(2) and (3) provides for savings consequential on regulation 3(1)(a)(ii), (1)(g) and (1)(e).

Regulation 4 makes a consequential amendment to the School Premises (General Requirements and Standards) (Scotland) Regulations 1967.

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