



# Education Act 1944

## 1944 CHAPTER 31

### PART I

#### CENTRAL ADMINISTRATION.

#### **2 Transfer of property and functions to Minister and construction of Acts and documents.**

- (1) All property which, immediately before the date declared by His Majesty in Council to be the date on which the first appointment under this Act of a Minister of Education took effect, was held by the Board of Education constituted under the Board of Education Act, 1899, and all functions exercisable by that Board or the President thereof immediately before that date, and all rights and liabilities, whether vested or contingent, to which that Board or the President thereof were entitled or subject immediately before that date, shall, by virtue of this Act, be transferred to the Minister; and, except where the context otherwise requires, references in any enactment or other document to the Board of Education, the President of the Board of Education, the Education Department, or the Department of Science and Art shall be construed as references to the Minister, or, where the case so requires, as references to the Ministry of Education.
- (2) His Majesty may by Order in Council transfer to, or make exercisable by, the Minister any of the functions of the Charity Commissioners in matters appearing to His Majesty to relate to education, and any such Order may make such provision as appears to His Majesty to be necessary for applying to the exercise of those functions by the Minister any enactments relating to the Charity Commissioners; and any Order in Council made under this subsection may be varied or revoked by any subsequent Order so made :

Provided that any such Order shall make provision for the determination by the Charity Commissioners of any question whether an endowment or any part of an endowment is held for, or ought to be applied to, educational purposes.