

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996), Part II. (See end of Document for details)

SCHEDULES

FIRST SCHEDULE

LOCAL ADMINISTRATION

PART II

EDUCATION COMMITTEES

- 1 Every local education authority shall, in accordance with arrangements approved by the [^{F1}Secretary of State for Education and Science], establish such education committees as they think it expedient to establish for the efficient discharge of their functions with respect to education.

Textual Amendments

F1 Words substituted by virtue of [S.I. 1964/490, art. 3\(2\)\(a\)](#)

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Textual Amendments

F2 [Sch. 1 Pt. II para. 2, Pt. III](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

- 3 Where it appears to the [^{F3}Secretary of State for Education and Science] to be expedient that two or more local education authorities should combine for the purpose of exercising some but not all of their functions with respect to education and that those authorities should establish a joint committee for that purpose, the [^{F3}Secretary of State for Education and Science] may after consultation with the authorities by order establish a joint education committee of those authorities and provide for the reference to the committee of such questions relating to those functions as in the opinion of the [^{F3}Secretary of State for Education and Science] should be so referred; and any such order may provide for authorising the joint education committee to exercise any of those functions on behalf of the authorities concerned, and may include such incidental and consequential provisions, including provisions with respect to the appointment and functions of sub-committees, as the [^{F3}Secretary of State for Education and Science] thinks desirable.

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Textual Amendments

F3 Words substituted by virtue of [S.I. 1964/490](#), [art. 3\(2\)\(a\)](#)

Modifications etc. (not altering text)

C1 Functions of Secretary of State for Education and Science under Sch. 1 Pt. II para. 3 in relation to Wales now exercisable by Secretary of State for Wales: [S.I. 1970/1536](#), [art. 2\(3\)\(a\)](#)

4 In the following provisions of this Part of this Schedule the expression “education committee” includes a joint education committee.

5 Every education committee of a local education authority shall include persons of experience in education and persons acquainted with the educational conditions prevailing in the area for which the committee acts.

[^{F4}5A (1) The Secretary of State may by directions to local education authorities require every education committee, or education committee of a description specified in the direction, to include persons appointed, in accordance with the directions, for securing the representation on the committee of persons who appoint foundation governors of voluntary schools in the area for which the committee acts.

(2) The power of the Secretary of State to give directions under sub-paragraph (1) of this paragraph shall be exercisable in relation to sub-committees of education committees as it is exercisable in relation to the committees themselves.

(3) Arrangements approved under paragraph 1 above, orders made under paragraph 3 above and restrictions imposed under paragraph 10 below shall have effect (whether approved, made or imposed before or after the coming into force of this paragraph or the giving of the direction) subject to the requirements of any direction under this paragraph.]

Textual Amendments

F4 [Sch. 1 Pt.II para. 5A](#) inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 194(1), [Sch. 11 para. 4](#)

6 At least a majority of every education committee of a local education authority shall be members of the authority:
 Provided that in the case of a joint education committee, the provisions of this paragraph shall be deemed to have been complied with if the committee consists, as to more than one half of the members thereof, of persons who are members of any of the authorities for which the committee is established.

7 Every local education authority shall consider a report from an education committee of the authority before exercising any of their functions with respect to education:

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Provided that an authority may dispense with such a report if, in their opinion, the matter is urgent . . . ^{F5}

Textual Amendments

F5 Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

Modifications etc. (not altering text)

C2 [Sch. 1 Pt. II paras. 7, 8](#) modified (inner London) by [London Government Act 1963 \(c. 33\)](#), **s. 30(5)**

8 A local education authority may authorise an education committee of the authority to exercise on their behalf any of their functions with respect to education, except the power to borrow money or to raise a rate.

Modifications etc. (not altering text)

C3 [Sch. 1 Pt. II paras. 7, 8](#) modified (inner London) by [London Government Act 1963 \(c. 33\)](#), **s. 30(5)**

9 The minutes of proceedings of an education committee of the local education authority shall be open to the inspection of any local government elector for the area on payment of a fee not exceeding [^{F6}5 p], and any such local government elector may make a copy thereof or an extract therefrom.

Textual Amendments

F6 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), **s. 31(5)(6)** and of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **s. 45**

10 Every education committee of a local education authority may, subject to any restrictions imposed by the local education authority or the order of the [^{F7}Secretary of State for Education and Science] by which the committee was established:—

- (a) appoint such sub-committees constituted in such manner as the committee may determine; and
- (b) authorise any such sub-committees to exercise any of the functions of the committee on their behalf.

Textual Amendments

F7 Words substituted by virtue of [S.I. 1964/490](#), **art. 3(2)(a)**

11 Nothing in this Part of this Schedule shall require the reference to any education committee of a local education authority, or to any sub-committee of such a committee, of any matter which under any enactment for the time being in force is referred to any committee of the authority other than an education committee.

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