



# Education Act 1973

## 1973 CHAPTER 16

### *Educational trusts*

#### **1 General provisions as to educational trusts**

- (1) There shall cease to have effect—
  - (a) section 2 of the Charities Act 1960 (by which, as originally enacted, the powers of the Charity Commissioners were made exercisable concurrently by the Minister of Education); and
  - (b) the Endowed Schools Acts 1869 to 1948 (which made provision for the modernisation of educational trusts by schemes settled and approved in accordance with those Acts).
- (2) The Secretary of State may by order—
  - (a) make such modifications of any trust deed or other instrument relating to a school as, after consultation with the managers, governors or other proprietor of the school, appear to him to be requisite in consequence of any proposals approved or order made by him under section 13 or 16 of the Education Act 1944 (which relate to the establishment of and changes affecting schools); and
  - (b) make such modifications of any trust deed or other instrument relating to a school as, after consultation with the governors or other proprietor of the school, appear to him to be requisite to enable the governors or proprietor to meet any requirement imposed by regulations under section 33 of the Education Act 1944 (which relates in particular to the approval of schools as special schools); and
  - (c) make such modifications of any trust deed or other instrument relating to or regulating any institution that provides or is concerned in the provision of educational services, or is concerned in educational research, as, after consultation with the persons responsible for the management of the institution, appear to him to be requisite to enable them to fulfil any condition or meet any requirement imposed by regulations under section 100 of the Education Act 1944 (which authorises the making of grants in aid of educational services or research);

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*Status: This is the original version (as it was originally enacted).*

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and any modification made by an order under this subsection may be made to have permanent effect or to have effect for such period as may be specified in the order.

This subsection shall be construed, and the Education Acts 1944 to 1971 shall have effect, as if this subsection were contained in the Education Act 1944.

- (3) In connection with the operation of this section there shall have effect the transitional and other consequential or supplementary provisions contained in Schedule 1 to this Act.
- (4) The enactments mentioned in Schedule 2 to this Act (which includes in Part I certain enactments already spent or otherwise no longer required apart from the foregoing provisions of this section) are hereby repealed to the extent specified in column 3 of the Schedule.
- (5) Subsection (1)(a) above and Part III of Schedule 2 to this Act shall not come into force until such date as may be appointed by order made by statutory instrument by the Secretary of State.