(*b*) who is resident in a workhouse, or in any institution to which he has been sent by the guardians, from a workhouse, or boarded out by the guardians,

unless that other school authority or, as the case may be, the guardians are willing to contribute towards the expenses of the education and maintenance of the child such sum as may be agreed on between the authorities concerned.

Period of education for defective and epileptic children.

11. For the purposes of the Elementary Education Acts, 1870 to 1893, and of this Act, a defective or epileptic boy or girl shall be deemed to be a child until the age of sixteen years, and the period of compulsory education shall, in the case of such a child, extend to sixteen years, and the attendance of such a child at school may be enforced as if it were required by byelaws made under the Elementary Education Acts, 1870 to 1893, and any such child shall not, in accordance with such byelaws, be entitled to total or partial exemption from the obligation to attend school.

Religious instruction. 56 & 57 Vict. c. 42.

12. The provisions regulating religious instruction in certified schools for defective and epileptic children shall be the same as those enacted by section eight of the Elementary Education (Blind and Deaf Children) Act, 1893.

Report to Parliament.

13. Every school authority shall make to the Education Department such returns as the Department may require; and the Department shall annually lay before both Houses of Parliament a report of their proceedings under this Act during the preceding year, and in that report shall give lists of the schools and classes to which they have granted or refused certificates under this Act during the year, with their reasons for each such refusal.

Interpretation of terms.

14. In this Act—

The expression "school" includes any institution in which defective or epileptic children are boarded or lodged as well as taught, and any establishment for boarding or lodging children taught in a certified special class or school:

Other expressions have, unless the contrary intention appears, the same meaning as in the Elementary Education (Blind and Deaf Children) Act, 1893.

Short title.

15. This Act may be cited as the Elementary Education (Defective and Epileptic Children) Act, 1899, and may be cited with the Elementary Education Acts, 1870 to 1893.

CHAPTER 33.

An Act to provide for the Establishment of a Board of Education for England and Wales, and for matters connected therewith. [9th August 1899.]

BE it enacted by the Queen'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:

Establishment of Board of Education.

1.—(1.) There shall be established a Board of Education charged with the superintendence of matters relating to education in England and Wales.

(2.) The Board shall consist of a President, and of the Lord President of the Council (unless he is appointed President of the Board), Her Majesty's Principal Secretaries of State, the First Commissioner of Her Majesty's Treasury, and the Chancellor of Her Majesty's Exchequer.

(3.) The existing Vice-President of the Committee of the Privy Council on Education shall also be a member of the Board, but on the next vacancy in his office the office shall be abolished, and the enactments mentioned in the schedule to this Act shall be repealed.

(4.) The President of the Board shall be appointed by Her Majesty, and shall hold office during Her Majesty's pleasure.

(5.) The Board shall be deemed to be established on the appointment of the President thereof.

Duties and powers of Board of Education.

2.—(1.) The Board of Education shall take the place of the Education Department (including the Department of Science and Art), and all enactments and documents shall be construed accordingly.

(2.) It shall be lawful for Her Majesty in Council, from time to time, by Order, to transfer to, or make exerciseable by, the Board of Education any of the powers of the Charity Commissioners or of the Board of Agriculture in matters appearing to Her Majesty to relate to education, and the Order may make such provision as appears necessary for applying to the exercise of those powers by the Board of Education the enactments relating to the Charity Commissioners or to the Board of Agriculture.

Provided that any question as to whether an endowment or any part of an endowment is held for or ought to be applied to educational purposes shall be determined by the Charity Commissioners.

Inspection of secondary schools.

3.—(1.) The Board of Education may by their officers, or, after taking the advice of the Consultative Committee herein-after mentioned, by any University or other organisation, inspect any school supplying secondary education and desiring to be so inspected, for the purpose of ascertaining the character of the teaching in the school and the nature of the provisions made for the teaching and health of the scholars, and may so inspect the school on such terms as may be fixed by the Board of Education with the consent of the Treasury: Provided that the inspection of schools established by scheme under the Welsh Intermediate Education Act, 1889, shall, subject to regulations made by the Treasury under section nine of that Act, be conducted as heretofore by the Central Welsh Board for Intermediate Education, and that the said Board shall be recognised as the proper organisation for the inspection of any such schools as may be desirous of inspection under this section.

52 & 53 Vict. c. 40.

(2.) The council of any county or county borough may out of any money applicable for the purposes of technical education pay or contribute to the expenses of inspecting under this section any school within their county or borough.

Consultative Committee.

4. It shall be lawful for Her Majesty in Council, by Order, to establish a Consultative Committee consisting, as to not less than two-thirds, of persons qualified to represent the views of Universities and other bodies interested in education, for the purpose of—

(*a*) framing, with the approval of the Board of Education, regulations for a register of teachers, which shall be formed and kept in manner to be provided by Order in Council: Provided that the register so formed shall contain the names of the registered teachers arranged in alphabetical order, with an entry in respect to each teacher showing the date of his registration, and giving a brief record of his qualifications and experience; and

(*b*) advising the Board of Education on any matter referred to the committee by the Board.

Orders to be laid before Parliament.

5. The draft of any Order proposed to be made under this Act shall be laid before each House of Parliament for not less than four weeks during which that House is sitting, before it is submitted to Her Majesty in Council.

Staff, remuneration, and expenses.

6.—(1.) The Board of Education may appoint such secretaries, officers and servants as the Board may, with the sanction of the Treasury, determine.

(2.) There shall be paid, out of moneys provided by Parliament, to the President of the Board, unless he holds another salaried office, such annual salary not exceeding two thousand pounds, and to the secretaries, officers and servants of the Board such salaries or remuneration, as the Treasury may determine.

Style, seal and proceedings of Board of Education.

7.—(1.) The Board of Education may sue and be sued and may for all purposes be described by that name.

(2.) The Board shall have an official seal, which shall be officially and judicially noticed, and that seal shall be authenticated by the signature of the President or some member of the Board, or of a secretary, or of some person authorised by the President or some member of the Board to act on behalf of a secretary.

(3.) Every document purporting to be an instrument issued by the Board of Education, and to be sealed with the seal of the Board, authenticated in manner provided by this Act, or to be signed by a secretary or any person authorised by the President or some member of the Board to act on behalf of a secretary, shall be received in evidence, and be deemed to be such an instrument without further proof, unless the contrary is shown.

(4.) A certificate signed by the President or any member of the Board of Education that any instrument purporting to be made or issued by the President or some member of the Board is so made or issued shall be conclusive evidence of the fact.

8.—(1.) The office of President of the Board of Education shall not render the person holding it incapable of being elected to, or of voting in, the Commons House of Parliament, and shall be deemed to be an office included in Schedule H. of the Representation of the People Act, 1867; in Schedule H. of the Representation of the People (Scotland) Act, 1868; in Schedule E. of the Representation of the People (Ireland) Act, 1868; and in Part I. of the schedule of the Promissory Oaths Act, 1868. Power for President or secretary to sit in Parliament. 30 & 31 Vict. c. 102. 31 & 32 Vict. c. 48. 31 & 32 Vict. c. 49. 31 & 32 Vict. c. 72.

(2.) After the abolition of the office of the Vice-President of the Committee of the Privy Council on Education, one of the secretaries of the Board of Education shall not by reason of his office be incapable of being elected to or of voting in the Commons House of Parliament.

9.—(1.) This Act shall not extend to Scotland or Ireland. Extent, commencement, and short title.

(2.) This Act shall come into operation on the first day of April one thousand nine hundred.

(3.) This Act may be cited as the Board of Education Act, 1899.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
19 & 20 Vict. c. 116.	The Education Department Act, 1856.	The whole Act.
21 & 22 Vict. c. 97.	The Public Health Act, 1858.	In section seven the words "the Vice-President of the Committee of the said Privy Council on Education being one of them."

CHAPTER 34.

An Act to continue various Expiring Laws.

[9th August 1899.]

WHEREAS the Acts mentioned in Part I. of the schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December one thousand eight hundred and ninety-nine:

And whereas the Act mentioned in Part II. of the schedule to this Act is, to the extent aforesaid, limited to expire on the thirty-first day of March one thousand nine hundred:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same: