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STATUTORY INSTRUMENTS

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**1996 No. 629 (S.64)**

**LOCAL GOVERNMENT, SCOTLAND**  
**EDUCATION, SCOTLAND**

**The Educational Endowments (Strathclyde  
Region) Transfer Scheme Order 1996**

<i>Made</i>	- - - -	<i>3rd March 1996</i>
<i>Laid before Parliament</i>		<i>11th March 1996</i>
<i>Coming into force</i>	- -	<i>1st April 1996</i>

The Secretary of State, in exercise of the powers conferred on him by section 17(1), (2), (3), (4), (6) and (8) of the Local Government etc. (Scotland) Act 1994<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Educational Endowments (Strathclyde Region) Transfer Scheme Order 1996 and shall come into force on 1st April 1996.

**Making of Scheme**

2. The Scheme set out in the Schedule to this Order shall have effect.

St Andrew's House,  
Edinburgh  
3rd March 1996

*Raymond S Robertson*  
Parliamentary Under Secretary of State, Scottish  
Office

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(1) 1994 c. 39.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Article 2

THE EDUCATIONAL ENDOWMENTS  
(STRATHCLYDE REGION) TRANSFER SCHEME 1996

**Citation**

1. This Scheme may be cited as the Educational Endowments (Strathclyde Region) Transfer Scheme 1996.

**Interpretation**

2.—(1) In this Scheme—

- (a) references to Strathclyde Regional Council and to any relevant district council are to those councils as constituted under section 2 of the Local Government (Scotland) Act 1973<sup>(2)</sup>;
- (b) references to any new council are to that council as constituted under section 2 of the Local Government etc. (Scotland) Act 1994.
- (c) “relevant district council” means any district council listed below—

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Argyll and Bute	Eastwood
Bearsden and Milngavie	Hamilton
City of Glasgow	Inverclyde
Clydebank	Kilmarnock and Loudoun
Clydesdale	Kyle and Carrick
Cumbernauld and Kilsyth	Monklands
Cumnock and Doon Valley	Motherwell
Cunninghame	Renfrew
Dumbarton	Strathkelvin
East Kilbride	

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(d) “new council” means any council listed below—

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Argyll and Bute	City of Glasgow
East Ayrshire	Inverclyde
North Ayrshire	North Lanarkshire
South Ayrshire	South Lanarkshire
East Dunbartonshire	East Renfrewshire
West Dunbartonshire	Renfrewshire

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(2) In this Scheme, unless the context otherwise requires, any reference to a numbered paragraph or Schedule is a reference to a paragraph of, or Schedule to, this Scheme.

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(2) 1973 c. 65; section 2 is repealed by the Local Government etc. (Scotland) Act 1994 (c. 39), section 180(2) and Schedule 14.

### **Transfer of specific educational endowments and relevant powers from Strathclyde Regional Council to new councils**

3.—(1) On 1st April 1996 the educational endowments listed in each Part of Schedule 1 to the extent that they are vested in Strathclyde Regional Council immediately before that date shall be transferred to and vest to the same extent in the new council to which that Part relates.

(2) On 1st April 1996 all powers vested in Strathclyde Regional Council immediately before that date with respect to educational endowments listed in each Part of Schedule 1 shall be transferred to and vest in the new council to which that Part relates.

### **Transfer of interests in any educational endowments not specifically provided for from Strathclyde Regional Council to new councils**

4.—(1) Where immediately before 1st April 1996 there were vested in Strathclyde Regional Council—

- (a) to any extent, any educational endowments;
- (b) any powers with respect to educational endowments;
- (c) any rights to be paid money out of educational endowments,

which are not specifically provided for in paragraph 3, then, subject to paragraph 6 and Schedule 2 and paragraph 7 and Schedule 3, such educational endowments shall to the same extent, and such powers and rights shall, on that date be transferred to and vest in the appropriate new council.

(2) Where immediately before 1st April 1996 there were vested by virtue of his office in the holder of an office connected with Strathclyde Regional Council, or in a person nominated by that Council—

- (a) to any extent, any educational endowments;
- (b) any powers with respect to educational endowments,

then, subject to paragraph 6 and Schedule 2 and paragraph 7 and Schedule 3, such educational endowments shall to the same extent, and such powers shall, on that date be transferred to and vest in—

- (i) in the case where they were vested by virtue of his office in a councillor, or in the holder of a specified office held by a councillor, a councillor of the appropriate new council nominated by that council for the purpose;
- (ii) in the case where they were vested by virtue of his office in an officer of Strathclyde Regional Council, the proper officer of the appropriate new council;
- (iii) in the case where they were vested in a person nominated by Strathclyde Regional Council, a person nominated by the appropriate new council.

(3) In this paragraph, “the appropriate new council” means—

- (a) subject to head (c) below, the new council for the area in which any educational establishment to which the endowment relates is situated; or
- (b) subject to head (c) below, where the endowment relates to no particular such establishment, the new council for the area in which the beneficiaries of the endowment are required under its governing instrument to reside or with which they are so required to have some other connection; or
- (c) where neither head (a) nor head (b) above applies, or where their application indicates more than one council, the new council for the area with which the endowment is most closely connected.

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### **Transfer of interests in educational endowments from district councils to new councils**

5.—(1) Where immediately before 1st April 1996 there were vested in a relevant district council—

- (a) to any extent, any educational endowments;
- (b) any powers with respect to educational endowments;
- (c) any rights to be paid money out of educational endowments,

then, subject to paragraph 6 and Schedule 2 and paragraph 7 and Schedule 3, such educational endowments shall to the same extent, and such powers and rights shall, on that date be transferred to and vest in the successor new council.

(2) Where immediately before 1st April 1996 there were vested by virtue of his office in the holder of an office connected with a relevant district council, or in a person nominated by that council—

- (a) to any extent, any educational endowments;
- (b) any powers with respect to educational endowments,

then, subject to paragraph 6 and Schedule 2 and paragraph 7 and Schedule 3, such educational endowments shall to the same extent, and such powers shall, on that date be transferred to and vest in—

- (i) in the case where they were vested by virtue of his office in a councillor, or in the holder of a specified office held by a councillor, a councillor of the successor new council nominated by that council for the purpose;
- (ii) in the case where they were vested by virtue of his office in an officer of the relevant district council, the proper officer of the successor new council;
- (iii) in the case where they were vested in a person nominated by the relevant district council, a person nominated by the successor new council.

(3) In this paragraph, “the successor new council” means—

- (a) in relation to each district council listed in the following table, the new council specified opposite it in that table:—

District Council	Successor new council
Argyll and Bute	Argyll and Bute
Bearsden and Milngavie	East Dunbartonshire
Clydebank	West Dunbartonshire
Clydesdale	South Lanarkshire
Cumbernauld and Kilsyth	North Lanarkshire
Cumnock and Doon Valley	East Ayrshire
Cunninghame	North Ayrshire
East Kilbride	South Lanarkshire
Eastwood	East Renfrewshire
Hamilton	South Lanarkshire
Kilmarnock and Loudoun	East Ayrshire
Kyle and Carrick	South Ayrshire
Inverclyde	Inverclyde

District Council	Successor new council
Monklands	North Lanarkshire
Motherwell	North Lanarkshire;

- (b) in relation to City of Glasgow, Dumbarton, Renfrew and Strathkelvin District Councils—
- (i) subject to head (iii) below, the new council for the area in which any educational establishment to which the endowment relates is situated; or
  - (ii) subject to head (iii) below, where the endowment relates to no particular such establishment, the new council for the area in which the beneficiaries of the endowment are required under its governing instrument to reside or with which they are so required to have some other connection; or
  - (iii) where neither head (i) nor head (ii) above applies, or where their application indicates more than one council, the new council for the area with which the endowment is most closely connected.

#### **Transfer of endowments of Dunbartonshire Educational Trust and McAulay Bequest from Strathclyde Regional Council to new governing body**

6.—(1) On 1st April 1996 the endowments comprised in the Dunbartonshire Educational Trust, governed by the Dunbartonshire Educational Trust Scheme 1962, vested in Strathclyde Regional Council immediately before that date shall be transferred to and vest in the Governors of the Dunbartonshire Educational Trust, constituted and incorporated under the said Scheme as amended in accordance with Schedule 2.

(2) On 1st April 1996 all powers under the Dunbartonshire Educational Trust Scheme 1962 vested in Strathclyde Regional Council immediately before that date shall be transferred to and vest in the Governors of the Dunbartonshire Educational Trust.

(3) On 1st April 1996 all rights to be paid money out of educational endowments conferred by the Dunbartonshire Educational Trust Scheme 1962 vested in Strathclyde Regional Council immediately before that date shall be transferred to and vest in the Governors of the Dunbartonshire Educational Trust.

(4) The Dunbartonshire Educational Trust Scheme 1962 shall be amended in accordance with Schedule 2.

(5) On 1st April 1996 the endowment of the McAulay Bequest, and all powers in respect of that endowment, vested in Strathclyde Regional Council immediately before that date shall be transferred to and vest in the Governors of the Dunbartonshire Educational Trust.

(6) The Governors of the Dunbartonshire Educational Trust shall administer the McAulay Bequest as a trust separate from the Dunbartonshire Educational Trust, and Parts I, IA and II of the Dunbartonshire Educational Trust Scheme shall, so far as relevant and with such modifications as are necessary, apply to the administration of the McAulay Bequest as they apply to the administration of the Dunbartonshire Educational Trust.

#### **Amendments of governing instruments**

7. The governing instruments specified in Schedule 3 shall be amended in accordance with that Schedule.

#### **Consequential provision for interpretation of governing instruments**

8. Subject to paragraph 6 and Schedule 2 and paragraph 7 and Schedule 3, and unless the context otherwise requires, where an educational endowment, or a power or right in respect of it, is

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transferred by this Scheme, any reference, however expressed, in the governing instrument of the endowment, in relation to that endowment, power or right, to a local authority or person in whom the endowment, power or right was at any time vested shall be construed as a reference to the council or person to whom the endowment, power or right is transferred by this Scheme.

## SCHEDULE 1

Paragraph 3

### PART I

#### educational endowments transferred to argyll and bute council

Name	Purpose or establishment
County of Argyll Educational Trust	Educational purposes in Argyll
County of Bute Educational Trust	Educational purposes in Bute
George Hutcheon Memorial Trust	Mathematics Prize at Campbeltown Grammar School
May Paterson Prize	Prize for business studies at Campbeltown Grammar School
Mrs Stead's Retired Teachers Fund	For teachers in any of the state aided schools within the Burgh of Helensburgh

### PART II

#### educational endowments transferred to east ayrshire council

Name	Purpose or establishment
Gavin Memorial Fund	Prizes for schools in Dalmellington
Brown Prize Fund	Prizes for Duxes at Cumnock Academy
Hon Alex Shaw Prize Fund	Prizes at Kilmarnock Academy
Morton Steven Dux Medal	To provide a Dux Medal at Kilmarnock Academy
Latta Dux Medal	Dux Medal at Cumnock Academy
James Mackie Memorial Prize	Prizes at Kilmarnock Academy
Hunter Stewart Fund	Doon Academy
Hood Endowment	Loudoun Academy
Archibald Hood Prize	Loudoun Academy
A B Carswell Prize	Loudoun Academy
William Wilson Memorial Prize	Prize at Auchinleck Academy
Margaret Wilson Memorial Prize	Prize at Auchinleck Academy

Name	Purpose or establishment
McKenzie Prizes	Auchinleck Academy
Galston Town Council Dux Medal	Dux Medals at Galston Junior Secondary and St Sophie's R.C.S.
George Mason Prize Fund	Grange Academy
Robert C Grant Prize Fund	Prizes at Kilmarnock Academy
Mary C Smith Memorial Prize	Prize at Loanhead Primary School
Marion Hamilton Memorial Prize	Auchinleck Academy
Sarah B Campbell	Prize at Bellsbank Primary School
Jean G Glennie	Auchinleck Academy
John Minto Prize Fund	Prize at Loanhead Primary School
W S Oughton Memorial Prize Fund	Prize at Doon Academy
Sir Alexander Fleming Prize Fund	Prize at Loudoun Academy
John C Kennedy Trust	Prize at Bellsbank Primary School
Brown Prize Fund	Prizes at Cumnock Academy
Mary C Smith Memorial Prize	Loanhead Primary School
Agnes Smith Campbell Prize Fund	Prize at Doon Academy
T K Stevenson Memorial Dux Prize	Prize at Greenmill Primary School, Cumnock

### PART III

#### educational endowments transferred to north ayrshire council

Name	Purpose or establishment
William Ainsworth Prize Fund	Prize at Auchinharvie Academy
Kemp School Prize Fund	Prizes for schools in Ardrossan, Saltcoats and Stevenston
Elizabeth Cairnie Memorial Prize	Prize at Largs Academy
James Wylie Memorial Prize Fund	Prize at Auchinharvie Academy
Andrew Galloway Prize Fund	Prize at Irvine Royal Academy
John Parker Legacy	Prize at Irvine Royal Academy/Glebe Primary School
James and Olivia Porter Prize Fund	Prize for arts at Irvine Royal Academy
Robert C Black Prize Fund	Prize at Garnock Academy
Henry L Russell Fund	Kyleshill Primary School
George Hendry Prize Fund	Prize at Largs Academy
Patrick Prize	Prize at Gateside Primary School, Beith

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Name	Purpose or establishment
Mrs M & A P Patrick Prize Fund	Prize at Auchinharvie Academy
Miss G B Boyd Prize Fund	Prize at Auchinharvie Academy
Jean C McKenzie Prize Fund	Prize at Stanley Primary School, Ardrossan
Miss M E W Bird's Trust	Prizes in the Stevenston Area
McKillop Prize Fund	Prize at Irvine Royal Academy
A B Dickie Trust	Prize at Irvine Royal Academy
Sir James Dyer Simpson Prize Fund	Prize at Largs Academy
Stewart Prize Fund	Prize at Largs Academy
Spier's Trust	Grants to persons from the parishes of Beith, Dalry, Dunlop, Kilbirnie, Lochwinnoch and Neilston

## PART IV

### educational endowments transferred to south ayrshire council

Name	Purpose or establishment
John McMaster Bursary Fund	Prize at Girvan High School
G F Pollok Fund	Prizes at Tarbolton Primary School/Mainholme Academy
Doctor A White Fund	Prize at Newton Primary School
John Dawn Bequest	Prize at Carrick Academy
Provost James Smith Prize	Prize at Braehead Primary School
Ian Carson— Drumbain Memorial Prize Fund	Prize at Fisherton Primary School
Queen Elizabeth Coronation Prize	Prize at Prestwick Academy
Miller & Chesney Prize Fund	Prize at Carrick Academy
McGill Memorial Prize	Prize at Newton Park School, Ayr
Baillie John Wood Shields Prize	Prize at Ayr Academy
John Hodge Prize Fund	Prize at Ayr Academy
McMurray Prize Fund	Prize at Belmont Academy
Carrick Academy Fund	Travel Grant at Carrick Academy
Mr and Mrs Naftalin Prize Fund	Prize at Ayr Academy
David I Penman Prize Fund	Prizes at Prestwick Academy
Monkton Pageant Committee Prize	Prize at Monkton Primary School
The Allan Medal Fund	Prize at Prestwick Academy
Mrs J Mair Prize Fund	Prize at Prestwick Primary School



Name	Purpose or establishment
James Brown Memorial Medal	Prize at Mainholme Academy
James McLaurin Prize Fund	Prize at Ayr Academy
Thomas Paterson Award	Prizes in Whitlets Area, Ayr
George Todd Memorial Hall	Upkeep of George Todd Memorial Hall, Dailly
Clark Achievement Trophy	Prize at Ayr Academy
George McMillan Medal Fund	Prize at Troon Primary School
John Alexander Paterson Prize	Prize at Ayr Academy
Charlotte Anderson Trust	Prize at Prestwick Academy
Margaret Oliver Prize	Prize at Ayr Academy
McGowan Prize Fund	Prizes at Ayr Academy
Isabella Laurie Prize Fund	Prize at Ayr Academy

## PART V

### educational endowments transferred to east dunbartonshire council

Name	Purpose or establishment
Miss Jane Reid Memorial Trust	Bookcase and books at Bishopbriggs High School
Harry Rudin Memorial Prize	Killermont Primary School
Captain Q A Stewart's Bequest	Benefit of Lairdsland Primary School

## PART VI

### educational endowments transferred to west dunbartonshire council

Name	Purpose or establishment
Dalmuir Community Centre Prizes	Prize at Clydebank High School
Rosina Kirkpatrick Prize	Prize at Vale of Leven Academy
Andrew Nairn Prize	Prize at Clydebank High School
John Sloan Prize	Prize at Vale of Leven Academy

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## PART VII

### educational endowments transferred to city of glasgow council

Name	Purpose or establishment
Aid Fund	Prize for children attending Protestant Day Industrial Schools
Allan Glen's Trust Funds	For pupils and ex pupils of Allan Glen's School
Mrs Annie Anderson's Holiday Fund	Necessitous children's holiday
Margaret I Balbanian Award Fund	Prize at Crookston Castle Secondary School
M & K Blake Memorial Prize Fund	Cleveden Secondary School
George Buchanan Memorial Trust Fund	Prize at John Street Secondary School
George M Buchanan (Melbourne) Bequest	Bursaries for Glasgow High School
Dr John Munro Campbell Memorial Fund	Prize at Sir John Maxwell Primary School/ Hillpark Secondary School/Shawlands Academy
Country Comes to Town Exhibition Fund	Charitable objects of an agricultural nature in Glasgow City
Anne M Chisholm Prize Fund	Prize at Smithycroft Secondary School
Bequest for the Education of Deaf Children	For the education of deaf children in Glasgow
John Donald Memorial Prize Fund	Prize at Whitehill Secondary School
Henry Dyer Memorial Fund	Prize at Allan Glen's Secondary School
Exhibition Surplus Fund	For poor and necessitous children
Finlayson Prizes	Cleveden Secondary School
Mary Kerr Forman's Bequest	Holidays for necessitous children
Govan Burgh Band Prize	Prize at Govan High School
William Greenhorne's Bequest	Prize at Hyndland Secondary School
Holt Prize Fund	Prize at Glasgow High School
Robert Jackson Fund	Prize at John Street Secondary School
Keaney Bequest	Unlisted schools in Glasgow
Helen Lawson Memorial Fund	Cleveden Secondary School
George Fraser Leitch Bequest	Prize at Shawlands Academy
Logan and Johnston School Scheme 1988	Assistance for education and training for persons resident in Strathclyde Region
MacFarlane Gamble Prize Fund	Prize at Whitehill Secondary School
Alex G McKimmie Prize Fund	Prize at Allan Glen's School
Colonel Maclean Trust	Grants to persons resident in Strathclyde Region

Name	Purpose or establishment
Maclean's Trust— Free Church of Scotland Trust	
McMorran Bequest	Prize at Allan Glen's School
Robert McNab Prize Fund	Prize at Shawlands Academy
Miss Dorothy Mitchell's Bequest	Prize at Hillhead Primary School
Mosspark School National Fire Service Prize Fund	Prize at Mosspark Primary School
Necessitous Children's Holiday Camp Fund (Non Denominational)	Holidays for necessitous children
Necessitous Children's Holiday Camp Fund for Roman Catholics	Holidays for necessitous children
Orpheus Club Diamond Jubilee Fund	Books and music for handicapped children
James and Flora Powell Prize Fund	Prize at London Road Primary School
Religious Knowledge Prize Fund	Prize for proficiency in religious knowledge in Glasgow schools
Mary Runciman Prize Fund	Prize at Springburn Academy
William Russell's Prize Fund	Prize at Hillhead High School
Ralph Memorial Prize Fund	Prize at Garthamlock Secondary School
St Peter's (Boys) School Prize Fund	Prize at St Peter's Primary School
Professor William Smart Memorial Prize Fund	For pupils at Glasgow High School
Kessan Smith Prize Fund	Prize at Shawlands Academy
W Wylie Stewart Prize Fund	Prize at Allan Glen's School
Strathclyde Schools Orchestra Trust	Schools Orchestra in area of Strathclyde Region
Dr Thomas Testimonial Prize Fund	Prizes at Eastbank Academy and Wellshot Primary School
Bannerman High and St Andrews Secondary Testimonial Fund	
Miss Tough's Prize Fund	Prize at Elderpark Primary School
G & J Weir Prize Fund	Prize at Allan Glen's School
Mary Williamson Prize Fund	Prize at Merrylee Primary School
Sir Robert Wilson's Prize Fund	Prize at Mosspark Primary School
A R Wiseman Prize Fund	Prize at John Street Secondary School for religious knowledge
William Young Prize Fund	Prize at Shawlands Academy
Ewing Medal Prize Fund	Unlisted Glasgow School Prize
Hutcheson's Medal Prize Fund	Prize at Glasgow High School

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Name	Purpose or establishment
Lumsden Medal Prize Fund/Paul Medal Prize Fund/Tennant Medal Prize Fund	Prizes at Glasgow High School
Margaret I Balbanian Award	Prizes at Crookston, Hyndland, John Street and Whitehill Secondary Schools
Reverend Dr I K Cosgrove Endowment	Prize in Hebrew at Shawlands Academy
Barney West Memorial Prize Fund	Castlemilk High School
Barney West Memorial Fund	St Margaret Mary's Secondary School
The Lindsay Memorial Prize	Prizes in three schools in the Baillieston Electoral Division
The Johnstone Memorial Prize	Prizes at St Bridget's Roman Catholic School, Baillieston
The Doctor Thomas Testimonial Fund	Prizes at Eastbank Academy and Wellshot Primary School
Wm John and George Percy Prize	Prize for Pupils at Carmyle Primary School

## PART VIII

### educational endowments transferred to inverclyde council

Name	Purpose or establishment
Greenock Schools Penny Savings Bank	Charitable Purposes for Greenock Pupils
Lindsay Prize Fund	Prize at Greenock High School
The St Stephen's Port Glasgow Jericho Award	Prize at St Stephen's School, Port Glasgow
Anonymous Donor Prize	Gourock Primary School

## PART IX

### educational endowments transferred to north lanarkshire council

Name	Purpose or establishment
Lanarkshire Educational Trust	Educational purposes in Lanarkshire
Marshall Trust, Lanarkshire	Educational purposes in Lanarkshire
Airdrie Bible/Knowledge Prize Fund	Prizes for religious knowledge in Airdrie schools
James Dewar Mathematics Prize	Chryston High School
D Pollock Smith Prize Fund	Stepps Primary/St Joseph's & St Barbara's School
William Low Prize Fund	Albert Secondary/Coatbridge Successor School
Archie Miller Gold Medal Fund	Dalziel High School

Name	Purpose or establishment
Archie Miller Prize Fund	Dalziel High School
Andrew Gray Memorial Prize	Dalziel High School
Bain Bruce Memorial Prize Fund	Dalziel High School
Alexander Gardiner Memorial Prize	
John Finlayson Memorial Medal Fund	Rosehall High School
John Frame Prize Fund	Glencairn Primary School
Keir Hardie Memorial Dux Medal Fund	Keir Hardie Primary School
Mrs Jane P McGee Prize Fund	New Monkland Primary School
Edward McGhee Prize	New Monkland Primary School
Nan Gilchrist Memorial Prize	Shawhead Primary School
Patrick McGowan Memorial Prize	St Kevin's Primary School
Motherwell and Wishaw Rotary Prize Fund	Motherwell/Wishaw Schools
David Colville Centenary Medal	Motherwell/Wishaw Schools
The Hunter Maitland Medal	Prize at Airdrie Academy
The Joseph W Jeffrey Prize	Prize at Airdrie Academy
Margaret M W Thomson Prize Fund	Prize at Clarkston Primary School
Violet I Gray Memorial Dux Medal	Prize at Dunrobin and Tollbrae Primary Schools, Airdrie
Rankin & Mains Legacy	Prize at Glenboig and Chryston Primary Schools
The Lindsay Memorial Prize	
The Patrick McGowan Memorial Prize	Prize at St Kevin's Roman Catholic School, Bargeddie
The William Neilson Prize	Prizes at Bellshill Primary School
The Robert M Scott Writing Prize	Prizes at Belvidere Primary School, Bellshill
The Robert Moffat Prize	Prize at Bellshill Academy and Cardinal Newman High School
The Robert Moffat Prize for English	Prize at Bellshill Academy
The Robert and Mary Cameron Memorial Prize	Prizes for English at Bellshill Academy
The Joseph Potts Prize	Prize at Bellshill Academy and Cardinal Newman High School

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## PART X

### educational endowments transferred to south lanarkshire council

Name	Purpose or establishment
The James W Allan Bursary	Bursary for the study of natural history to students in Lanark County
A M Watt Low Memorial Prize	Bankhead Primary School
The Biggar Women's Temperance Association Prize Fund	Prize at Biggar High School
Sir Nathaniel Dunlop Bursaries Fund	Biggar High School
The James W Allan Prize Fund	Prize at Biggar High School
The George B R Marshall Prize	Prize at Braidwood Primary School
The Dr Robert Yuill Prize Fund	Prize for pupils in schools in Carluke
The William Marr Prize	Prize for pupils at Carluke High School
The Alexander Robert Prize	Prize for pupils at Carluke High School
The Sir John Mann Memorial Prize Fund	Prize for pupil at Carnwath Primary School
Carstairs District Nursing Association Bequest	
Alexander Campbell Prize Fund	Cathkin Primary School
The SSEB Prize for Physics	Earnock High School
The David L Struthers Prize Fund	Prize at Gilmourton Primary School
The Miss Marion Sharp Paterson Prize Fund	Prize at Glenlee Primary School
The Rev John McKechnie Prize Fund	Prize for pupil at Halfmerke Primary School
The George F Pollock Trust	Hamilton Grammar School
Miss E H Hamilton Fund	Prize at Hamilton Grammar School
The Flora B Aiton Medal	Prize at Hamilton Grammar School
The David B Hair Medal	Prize in mathematics at Hamilton Grammar School
The Thomas Anderson Gold Medal Fund	Gold Medal Prize at Hamilton Grammar School
The Archibald Stevenson Memorial Medal	Prize at Hamilton Grammar School
The Isobel Walker Memorial Prize	Prize at Hamilton Grammar School
Isabella Leggate Memorial Prize	Prize at Hamilton Grammar School
The Robert Britton Memorial Prize	Prize at Hamilton Grammar School
The Ewart Prize Fund	Prize at Hamilton Grammar School
The Miss Annie E Adams Memorial Prize	Prize at Hamilton Grammar School
The Holy Cross High Prize Fund	Prizes at Holy Cross High School, Hamilton
The Francis Martin Senior Boys Dux Prize	Dux Prize at Holy Cross High School, Hamilton

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Name	Purpose or establishment
The Thomas Anderson Gold Medal Fund	Gold Medal Prize at Hamilton Grammar School
The Kathleen Power Memorial Prize	Dux Prize for Girls at Holy Cross High School
The Annie Harley Memorial Prize	Prize at Low Waters Primary School, Hamilton
Mrs Mary A B Scott (Lamington Bequest)	Bursary for resident of Lamington Parish
The Hutton Prize	Prize at Lanark Grammar School
The Robert Wood Prize Fund	Medal for Dux of Third Year at Lanark Grammar School
The Peter Shand Prize	Chemistry and physics prizes at Lanark Grammar School
The J Eunice Copeland Prize	First Year Dux Prize at Lanark Grammar School
The Mitchell Dux Medal	Larkhall Academy
Miss Mary McLauchlin Prize	Netherburn Primary School
Rev James French Trust	Prize at New Lanark Primary School
Dr John Shaw Memorial Prize	Quarter Primary School
J W Torrance Bursary	Quarter Primary School
Andrew McAllan Memorial Prize	Dux Medal at Rutherglen Academy
Marion N Blackley Memorial Bequest	Robert Smellie Memorial Primary School, Larkhall
Miss Christina Clarkston Ross Prize	Prize at Stonelaw High School
Dr Donald C Buchanan Memorial Prize Fund	Prize at Stonelaw High School
The Robertson Reid Memorial Prize	Dux Boy and Girl in Stonelaw High School
Jane Andrew Memorial Prize Fund	Prize at Strathaven Academy
The Elizabeth Strachan Memorial Prize Fund	Prize at Strathaven Academy
Strathaven Male Voice Choir	Prize at Strathaven Academy
The Fleming Downie Prize for English	Prize at Strathaven Academy
George Stewart Memorial Prize	Geography/History Prizes at Strathaven Academy
Symington Primary School Dux Prize	Prize at Tinto Primary School
The Clow Ross Prize	Prize at Uddingston Grammar School
The James Logan Memorial Prize Fund	Prize at Uddingston Grammar School
The George N Crawford Memorial Prize	Prize at Uddingston Grammar School

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## PART XI

### educational endowments transferred to east renfrewshire council

Name	Purpose or establishment
McNiven Prize	Prize for pupils at Eastwood High School
Rev Denis Reen Trust Fund	Prize at St Ninians High School

## PART XII

### educational endowments transferred to renfrewshire council

Name	Purpose or establishment
Provost Isabel H Leishman Prize	Prize at Camphill School
Duncan McKenzie Award	Prize for the benefit of pupils at Gleniffer High School
Joseph McLean Award	Prize for the benefit of pupils at Gleniffer High School
St Margaret's Paisley Charity Fund	Local charities in the Paisley Area

## SCHEDULE 2

Paragraph 6

### AMENDMENTS OF DUNBARTONSHIRE EDUCATIONAL TRUST SCHEME 1962

1. The Dunbartonshire Educational Trust Scheme 1962 shall be amended in accordance with this Schedule.
2. For the words "County Council", wherever they appear in the Scheme, substitute "governing body".
3. For Part I substitute the following two Parts:—

## "PART I

### CONSTITUTION OF THE GOVERNING BODY

#### **Establishment and incorporation of the governing body**

1.—(1) For the purpose of carrying this Scheme into effect there shall be established a Joint Board of Argyll and Bute, East Dunbartonshire, West Dunbartonshire and North Lanarkshire Councils, to be known as "The Governors of the Dunbartonshire Educational Trust", which as from 1st April 1996 shall be the governing body of the Dunbartonshire Educational Trust as successor to Strathclyde Regional Council in accordance with paragraph 6 of the Educational Endowments (Strathclyde Region) Transfer Scheme 1996.

(2) The Governors of the Dunbartonshire Educational Trust shall be a body corporate and have a common seal, and shall have all rights, powers and privileges of a body corporate.



### **Composition of the governing body**

2. The governing body shall consist of—
- (a) one person to be elected by Argyll and Bute Council being a member of that Council;
  - (b) three persons to be elected by East Dunbartonshire Council being members of that Council;
  - (c) three persons to be elected by West Dunbartonshire Council being members of that Council; and
  - (d) three persons to be elected by North Lanarkshire Council being members of that Council.

### **Election of governors**

**2A.** The election of governors under section 2 may be by the relevant Council themselves or may be delegated to a committee of that Council.

### **Period of office**

**2B.**—(1) Subject to subsection (2) and to sections 2C and 2H, each governor shall hold office for a period of 4 years from the termination of the period of office of his predecessor.

(2) A governor elected to succeed a governor who has died or otherwise vacated office before the end of his term of office shall hold office only during the unexpired portion of the term of office of the governor whom he succeeds.

### **Resignations etc**

**2C.**—(1) Any governor shall be deemed to have vacated office as governor on ceasing to be a member of the Council which elected him: provided that if on the occasion of an ordinary election of councillors he demits office as a councillor and is re-elected he shall not be deemed to have vacated office as governor on so demitting office.

(2) Any governor who intimates in writing his resignation of office, or who has had his estate sequestrated or has made a trust deed for creditors or who becomes incapacitated to act, or who for the period of one year and without reasonable cause fails to attend any meeting of the governing body, shall be held to have vacated office.

### **Re-election**

**2D.** Any governor on the expiry of his period of office shall, subject to the provisions of section 2C, be eligible for further election to the office of governor.

### **Vacancies**

**2E.**—(1) Every vacancy, whether occasioned by the expiry of a term of office as a governor or by resignation or any other cause, shall be entered in the minute book.

(2) Each vacancy shall be intimated by the clerk of the governing body to the Council entitled to elect a successor. In the case of a vacancy caused by the expiry of the normal term of office, the intimation shall be made not less than one month before the date of the vacancy and in any other case as soon as may be after its occurrence. The intimation shall request the Council concerned to elect a successor within three months of its receipt.

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(3) If the Council entitled to elect a governor fails to do so within the said period of three months, it shall be in the power of the governing body to appoint a successor provided that the person appointed shall be a person eligible to be elected by the said Council. Any appointment under this subsection shall be deemed to be an election by the Council entitled to make the election.

### **Validity of proceedings of the governing body**

**2F.** The proceedings of the governing body shall not be invalidated by any vacancy among the governors or by any defect in the election of any of the governors, subject always to the provisions of section 3D.

### **Execution of deeds**

**2G.** All deeds and other writings, sealed with the common seal and signed by one of the governors, shall be held to be validly executed on behalf of the governing body.

### **Transitional arrangements**

**2H.—**(1) The terms of office of the governors who are first elected under section 2 shall be deemed to have begun on 1st April 1996 and shall expire—

- (a) in the case of governors elected by Argyll and Bute and East Dunbartonshire Councils, on 1st April 1998; and
- (b) in the case of governors elected by West Dunbartonshire and North Lanarkshire Councils, on 1st April 2000.

(2) The Councils entitled to elect governors under section 2 shall use their powers of election so as to ensure that the membership of the governing body is complete as soon as practicable after 1st April 1996.

(3) Those Councils shall arrange for the first meeting of the governing body to be held as soon as practicable after 1st April 1996.

## **PART IA**

### **ADMINISTRATIVE ARRANGEMENTS**

#### **Chairman**

**3.** The governing body shall appoint a chairman from their own number at an ordinary meeting held at such period of the year as they may determine. They may make such arrangements under section 3E as they think fit for filling his place in the case of his absence.

#### **Committees**

**3A.—**(1) The governing body may appoint such committees of their own number as they think fit, appoint the convener of each committee, confer on each committee all such powers and give all such instructions as may appear expedient and fix the quorum of each committee.

(2) The governing body may appoint as additional members of any committee persons not being members of the governing body whom they deem specially fitted to assist in the work of such committee and any persons so appointed shall hold office for such period as the governing body may determine.

### **Administrative staff**

**3B.**—(1) The governing body may appoint a clerk or factor or such other officers as they consider necessary, at such reasonable salaries and under such conditions of service as they may determine.

(2) Any officer of the governing body whose duties include intrusions with the funds vested in the governing body shall find such caution for his intrusions as the governing body may require.

(3) A governor acting as clerk, factor or other officer of the Trust shall not be entitled to any remuneration.

### **Meetings of the governing body**

**3C.**—(1) The governing body shall hold at least two ordinary meetings in each year at such place and time as they may determine.

(2) The chairman may at any time convene a special meeting of the governing body.

(3) Any two governors may for any cause which seems to them sufficient require a special meeting to be convened by giving notice in writing to the clerk of the governing body specifying the business to be transacted.

(4) At least seven days' notice of meetings shall be given and such notice, which shall be in writing, shall specify the date, time and place of the meeting and the business to be transacted.

(5) Notwithstanding the provisions of subsection (4) above, the chairman or any governor duly authorised by the chairman may convene a meeting on less than seven days' notice. No resolution or motion carried at such a meeting shall be valid unless it is voted for by a majority of the governors then in office or it is confirmed by a subsequent meeting convened under the provisions of subsection (4) above.

### **Quorum of the governing body**

**3D.**—(1) At all meetings of the governing body three shall form a quorum and, subject to the provisions of section 3C(5), all questions shall be determined by a majority of the governors present. In any case where there is an equality of votes, the chairman of any meeting shall have a second or casting vote in addition to a deliberative vote.

(2) If at any time appointed for a meeting or if before the business of any meeting has been completed the number of governors present is less than three, the governors present shall adjourn the meeting to such day or time as they may determine and the provisions of section 3C(4) shall apply.

### **Rules and standing orders**

**3E.** Subject to the provisions of this Scheme, the governing body may make such rules and standing orders for the regulation of their proceedings, the keeping of records and such other matters connected with the business of the governing body as they think fit.”

#### **4. After section 6, insert the following section:—**

“**6A.** In respect of the investment of the funds of the Trust and any additional funds received in terms of section 7 the governing body shall have all powers competent to them under the common law of Scotland as a body corporate.”

#### **5. In section 8(1), in two places, and in section 8(2)(a), for “sub-account” substitute “account”.**

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6. In section 9(2), for “sub-account” substitute “account”.
7. In section 18, delete “County Council as”.
8. In section 35—
  - (a) for the definition of “County” substitute—
 

““County” means the area of the former County of Dunbarton and the burghs situated in it, as that area existed immediately before 16th May 1975;”;
  - (b) delete the definition of “County Council”; and
  - (c) after the definition of “date of this Scheme” insert—
 

““governing body” means the Governors of the Dunbartonshire Educational Trust constituted by section 1;”.

## SCHEDULE 3

Paragraph 7

### AMENDMENTS OF GOVERNING INSTRUMENTS

#### **Lanarkshire Educational Trust Scheme 1936**

1.—(1) The Lanarkshire Educational Trust Scheme 1936<sup>(3)</sup> shall be amended in accordance with this paragraph.

(2) Subject to the following provisions of this paragraph, for the words “the County Council”, wherever they appear in the Scheme, except in the phrases “the County Council of the County of Lanark” and “the County Council of Peeblesshire”, substitute “North Lanarkshire Council”.

(3) For section 4 substitute—

(1) North Lanarkshire Council shall constitute a committee of the Council called the Educational Trust Committee, which shall be composed of 3 persons nominated by the Council and 3 persons nominated by South Lanarkshire Council.

(2) All business under this Scheme shall stand referred to the Educational Trust Committee, and North Lanarkshire Council before exercising any power conferred upon them by this Scheme and not delegated under sub-paragraph (3) shall, unless the matter is urgent, obtain the advice of the Educational Trust Committee on the matter.

(3) North Lanarkshire Council may delegate to the Educational Trust Committee any or all of their powers under this Scheme.”.

(4) In section 25—

- (a) after “themselves” insert “or South Lanarkshire Council”; and
- (b) for “they” substitute “either Council”.

(5) In section 27—

- (a) after “themselves” insert “or South Lanarkshire Council”; and
- (b) for “the County Council” where second occurring substitute “either Council”.

(6) In section 35, for “the said County Council” substitute “The Scottish Borders Council”.

(7) In section 36, for “the County Council of Peeblesshire” substitute “The Scottish Borders Council”.

(3) Approved by Order in Council dated 2 February 1937, amended by S.I.1967/1281.

- (8) In section 37—
- (a) for “the County Council” where second occurring substitute “North Lanarkshire and South Lanarkshire Councils”; and
  - (b) for “the County Council of Peeblesshire” substitute “The Scottish Borders Council”.
- (9) In section 38, for the definitions of “The County” and “The County Council” substitute—
- ““The County” means the area of the former County of Lanark including the burghs situated in it but not including the area of the former County of the City of Glasgow, as those areas existed immediately before 16th May 1975;
- “North Lanarkshire Council” means that Council acting as governing body of the Lanarkshire Educational Trust.”.

### **Ayrshire Educational Trust Scheme 1936**

2.—(1) The Ayrshire Educational Trust Scheme 1936(4) shall be amended in accordance with this paragraph.

(2) Subject to the following provisions of this paragraph, for the words “the County Council”, wherever they appear in the Scheme, substitute “each Council”.

- (3) In section 2(3)—
- (a) for paragraph (a) substitute—
    - “(a) 5 persons to be elected by East Ayrshire Council being members of that Council or non-councillor members of its education committee:
    - (aa) 5 persons to be elected by North Ayrshire Council being members of that Council or non-councillor members of its education committee:
    - (ab) 5 persons to be elected by South Ayrshire Council being members of that Council or non-councillor members of its education committee.”; and
  - (b) delete paragraphs (f) to (j).
- (4) For section 5 substitute—

(1) The election of governors by each Council may be by the Council themselves or may be delegated to a committee of the Council.

(2) Each governor elected by a Council shall, subject to section 8 of this Scheme, hold office until the next ordinary election of councillors of that Council.”.

- (5) In section 8(1), delete the words from “provided always” to the end.
- (6) In section 32(5), for “the County” substitute “any relevant”.
- (7) In section 52, for the definitions of “The County” and “The County Council” substitute—
- “The County” means the area of the County of Ayr and the burghs situated in it, as that area existed immediately before 16th May 1975;
- “Council” means any of East Ayrshire, North Ayrshire or South Ayrshire Councils;
- “education committee” means a committee of a Council to which section 124 of the Local Government (Scotland) Act 1973(5) applies.
- (8) In the First Schedule, in paragraph 1, in the first column for the words “County Council” substitute “The Councils, each receiving the part of the total sum applicable to schools in their area”.

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(4) Approved by Order in Council dated 22nd October 1937.

(5) 1973 c. 65; section 124 was substituted by the Local Government etc. (Scotland) Act 1994 (c. 39), section 31.

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(9) In the Second Schedule, in the entry relating to the MacCallum Bursary, in column (5) for the words “the Provost, Magistrates and Councillors of the Burgh of Maybole” and “the said Provost, Magistrates and Councillors” (twice) substitute in each case “South Ayrshire Council”.

### **Renfrewshire Educational Trust Scheme 1961**

3.—(1) The Renfrewshire Educational Trust Scheme 1961<sup>(6)</sup> shall be amended in accordance with this paragraph.

(2) Subject to the following provisions of this paragraph, for the words “the County Council”, wherever they appear in the Scheme, substitute “each Council”.

(3) In section 2, for paragraphs (b) to (e) substitute—

- “(b) three persons to be elected by East Renfrewshire Council being members of the Council or non-councillor members of its education committee;
- (c) three persons to be elected by Inverclyde Council being members of that Council or non-councillor members of its education committee;
- (d) five persons to be elected by Renfrewshire Council being members of that Council or non-councillor members of its education committee;
- (e) one person to be elected by the governing body (excluding for this purpose any person previously so elected) from among ministers of religion officiating in the County other than ministers of the Church of Scotland;”.

(4) For section 4 substitute—

(1) The election of governors by each Council may be by the Council themselves or may be delegated to a committee of the Council.

(2) Each governor elected by a Council shall, subject to section 6, hold office until the next ordinary election of councillors of that Council.”.

(5) For section 18(1)(f) substitute—

- “(f) they shall pay to Inverclyde Council the sum of £194 to be expended by that Council in such manner as they think most beneficial to the students attending James Watt College, Greenock;
- (ff) they shall pay to the three Councils a total of £1,262 to be expended by them on prizes in accordance with section 47, the amount paid to each Council being the total of the sums to be expended annually on prizes for persons attending educational establishments in their area, as those sums are stated in column (4) of the Seventh Schedule;”.

(6) In section 47(1) for the first sentence substitute—

“Each Council shall expend the amount paid to them under section 18(1)(ff) in awarding annually the prizes described in the Seventh Schedule which are for persons attending educational establishments in their area.”.

(7) In section 47(6), for the words “in the County” substitute “in their area”.

(8) In section 49(1)—

(a) for the definitions of “County” and “County Council” substitute—

““County” means the area of the former County of Renfrew and the burghs situated in it, but does not include any part of the area of the former County of the City of Glasgow, as those areas existed immediately before 16th May 1975;

“Council” means any of East Renfrewshire, Inverclyde or Renfrewshire Councils.”.

(6) Approved by Order in Council dated 26th May 1961, amended by S.I. [1965/1135](#) and [1974/1666](#).

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- (b) after the definition of “date of the Scheme” insert the following definition:—
  - ““education committee” means a committee of a Council to which section 124 of the Local Government (Scotland) Act 1973 applies;”.
- (9) In the Third Schedule—
  - (a) in the entry in column (2) for payment 7, for “the County Council” substitute “Renfrewshire Council”;
  - (b) for the entry in column (2) for payment 8 there shall be substituted—
    - “The governing body shall each year pay to East Renfrewshire Council the sum of £7.00, Inverclyde Council the sum of £7.00 and Renfrewshire Council the sum of £13.50, to be expended by each Council in awarding grants to pupils who are attending schools in their area and who require financial assistance to enable them to attend a school camp.”; and
  - (c) in the entry in column (2) for payment 9, for “the County Council” substitute “the Council for the relevant area”.

#### **Bute Educational Trust Scheme, 1961**

**4.—**(1) The Bute Educational Trust Scheme, 1961(7) shall be amended in accordance with this paragraph.

- (2) For the words “County Council”, wherever they appear in the Scheme, substitute “Council”.
- (3) For section 2 substitute—
  - “**2.** The business of the endowment may be conducted by the Council themselves or may be delegated to a committee of the Council.”.
- (4) In section 17, for the definition of “County Council” substitute—
  - ““Council” means Argyll and Bute Council acting as governing body of the Bute Educational Trust.”.

#### **County of Argyll Educational Trust Scheme, 1960**

**5.—**(1) The County of Argyll Educational Trust Scheme, 1960(8) shall be amended in accordance with this paragraph.

- (2) For the words “County Council”, wherever they appear in the Scheme, substitute “Council”.
- (3) For section 4(1) and (2) substitute the following subsection:—
  - “**1** The business of the Education Trust may be conducted by the Council themselves or may be delegated to a committee of the Council.”.
- (4) In section 44(1), for the definitions of “County” and “County Council” substitute—
  - ““County” means the area of the former County of Argyll and the burghs situated in it, as that area existed immediately before 16th May 1975;
  - “Council” means Argyll and Bute Council acting as governing body of the County of Argyll Educational Trust;”.

#### **Spier’s Trust Scheme 1978**

**6.—**(1) Spier’s Trust Scheme 1978(9) shall be amended in accordance with this paragraph.

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(7) Approved by Order in Council dated 26th May 1961, amended by the Bute Educational Trust (Amendment) Scheme 1969.  
(8) Approved by the Court of Session by interlocutor dated 26th January 1962.  
(9) S.I. [1978/645](#).

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(2) In paragraph 2(1), for the definition of “Council” substitute—

““Council” means North Ayrshire Council acting as the governing body of Spier’s Trust, and”.

(3) In paragraph 16, for “the Region of Strathclyde” substitute “any local government area lying wholly or partly within the area of benefit”.

#### **Scheme for the Administration of the Strathclyde Schools Orchestra Trust**

7.—(1) The Scheme for the Administration of the Strathclyde Schools Orchestra Trust<sup>(10)</sup> shall be amended in accordance with this paragraph.

(2) For the words “the Regional Council”, wherever they appear in the Scheme, substitute “the Council”.

(3) For the definition of “The Regional Council” substitute—

““The Council” means City of Glasgow Council acting as Trustees of the Strathclyde Schools Orchestra Trust.”.

(4) For the definition of “The Strathclyde Schools Orchestra” substitute—

““The Strathclyde Schools Orchestra” shall mean the Orchestra, established by the former Strathclyde Regional Council under that name and now administered by the Council, which derives its members by annual competition amongst those pupils attending schools within the area of the former Strathclyde Region (whether under the management of an education authority or otherwise) who excel in instrumental music: provided that it shall be competent for the Council to change the name of the Orchestra, with consent of the other education authorities for the said area, without prejudice to the application to it of this Scheme.”.

#### **The Colonel Maclean Trust Scheme 1980**

8.—(1) The Colonel Maclean Trust Scheme 1980<sup>(11)</sup> shall be amended in accordance with this paragraph.

(2) For the words “Regional Council”, wherever they appear in the Scheme, substitute “Council”.

(3) In paragraph 2(1)—

(a) for the definition of “Regional Council” substitute—

““Council” means City of Glasgow Council acting as governing body of the Colonel Maclean Trust;”;

(b) for the definition of “area of benefit” substitute—

““area of benefit” means the area of the former Strathclyde Region as it existed immediately before 1st April 1996.”.

(4) For paragraph 4 substitute—

“4. The business of the trust may be conducted by the Council or any or all of that business may be delegated to a committee or sub-committee of the Council.”.

#### **Logan and Johnston School Scheme 1988**

9.—(1) The Logan and Johnston School Scheme 1988<sup>(12)</sup> shall be amended in accordance with this paragraph.

(2) In paragraph 2(1)—

<sup>(10)</sup> Dated 1st March 1979 and registered in the Books of Council and Session on 14th May 1979.

<sup>(11)</sup> S.I. 1981/40.

<sup>(12)</sup> Made by Strathclyde Regional Council on 6th April 1988.



- (a) for “Strathclyde Regional Council” substitute “City of Glasgow Council”; and
  - (b) for “Strathclyde Region” substitute “the area of the former Strathclyde Region as it existed immediately before 1st April 1996”.
- (3) For paragraph 3 substitute—
- “3. For the purpose of carrying the provisions of this scheme into effect the Council shall be the governing body of the Endowment.”.
- (4) In paragraph 11(2)—
- (a) for “Region of Strathclyde” substitute “City of Glasgow”; and
  - (b) delete the words “Glasgow Division, Strathclyde Regional Council”.

### **The Glasgow Educational and Marshall Trust Scheme 1936 to 1991**

**10.**—(1) The Glasgow Educational and Marshall Trust Scheme 1936 to 1991(**13**) shall be amended in accordance with this paragraph.

- (2) In section 3(2)—
- (a) for paragraph (i) substitute—

“(i) Six persons to be elected by City of Glasgow Council, who may be members of that Council or non-councillor members of its education committee or officers of that Council.”.
  - (b) delete paragraph (ii).
- (3) In section 5(1), at the end delete the full stop and add—

“: provided that the election of governors by City of Glasgow Council may be by the Council themselves or may be delegated to a committee of the Council.”.
- (4) For section 6(1), substitute—

“(1) Subject to the provisions of subsection (3) below and section 7 of this Scheme—

  - (a) the governors elected by City of Glasgow Council shall hold office until the next ordinary election of councillors of that Council; and
  - (b) the remaining governors shall hold office for periods of five years from and after the termination of the periods of office of their predecessors.”.
- (5) In section 6(2), delete paragraphs (a) and (b).
- (6) In section 7(1), delete the words from “provided always” to the end.
- (7) In section 37, delete the words “Regional Council”.
- (8) In section 49(1)—
- (a) delete the definition of “The Regional Council”; and
  - (b) after the definition of “the date on which this Scheme comes into effect” insert—

““education committee” means a committee to which section 124 of the Local Government (Scotland) Act 1973 applies;”.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes a Scheme for the transfer of interests in educational endowments from Strathclyde Regional Council and the district councils within Strathclyde Region to the new unitary councils established under the Local Government etc. (Scotland) Act 1994.

The transfer takes effect on 1st April 1996, the day when the new unitary councils take up their functions and the existing regional and district councils cease to exist.

Educational endowments are defined in section 122 of the Education (Scotland) Act 1980. Essentially they are property, heritable or moveable, dedicated to charitable educational purposes. Regional councils as education authorities are most likely to have an interest in them but district councils may also have such an interest.

Paragraph 3 of the Scheme, with Schedule 1, provides for the transfer of specific educational endowments, and powers with respect to such endowments, from Strathclyde Regional Council to appropriate new councils.

Paragraph 4 makes general provision for transfer of any interests in educational endowments, vested in Strathclyde Regional Council or its office-holders or nominees, which may not have been caught by the specific provisions of paragraph 3. The general provision is, however, subject also to paragraph 6 and to any specific amendments of governing instruments by Schedules 2 and 3. Paragraph 4 transfers interests to the council (or their office-holders or nominees) for the area where the educational establishment to which the endowment relates is situated, or where it does not relate to a particular establishment the council for the area in which the beneficiaries reside or with which they are required to have a connection. Where these rules do not apply or do not indicate a single council, the interest is transferred to the council for the area with which the endowment is most closely connected.

Paragraph 5 makes general provision for transfer of any interests in educational endowments of the district councils (or their office-holders or nominees) to the new councils which take over responsibility from their areas. Again this is subject to Schedules 2 and 3.

Paragraph 6 with Schedule 2 provides for transfer of Strathclyde Regional Council's interests in the Dunbartonshire Educational Trust. In place of Strathclyde Regional Council a new governing body is constituted, which is a Joint Board of Argyll and Bute, East Dunbartonshire, West Dunbartonshire and North Lanarkshire Councils. The endowments comprised in the Dunbartonshire Educational Trust and relevant powers and rights are transferred to the new governing body. The endowment of the McAulay Bequest and relevant powers are also transferred to the new governing body.

Paragraph 7 with Schedule 3 provides for amendments of governing instruments of educational endowments consequential on local government reorganisation and on the provisions of the Scheme.

Paragraph 8 makes consequential provision for references in governing instruments of educational endowments to local authorities or persons in whom they were formerly vested to be construed as references to the Councils or persons to whom they are transferred under the Scheme.

Copies of governing instruments specifically referred to in this Order are available from the Student Awards Agency for Scotland, Gyleview House, 3 Redheughs Rigg, Edinburgh EH12 9HH.