



CHAPTER xviii

An Act to amalgamate the Royal Alexandra School and the Royal Albert School to make provision with respect to the property and funds of the said schools to incorporate the governing body of the amalgamated schools and define the objects and powers of the incorporated body and for other purposes. [14th July 1949.]

WHEREAS—

(1) By an Act passed in the year eighteen hundred 11 & 12 Vict. and forty-eight (in this Act described and referred to as ^{c. cx.} “the Act of 1848”) the president vice-presidents treasurer and governors for the time being of a charitable institution known as the Orphan Working School were incorporated as a body corporate for the purposes therein mentioned by the name of “the President Vice-Presidents Treasurer and Governors of the Orphan Working School”:

(2) By the Orphan Working School and Alexandra Orphanage Act 1905 (hereinafter called “the Act of 1905”) the amalgama- ^{5 Edw. 7} tion and consolidation of the said Orphan Working School and ^{c. xxii.} two other institutions known respectively as the Alexandra Orphanage for Infants and the Convalescent Seaside Home for Orphans was declared effectual and the name of the said Orphan Working School was changed to “the Orphan Working School and Alexandra Orphanage” (hereinafter referred to as “the Alexandra School”) and by section 8 of that Act the purposes for which the property vested in the Alexandra School (other than property acquired after the passing of that Act on special trusts or conditions) was to be held were notwithstanding anything in the Act of 1848 or in certain deeds of trust or conveyance in the said section mentioned declared to be:—

“To receive orphan or other necessitous children from earliest infancy and to board clothe nurse educate and

maintain them and to provide everything necessary for them until they arrive at the age of fourteen years or at the discretion of the committee for a longer period and at the discretion of the committee to place them out in life in such manner as the committee think fit”:

(3) A charity originally known as the Albert Orphan Asylum was established at Bagshot in the county of Surrey in the year eighteen hundred and sixty-four the name of which charity was subsequently changed to “the Royal Albert Orphanage (Bagshot)” (hereinafter referred to as “the Albert School”):

(4) The purposes of the Albert School as declared by the rules thereof now in force are as follows:—

“To provide a home free of cost or where circumstances permit upon very reduced terms for sons of men who have died or been killed while in the armed forces of the Crown in air raids civil defence or in war production and for orphans and boys for whom special conditions make it desirable that a home should be found To educate the boys upon Protestant principles and to train them in vocations that will fit them for service under the Crown in industry or in agriculture”:

(5) Pursuant to an indenture dated the twenty-ninth day of December nineteen hundred and eleven (in this Act described and referred to as “the 1911 indenture”) divers property is held as an endowment upon trusts under which the income thereof in perpetuity is applicable for the general purposes of the Albert School:

(6) Pursuant to a deed poll dated the fourteenth day of August nineteen hundred and twelve (in this Act described and referred to as “the 1912 deed poll”) divers other property is held upon trusts under which the capital and income thereof are applicable for the general purposes of the Albert School:

(7) Pursuant to divers dispositions certain property is held upon trust for special purposes in connection with the Alexandra School and also in connection with the Royal Albert School:

(8) From the first day of January nineteen hundred and forty-eight in pursuance of directions given by a general court of governors of the Alexandra School and a general meeting of governors of the Albert School both held in November nineteen hundred and forty-seven the affairs of the Alexandra School and the Albert School have been conducted so far as possible in common and their joint business has been managed by a joint committee known and in this Act referred to as “the plenary committee” composed of persons appointed by the said general court and the said general meeting respectively:

(9) It would be advantageous for both the Alexandra School and the Albert School and for the advancement of the objects

they are established to serve that their organisations should be completely and permanently united and their work conducted and property managed in common:

(10) It is therefore expedient that the Alexandra School and the Albert School should be amalgamated in a new corporate body with the objects constitution and powers in this Act described:

(11) His Majesty the King has been graciously pleased to give his patronage in the past to the Alexandra School (which has in recent years been known as "the Royal Alexandra School") and to the Albert School (which has in recent years been known as "the Royal Albert School") and to give his sanction to the use by the new corporate body of the name "the Royal Alexandra and Albert School":

(12) His Majesty the King and Her Majesty Queen Mary have graciously consented to be the patrons of the new body:

(13) It is in contemplation that the whole work of the two existing schools shall gradually be removed to a new site where the boarding of the children will be provided for by and on the responsibility of the said new corporate body (which will also arrange as far as possible to provide them with a home life during the holidays) while the statutory education authority will be responsible for their education:

(14) The purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the Royal Alexandra and Albert Short title. School Act 1949.

2. In this Act unless the context otherwise requires— Interpretation.

"The Corporation" means the Royal Alexandra and Albert School incorporated by this Act;

"The school" means the whole institution for the time being carried on by the Corporation including all property and rights thereto appertaining or held by the Corporation for the time being in connection therewith;

"The Act of 1848" means the Act 11 & 12 Vict. c. cx. intituled "An Act to incorporate the members of the institution called 'the Orphan Working School' now established at Haverstock Hill Hampstead Road in the county of Middlesex and to enable them the better to carry on their charitable designs";

“The Act of 1905” means the Orphan Working School and Alexandra Orphanage Act 1905;

“The Alexandra School” means the Orphan Working School and Alexandra Orphanage incorporated under the Act of 1848 and re-named under the Act of 1905;

“The Albert School” means the charity now known as the Royal Albert School;

“The existing schools” means the Alexandra School and the Albert School;

“The 1911 indenture” means an indenture dated the twenty-ninth day of December nineteen hundred and eleven and made between the several persons named in the Second Schedule thereto (being the then members of the committee of management of the Albert School) of the first part Alexander Whitelaw General Lord William Frederick Seymour General Sir Richard Harrison and Sir Edward Feetham Coates (as general trustees of the Albert School) of the second part and the same persons (as endowment trustees) of the third part;

“The 1912 deed poll” means a deed poll dated the fourteenth day of August nineteen hundred and twelve and made by General Lord William Frederick Seymour General Sir Richard Harrison Sir Edward Feetham Coates and Alexander Whitelaw;

“The plenary committee” means the joint committee appointed under that name in November nineteen hundred and forty-seven by a general court of governors of the Alexandra School and a general meeting of governors of the Albert School;

“The president” “the vice-presidents” “the chairman” “the vice-chairman” “the honorary treasurer” and “the comptroller” mean respectively the president the vice-presidents the chairman the vice-chairman the honorary treasurer and the comptroller of the Corporation;

“The court” means the court of governors of the Corporation constituted and appointed as provided by this Act;

“The council” means the council of the Corporation constituted and appointed as provided by this Act;

“The board” means the board of management of the Corporation constituted and appointed as provided by this Act;

“The secretary” means the secretary of the Corporation;

“ The regulations ” means the regulations of the Corporation for the time being in force by virtue of the provisions of this Act ;

“ Life governor ” means a person who is for the time being a life governor of the Corporation in accordance with the provisions of this Act ;

“ Governor ” means a person who is for the time being a governor (other than a life governor) of the Corporation in accordance with the provisions of this Act ;

“ Land ” includes any interest in land and any easement or right in to or over land ;

“ Functions ” includes powers and duties.

3. The persons who are for the time being the members of Incorporation. the court shall be and become one body corporate by the name of “ the Royal Alexandra and Albert School ” for such objects and purposes as in this Act appear and by that name shall have perpetual succession and a common seal and may by and in the same name sue and be sued and do all things incidental or appertaining to a body corporate.

4. The objects and general powers of the Corporation shall be— Objects and
general
powers of
Corporation.

(1) (a) To establish and maintain a public school for boys and girls who are without one or both parents or whose special circumstances make it desirable that they should go to a boarding school ;

(b) To bring up the boys and girls in the school upon Protestant principles and to have them educated in schools provided by the statutory education authority ;

(c) To create and administer a fund in order that parents guardians or sponsors should where necessary receive grants to cover the maintenance in their own homes of these children during holidays and to ensure that every boarder has some home to which to go during holidays ;

(2) Until such public school as aforesaid is completely established to carry on the schools homes orphanages or institutions which have been carried on by the Alexandra School and the Albert School respectively before the commencement of this Act in any such manner as those schools or either of those schools were carrying them on or were entitled to carry them on before the commencement of this Act ;

(3) To provide acquire equip maintain and carry on any boarding houses homes and schools for boys and girls who are without one or both parents or whose special

circumstances make it desirable that they should go to a boarding school and to provide boarding and educational facilities for such boys and girls and to bring up such boys and girls upon Protestant principles ;

- (4) To enter into and carry into effect any agreement or arrangement on such terms and conditions as the board may think fit with any statutory education authority with respect to the education of any children for the time being in the school or with any national or local authority school institution association or other body (whether incorporated or not) for co-operating with or assisting or being assisted by such body in any manner and for any purpose which is consonant with the objects of the Corporation and approved by the board ;
- (5) To employ and remunerate any such stewards house-keepers matrons teachers doctors nurses officers servants gardeners tradesmen or workmen as the board may from time to time decide and on such terms and conditions as the board may think fit ;
- (6) To grant pensions gratuities bonuses honoraria compensation or allowances and establish and carry on or contribute to pension sickness accident welfare or other funds for the benefit of persons in the employment of the Corporation or formerly in the employment of the Corporation or of either of the existing schools and the dependants of such persons but so that no such person shall be required to become a contributor to any superannuation fund established or carried on under this paragraph until the fund has been registered under the Superannuation and other Trust Funds (Validation) Act 1927 ;
- (7) To provide boarding accommodation and sanatoria and religious social and recreational premises and facilities for persons employed by the Corporation and children in the school and their visiting parents guardians and relatives and other persons connected with the school ;
- (8) To establish and maintain in London or elsewhere a hostel or hostels for the accommodation of former scholars of the school whose means are slender and who are in need of assistance from the school pending completion of their studies or at the commencement of their careers ;
- (9) To accept receive and retain legacies devises gifts grants annuities allowances and other benefits and to undertake and perform any services or conditions attached to the receipt thereof ;

- (10) To raise or borrow money for the purposes of the school and secure the same and any interest thereon upon any property of the Corporation ;
- (11) To make appeals publish literature advertise hold bazaars entertainments and performances and conduct such other lawful activities as in the opinion of the board may be desirable with a view to raising funds for the school or making known its existence purposes or work ;
- (12) To appoint any person or persons (whether incorporated or not) to accept and hold in trust for the Corporation any property belonging to the Corporation or in which it is interested and to execute and do all such deeds acts and things as may be requisite in relation to any such trust and to provide for the remuneration of such trustee or trustees ;
- (13) To compromise any debts owing to or claims made by the Corporation ;
- (14) To promote or oppose any Bill Order scheme or application in Parliament or before any government department or authority or tribunal and to prosecute or defend any legal proceedings ;
- (15) To do all such other things as are incidental or as the board may think conducive to the attainment of the objects in this section mentioned or any of them.

5.—(1) All the real and personal property (including all funds things in action rights and privileges) which immediately before the passing of this Act belonged to or was held by or in trust for or in connection with either of the existing schools or any charity or object subsidiary or ancillary to either of such schools shall by virtue of this Act and without any conveyance transfer or other instrument be transferred to and vested in the Corporation.

(2) The production of a copy of this Act together with a statutory declaration by the secretary and by the person or by the appropriate officer of any corporation in whose name any registered land or any stock transferred to the Corporation by virtue of this Act is standing describing for the purpose of identification the land or stock so transferred shall be sufficient authority to the Chief Land Registrar of His Majesty's Land Registry to enter the name of the Corporation as proprietor of the said land or to any company in whose books any such stock is standing to transfer the stock into the name of the Corporation and to pay any dividends interest or bonuses thereon to the Corporation.

(3) In this section—

“company” includes the Bank of England and any corporation or person keeping books in which any stock is registered or inscribed ;

“stock” includes any share fund annuity or other security or interest.

Power to
hold and
acquire land.

6. The Corporation may hold without licence in mortmain all land transferred to and vested in the Corporation by virtue of this Act and may purchase take on lease accept a gift of or otherwise acquire and hold without licence in mortmain any land which in the opinion of the board it is desirable that the Corporation should acquire or hold :

Provided that the Corporation shall not purchase land unless the land is required for actual occupation immediate or future for the purposes of the school or for the protection or benefit of the land held for those purposes and not as an investment but nothing in this proviso shall prevent the exercise of the power to invest in freehold ground rents conferred by section 8 (Powers of investment) of this Act.

Power to sell
mortgage &c.
lands &c.

7.—(1) The Corporation may from time to time sell mortgage charge let surrender exchange or otherwise dispose of any land or any personal estate or property (including moneys secured on mortgage of or charged upon any land) by this Act vested in the Corporation or which shall hereafter be vested in or acquired by the Corporation or any part thereof and may do and execute all such acts deeds matters and things as may be necessary for effectuating and completing any such sale mortgage charge letting surrender exchange or disposition.

(2) The powers conferred by this section may be exercised without any order of any court or judge and without obtaining the approval of the Charity Commissioners or the Minister of Education.

Powers of
investment.

8.—(1) Any moneys for the time being in the hands of the Corporation and available for investment may be invested by the Corporation in any of the following modes or objects of investment :—

(a) in any manner for the time being prescribed by statute for the investment of trust funds ;

(b) in freehold ground rents well secured in accordance with the report of a duly qualified valuer ;

(c) in any investment or security which immediately before the appointed day was held for the general purposes of either of the existing schools and is by this Act vested in the Corporation ;

(d) in the public stocks or funds or government securities of any part of His Majesty's dominions or of the territories under His protection or of the United States of America ;

(e) in such of the following investments as in the opinion of the investment committee appointed in pursuance of subsection (3) of this section are generally considered to be readily marketable and form a good and safe security :—

(i) the deposit receipts bonds debentures debenture stocks mortgages or securities of any corporation company or body whether municipal railway public-utility commercial industrial investment trust mortgage insurance banking or of any other class registered or incorporated in the United Kingdom of Great Britain and Northern Ireland ;

(ii) the guaranteed lien preference preferred ordinary deferred or common stocks or shares of any such company as aforesaid being a company which has paid dividends upon its ordinary capital at the rate of at least four per centum per annum for at least the five years next before the time of investment (of which fact a letter purporting to be signed by the secretary of the company or by a banker or member of a firm of bankers or by the secretary or manager of a joint stock bank or of any branch thereof shall be sufficient evidence) such stocks or shares not being to bearer or subject to any liability for calls or other payments.

(2) Notwithstanding anything contained in the Mortmain and Charitable Uses Act 1891 the Corporation may retain any investment or other property real or personal held by the Corporation or which may from time to time be devised given or bequeathed to the Corporation though not being investments or property authorised to be acquired under this Act or may disclaim any such investment or property and may accept and retain or refuse any new shares stock debentures or debenture stock in any company which may be offered to the Corporation in respect of any investments retained as aforesaid. 54 & 55 Vict. c. 73.

(3) For the purposes of this section the board shall at all times keep in being an investment committee to consist of the chairman the vice-chairman the honorary treasurer and the controller and three other members of the board.

9.—(1) All property and funds of either of the existing schools which immediately before the passing of this Act were held for the general purposes of such schools may be applied by the Corporation in furtherance of any of the objects of the Corporation. Application of property funds and income of Corporation.

(2) Any property or funds and any income from property or funds which immediately before the passing of this Act were held on behalf of either of the existing schools for any special purpose shall continue after the passing of this Act to be held by the Corporation for such special purpose except that if the special purpose for which such property funds or income was held immediately before the passing of this Act concerns only what is for the time being a part only of the school such property funds or income may be applied to a similar special purpose concerning any other part or the whole of the school.

(3) All income of the Corporation arising on or after the passing of this Act from rentals of leased premises or interest or dividends on stocks or shares or otherwise from property or investments of the Corporation or from subscriptions donations legacies devises contributions grants pensions annuities sales of property bazaars appeals collections entertainments or other sources not being income allocated by the donors or otherwise made applicable only to special purposes may be applied by the Corporation in furtherance of any of the objects of the Corporation.

(4) The Corporation shall continue after the passing of this Act to observe so far as possible and subject to any adaptations or variations required in view of change of circumstances any commemorative conditions attached to any past gifts and operative at the passing of this Act in relation to either of the existing schools with respect to the holding of any events or celebrations the display of any records or the naming of any rooms beds cots seats or other premises or property or any other forms of commemoration.

(5) Any part of the income of the Corporation which is for the time being applicable in furtherance of any of the objects of the Corporation may if the court on the recommendation of the board so determines be transferred in the accounts of the Corporation to a fund applicable only to a special purpose or special purposes in connection with the school. The board shall not make such a recommendation unless they are satisfied that the transfer can be made without endangering the general interests of the school.

(6) The school shall not be carried on for profit.

Bequests &c.
to existing
schools.

10. Any devise bequest or gift contained in the will or in a codicil to the will of any person having died before or dying after the passing of this Act or in a deed whether executed before or after the passing of this Act in favour of or directed to be administered by or in connection with either of the existing schools or a charity or object subsidiary or ancillary to either of the existing schools shall not fail by reason of anything in this Act but shall take effect in favour of or be administered by or in

connection with the school or a corresponding charity or object subsidiary or ancillary to the school.

11. In any case where by the will or a codicil to the will of any person having died before or dying after the passing of this Act or by any deed whether executed before or after the passing of this Act any bequest or gift has been or shall be made in favour of or directed to be administered by or in connection with either of the existing schools or a charity or object subsidiary or ancillary to either of the existing schools and the legal personal representatives of such person or any trustees in whom such bequest or gift is vested are unable for any reason to obtain the receipt for such bequest or gift of any person whose receipt is an effectual discharge for the same the receipt of the secretary shall be an effectual discharge to such legal personal representatives or trustees as aforesaid (as the case may be) and shall exonerate them from being concerned to see to the application of such bequest or gift and from being answerable for the misapplication or non-application thereof.

Receipts for bequests &c. to existing schools.

12. All debts liabilities contracts and obligations properly incurred or entered into on behalf of either of the existing schools are by virtue of this Act transferred and attached to the Corporation and shall be discharged and satisfied by the Corporation. The Corporation shall indemnify the governors trustees members of committees or other managing bodies officers and servants of the existing schools or either of those schools and their respective representatives from all such debts and obligations and from all expenses and costs in respect thereof.

Transfer of liabilities.

13.—(1) The principal officers of the Corporation shall be the chairman the vice-chairman the honorary treasurer and the comptroller.

Principal officers.

(2) Any officer of the Corporation appointed by the court may retire at his own wish or his appointment may be terminated at the discretion of the court.

14.—(1) The first patrons of the Corporation will be His Majesty the King and Her Majesty Queen Mary.

Patrons.

(2) The court may at any time appoint a patron in addition to the patrons for the time being in office or to fill the place of a retiring patron. Before any such appointment is made the name of the person proposed to be appointed shall be submitted to His Majesty the King for approval.

15.—(1) The first president of the Corporation shall be His Royal Highness the Duke of Gloucester K.G.

President.

(2) Upon any vacancy occurring in the office of president a new president shall be appointed by the court. Before any such appointment is made the name of the person proposed

to be appointed shall be submitted to His Majesty the King for approval.

Vice-presidents.

16.—(1) The first vice-presidents of the Corporation shall be Her Royal Highness the Duchess of Kent C.I. G.C.V.O. G.B.E. and the Lady Patricia Ramsay.

(2) The court may at any time appoint a vice-president in addition to the vice-presidents for the time being in office or to fill the place of a retiring vice-president. Before any such appointment is made the name of the person proposed to be appointed shall be submitted to His Majesty the King for approval.

Chairman.

17.—(1) The first chairman of the Corporation shall be James Voase Rank.

(2) Upon any vacancy occurring in the office of chairman a new chairman shall be appointed by the court.

Vice-chairman.

18.—(1) The first vice-chairman of the Corporation shall be Sir Arthur Noel Mobbs K.C.V.O. O.B.E.

(2) Upon any vacancy occurring in the office of vice-chairman a new vice-chairman shall be appointed by the court.

Honorary treasurer.

19.—(1) The first honorary treasurer of the Corporation shall be Marshal of the Royal Air Force the Viscount Portal of Hungerford K.G. G.C.B. O.M. D.S.O.

(2) Any vacancy in the office of honorary treasurer shall be filled by the court on the recommendation of the board.

Comptroller.

20.—(1) The first comptroller of the Corporation shall be Brigadier John George Smyth V.C. M.C.

(2) Upon any vacancy occurring in the office of comptroller a new comptroller shall be appointed by the court.

Court.

21. The persons who are for the time being the president the vice-presidents the chairman the vice-chairman the life governors and the governors of the Corporation shall together constitute the court of governors of the Corporation.

Council.

22.—(1) The council shall consist of—

(a) the following officers of the Corporation who shall be members ex-officio (namely):—

the chairman the vice-chairman the honorary treasurer and the comptroller; and

(b) other persons to the number of not more than thirty and not less than twenty.

(2) The first members of the council other than those who are members ex-officio shall be the following persons:—

Kenneth Hart Adams.

Air-Marshal Sir Philip Babington K.C.B. M.C. A.F.C.

Sir Edward Baron.

Sir Harold Bowden G.B.E.

The Rt. Hon. Viscount Davidson P.C. G.C.V.O. C.H. C.B.

Admiral Sir Martin Dunbar-Nasmith V.C. K.C.B.

The Rt. Hon. Lord Horder G.C.V.O. M.D.

The Lord Iliffe G.B.E.

Ernest Joyce.

Sir John Laurie Bt.

The Rt. Hon. the Lord Mayor of London.

The Mayor of Reigate.

Her Grace the Duchess of Marlborough.

The Lady Beatrice Meade.

Lady Mobbs.

Sir Frank Newson-Smith Bt. M.A. D.C.L.

Mark Ostrer.

The Rt. Hon. Lord Perry G.B.E. LL.D.

The Rt. Hon. Viscount Portal of Laverstoke D.S.O. M.V.O.
D.L.

James Arthur Rank J.P.

The Hon. Mrs. Arthur Rank.

Mrs. James Voase Rank.

Brigadier Harold Richard Sandilands C.M.G. D.S.O.

The Hon. Mrs. Tildsley.

The Director-General of Military Training.

Colonel Eric George Simon Waley O.B.E.

Willard Garfield Weston.

Each of such persons may at any time retire if he or she so desires.

(3) The comptroller shall act as secretary of the council.

(4) Any vacancy in the office of member of the council other than the members serving ex-officio may be filled by the court. Any member of the council appointed by the court may at any time retire if he or she so desires.

(5) The council shall act in an advisory capacity. It shall meet annually and shall give any such advice and assistance to the governing bodies and officers of the Corporation and to the school as it may desire.

23.—(1) Subject to the provisions of subsection (2) of this section the board of management shall consist of— Board of management.

(a) the chairman the vice-chairman the honorary treasurer the comptroller. They shall be ex-officio members of the board ; and

(b) not more than six and not less than three other persons who shall be ordinary members of the board.

(2) The board may themselves co-opt not more than three persons as ordinary members of the board notwithstanding that the number of ordinary members may thereby be raised to more than six.

(3) The first ordinary members of the board shall be the following persons who immediately before the passing of this Act together with the said ex-officio members constituted the plenary committee (namely):—

Kenneth Hart Adams.

Colonel Eric George Simon Waley O.B.E.

Harold Lancelot Roy Matthews C.B.E.

Frank William Burgess.

Brigadier Harold Richard Sandilands C.M.G. D.S.O.

(4) Any vacancy in the office of ordinary member of the board may be filled by the court and shall be so filled if the filling thereof is necessary to make up the number of ordinary members to three.

(5) The term of office of any ordinary member of the board may be fixed by the court either upon or before or after his appointment or co-optation.

(6) Subject to the provisions of this Act and the regulations and any directions given by the court in conformity with those provisions the board shall control and manage the affairs of the Corporation and may exercise on behalf of the Corporation all powers vested in the Corporation by this Act or otherwise and administer its property and income and discharge on behalf of the Corporation out of its funds and property the liabilities and obligations of the Corporation.

(7) Subject to the provisions of this Act and the regulations the procedure of the board shall be such as the board may itself from time to time determine.

Secretary.

24.—(1) The board shall at all times keep appointed a secretary of the Corporation and shall settle the terms and conditions of his appointment.

(2) The first secretary of the Corporation shall be Eric Albert Corner A.C.I.S.

(3) The board may at any time appoint a person to act as secretary during any temporary absence of the secretary. While holding such appointment the person so appointed shall be deemed for the purposes of this Act and the regulations to be the secretary.

Life governors.

25.—(1) Every person who immediately before the passing of this Act was a life governor of either of the existing schools

shall be a life governor of the Corporation if within six months after the passing of this Act he notifies in writing to the secretary his willingness to hold that position.

(2) Every person who after the passing of this Act gives to the funds of the Corporation a donation of not less than the minimum sum prescribed in that behalf in the regulations shall become a life governor of the Corporation if within six months after giving such donation he notifies in writing to the secretary his willingness to hold that position.

(3) The court shall have power by resolution to elect as a life governor of the Corporation any person who has rendered unpaid service to the Corporation or the school which the court deems specially valuable or distinctive.

(4) Every life governor shall subject to the provisions of this Act and the regulations continue to hold that position until his death or resignation.

26.—(1) Every person who immediately before the passing of this Act was a governor of either of the existing schools shall be a governor of the Corporation from the passing of this Act until the expiration of one year after the payment of the last subscription made by him before the passing of this Act or until his earlier resignation.

(2) Every person who after the passing of this Act subscribes to the funds of the Corporation an annual sum not less than the minimum sum prescribed in that behalf in the regulations and indicates his intention to be an annual subscriber of such sum to those funds shall be a governor of the Corporation and shall be entitled to hold that office until the expiration of a period of one year after payment to the Corporation of his annual subscription or until his earlier resignation.

27. If it shall be resolved by a meeting of the court that the interests of the school require the resignation of any chairman vice-chairman honorary treasurer comptroller life governor governor or ordinary member of the board and if it shall be further so resolved that he be called upon to resign he shall thereupon and thenceforth ipso facto be held for all purposes of this Act and the regulations to have resigned.

Requirement of
resignation.

No such resolution calling upon any chairman vice-chairman honorary treasurer comptroller life governor or governor to resign shall be of effect unless it be passed by the votes of not less than three-fourths of such members of the court as being entitled so to do vote on the resolution at a meeting of the court of which not less than fourteen days' notice by post specifying the intention to propose such resolution shall have been given.

28.—(1) Subject to the provisions of this Act the court shall have power from time to time to make alter and revoke regulations with respect to the management of the school and the

Regulations.

government and administration of the affairs of the Corporation its undertaking property and income.

(2) No regulation shall be revoked or altered and no new regulation shall take effect until submitted to and approved by the court at a meeting of which notice has been given in accordance with the regulations specifying that such revocation alteration or new regulation will be taken into consideration.

(3) The first regulations shall be those set forth in the schedule to this Act and they shall continue in force until altered or revoked in accordance with the provisions of this Act.

(4) A printed copy of the regulations purporting to be certified by the secretary to be the regulations for the time being in force shall be admissible in all proceedings as prima facie evidence thereof without further proof.

Validity of
acts done at
meetings.

29. No act done at a meeting of the court or the board or of any committee appointed under this Act or the regulations shall be invalid by reason of the subsequent discovery that there was some defect in the appointment or qualification of a person acting as a member of such body at such meeting.

Confirmation
of proceedings
of plenary
committee.

30. The establishment of the plenary committee and all acts and proceedings of that committee on behalf or in respect of the existing schools or either of those schools before the passing of this Act are hereby sanctioned and confirmed.

Pending
proceedings
and existing
contracts.

31.—(1) No proceeding or cause of action pending or existing immediately before the passing of this Act by or against either of the existing schools or any person on behalf of each school shall abate or be discontinued or be in any way prejudicially affected by reason of anything in this Act but the proceeding or cause of action may in so far as it relates to that school or person be continued and enforced by or against the Corporation as it might have been by or against such school or person if this Act had not been passed but not further or otherwise.

(2) Subject to the provisions of this Act all contracts deeds bonds agreements and other instruments and all working arrangements subsisting immediately before the passing of this Act and affecting either of the existing schools shall in so far as they relate to the affairs of that school be of as full force and effect against or in favour of the Corporation and may be enforced as fully and effectually as if instead of such school or any person on their behalf the Corporation had been a party thereto.

Auditing of
accounts.

32. The accounts of the Corporation shall be audited by an accountant or a firm of accountants:

Provided that no person or firm shall be qualified to audit the accounts unless he is a member or in the case of a firm

unless all the partners are members of one or more of the following bodies:—

The Institute of Chartered Accountants in England and Wales;

The Society of Incorporated Accountants and Auditors;

The Society of Accountants in Edinburgh;

The Institute of Accountants and Actuaries in Glasgow;

The Society of Accountants in Aberdeen;

The Association of Certified and Corporate Accountants;

The Institute of Chartered Accountants in Ireland;

Any other body of accountants established in the United Kingdom and for the time being recognised by the Board of Trade for the purposes of the provisions of section 161 of the Companies Act 1948 relating to the qualification for appointment as auditor of a company other than an exempt private company. 11 & 12 Geo. 6. c. 38.

33. Without prejudice to anything previously done or suffered the organisation of each of the existing schools is hereby dissolved the powers of its governors committees or other managing bodies and officers are hereby terminated the Act of 1848 and the Act of 1905 are hereby repealed the 1911 indenture and 1912 deed poll are hereby abrogated the rules and regulations of each of the existing schools shall cease to operate and the trustees for the time being of each of the existing schools are hereby discharged. Dissolution of existing schools.

34. All costs charges and expenses preliminary to and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Corporation out of the funds of the Corporation. Costs of Act.

The SCHEDULE referred to in the foregoing Act

THE FIRST REGULATIONS OF THE CORPORATION

Minimum
donation for
life governor and
minimum annual
subscription
for governor.

1.—(1) The minimum donation to be given by any person to the funds of the Corporation in order to become a life governor by virtue of such donation shall be the sum of fifty pounds.

(2) The minimum annual sum to be subscribed by any person to the funds of the Corporation in order to become a governor by virtue of such subscription shall be the sum of one guinea.

Meetings of
court.

2.—(1) A meeting of the court shall be held annually.

(2) To such annual meeting there shall be presented a report by the board on the affairs of the Corporation and the work of the school in the year ending on the thirty-first day of December last preceding the meeting and the audited statement of the accounts of the Corporation for that year.

(3) A special meeting of the court shall be held at any time when so determined by the board or when required by a requisition specifying the business for which the meeting is required to be held and signed by not less than twelve persons who are registered life governors or governors or members of the board and of whom not less than three must be members of the board.

(4) Not less than fourteen days' previous notice of any annual or special meeting of the court shall be given by post by the secretary to all such life governors and governors as have registered their addresses with him and notified him of any change of address (in these regulations referred to as registered life governors or governors) but the accidental omission to give such notice to any particular life governor or governor shall not invalidate the proceedings of the meeting. Only registered life governors and governors shall be entitled to attend and vote as such at any meeting of the court.

(5) The quorum for a meeting of the court shall be seven members of the court personally present.

(6) No business shall be transacted at any special meeting of the court except that for which it has been convened being business specified in the notice convening the meeting.

(7) At every meeting of the court the president or failing him a vice-president or failing the president and vice-presidents the chairman or failing him the vice-chairman or failing the chairman and vice-chairman one of the members of the court elected by the meeting shall act as chairman of the meeting.

(8) All questions at any meeting of the court shall be decided by a majority of the members of the court present and voting and in case of an equality of votes the chairman of the meeting shall have a second or casting vote. No voting by proxy shall be allowed.

Meetings of
council.

3.—(1) Five members of the council personally present shall constitute a quorum for a meeting of the council.

(2) At any meeting of the council the chairman if present shall preside. In the absence of the chairman from any meeting the

vice-chairman shall preside. In the absence of both chairman and vice-chairman from any meeting the members of the council present may by resolution passed by a majority of those voting appoint a chairman of the meeting.

(3) At each meeting of the council the board shall submit a report on the work and progress of the school.

4.—(1) At any meeting of the board the chairman if present shall preside. In the absence of the chairman from any meeting the vice-chairman shall preside. In the absence of both chairman and vice-chairman from any meeting the members of the board present at the meeting shall by a majority of those voting choose one of their number to act as chairman of the meeting. Board of management.

(2) The quorum for a meeting of the board shall be three members of the board personally present.

(3) The board shall act by resolution passed at a meeting of the board by a majority of votes of the members of the board present at such meeting and voting on the resolution. In the case of an equality of votes the chairman of the meeting shall have a second or casting vote.

(4) The board may at any time appoint a committee consisting either wholly of members of the board or partly of members of the board and partly of other persons to inquire into any matter specified by the board and within the functions of the board and to report thereon to the board or to take action in respect of any matter within the functions of the board if authorised to do so by the board.

5.—(1) The board shall cause minutes to be made in books provided for the purpose of all resolutions and proceedings of meetings of the court the council the board and any committees. Any such minutes if purporting to be signed by the chairman of the meeting to which they relate or by the chairman of the next succeeding meeting of the court council board or committee as the case may be shall be received as prima facie evidence of the facts therein stated. Minutes and resolutions.

(2) A resolution in writing signed by all the members of the board or of any committee shall be as valid as if passed at a meeting of the board or committee as the case may be duly convened and constituted. Every such resolution shall be entered in the appropriate minute book of the Corporation.

6. The board shall prepare before the commencement of the year ending on the thirty-first day of December nineteen hundred and fifty and each subsequent year ending on the thirty-first day of December an estimate of income and expenditure for such year and shall cause true accounts of all income receipts expenditure and payments and all assets and liabilities of the Corporation to be kept at all times and a proper annual statement of accounts in respect of the Corporation for each year ending on the thirty-first day of December to be prepared in time for presentation to the annual meeting of the court next following such thirty-first day of December. Budget and accounts.

7. A register shall be kept under the direction of the board showing the name age home address (if any) nationality and place of birth of children. Register of children.

each child cared for in or received into the school and the names and addresses of any parents or guardians of such children if and so far as known.

Annual report
of board.

8. The board shall prepare and present to each annual meeting of the court a report on the affairs of the Corporation and the work of the school in the year ending on the thirty-first day of December last preceding such meeting and shall publish or distribute copies of such report to such extent (if any) and in such manner as they may think desirable.

Banking
account.

9. The secretary shall forthwith on receipt place all monies received on behalf of the Corporation in such bank as the board may select to an account in the name of the Corporation. All payments out of such account shall be made by cheques signed by two members of the board and countersigned by the secretary.

Seal.

10. The seal of the Corporation shall not be affixed to any instrument except under the authority of a resolution of the board and in the presence of a member of the board and of the secretary or such other person as the board may appoint for the purpose and that member of the board and the secretary or other person appointed as aforesaid shall sign every instrument to which the seal of the Corporation is so affixed in their presence.

Notices.

11. For any of the purposes of the Act or these regulations a notice may be served either personally or by sending it by post to the last known address of the person to whom it is sent and a notice sent by post shall be deemed to be served on the day on which it would in the ordinary course of post be delivered and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and posted.

Interpretation.

12. In these regulations unless the context otherwise requires the expression "the Act" means the Royal Alexandra and Albert School Act 1949.

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