EDUCATION, SCOTLAND

1. *Bursaries.*
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1. BURSARIES

The Education Authority Bursaries (Scotland) Regulations, 1949

1949 No. 1489 (S. 106)

Made - - - -	30*th July*, 1949
Laid before Parliament	4*th August*, 1949
Coming into Operation	31*st August*, 1949

In the exercise of the powers conferred upon me by section 43 of the Education (Scotland) Act, 1946(a), and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

Interpretation

1.—(1) In these Regulations, unless the context otherwise requires—

(*a*) "Act" means the Education (Scotland) Act, 1946, as amended by the Education (Scotland) Act, 1949(b);

(*b*) "Applicant" means a person who applies for an award or a renewal of an award for himself or a person on whose behalf such an application is made;

(*c*) "Award" means a sum paid or authorised to be paid in respect of a period not exceeding twelve months (hereinafter referred to as "a bursary year") to or for behoof of any pupil attending school or person over school age, as the case may be, by an Education Authority under subsection (1) of section 43 of the Act;

(*d*) "Estimated expenditure" means the aggregate of the sums estimated, in accordance with the provisions of the First Schedule to these Regulations, to be payable by or on behalf of an applicant during a bursary year for the purpose of enabling him to take advantage of an educational facility available to him;

(*e*) "Holder" means a person whose period of tenure of an award is current.

(2) The Interpretation Act, 1889(c), applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Awards

2.—(1) An application for an award (including a renewal of an award) shall be submitted to the Education Authority by or on behalf of the applicant, and shall be in such form, contain such information, be accompanied by such documents and be submitted by such date as the Education Authority may require, provided that the Authority may waive any such requirement in any particular case. The Authority may take such steps as they consider necessary to satisfy themselves of the accuracy of the information so furnished.

(2) The amount of any award shall be equal to the sum, if any, whereby the estimated expenditure during a bursary year exceeds the contribution as assessed in accordance with the provisions of the Second Schedule annexed hereto.

(a) 9 & 10 Geo. 6. c. 72. (b) 12, 13 & 14 Geo. 6. c. 19. (c) 52 & 53 Vict. c. 63.

(3) Each award shall be in respect of expenditure incurred or to be incurred during a bursary year, and shall, subject to the provisions of paragraphs (4), (5) and (6) of this Regulation, be renewed as often as is necessary to enable the holder to complete the course of study in respect of which it was made.

(4) Any award shall be paid in a lump sum or by instalments as the Education Authority may direct, provided that—

(i) no payment shall be made before the holder has been accepted for admission to the course of study in respect of which the award has been made, and

(ii) the Education Authority shall make payments at such times as will enable expenditure to be met by or on behalf of the holder as and when necessary.

(5) It shall be a condition of the tenure of an award and of the renewal of an award that the Education Authority shall be satisfied as to the conduct and progress of the holder. When making or renewing an award the Education Authority shall give notice of this condition to the holder and shall inform him that if they are not satisfied with his conduct or progress the award will be terminated or renewal of the award will be refused without further warning. If, after such notice and information have been given, the Education Authority are dissatisfied with the conduct or progress of the holder, they shall terminate the award and the award shall not be renewed:

Provided that if, notwithstanding the termination of the award, the former holder continues his course and if the Education Authority are satisfied as to his conduct and progress, they may make a new award.

(6) It shall be the duty of the holder or of any person to whom payments are made for his behoof to inform the Education Authority of any changes in his financial circumstances or in the estimated expenditure. If the Authority have reason to believe that such a change has occurred or if the holder or the person to whom payments are made for his behoof represents to the Authority that such a change has occurred, the Authority shall give the holder or the said person an opportunity of submitting a revised application, and the provisions of paragraphs (1) and (2) of this Regulation shall with the necessary modifications apply to such revised applications. The Authority shall thereafter reconsider and if necessary adjust or cancel the award.

(7) No person shall be eligible to hold at the same time an award made under these Regulations and an award made by the Secretary of State under paragraph (10) of section 70 of the Act.

Exceptions

3. It shall be in the power of the Secretary of State on the application of the Education Authority, in exceptional circumstances and on good cause shown, to authorise a departure from any provision of these Regulations, and the Education Authority may make an award in accordance with the said authorisation notwithstanding that the award does not comply with such provision.

Citation

4. These Regulations may be cited as the Education Authority Bursaries (Scotland) Regulations, 1949, and shall have effect in relation to any award in respect of a period beginning after 31st August, 1949.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
30th July, 1949.

SCHEDULES

FIRST SCHEDULE

Estimated Expenditure

In assessing the estimated expenditure in relation to any type of award the Education Authority shall—

(*a*) where for a particular purpose a fixed sum is prescribed in the third column of the following table opposite to the entry in the second column relating to that type of award, take the said sum into account as being required for that purpose, and

(*b*) where for a particular purpose no fixed sum is so prescribed, take into account the sum which in their opinion is reasonably required for that purpose, provided that where a minimum sum is so prescribed the sum taken into account shall not be less than the said minimum sum.

Table

Serial No. (1)	*Type of Award* (2)	*Purpose of Expenditure* (3)
	UNDER SECTION 43(1)(*a*)	
1.	" School Bursaries "	(*a*) The purchase of clothing distinctive of a particular school, other than clothing for physical exercise provided under subsection (3) of section 11 of the Act to pupils attending the school; and (*b*) any other purpose upon which expenditure is, in the opinion of the Authority, expedient to enable the applicant to take full part in the activities of the school, except a purpose the cost of which is defrayed by the Authority under subsection (1) of section 3 of the Act for pupils attending the school.
	UNDER SECTION 43(1)(*b*)	
2.	" School Fee Grants "	The payment of fees, including matriculation, tuition, board, lodging and athletic fees, necessarily incurred by attendance, with the approval of the Authority, at a particular school (whether such fees are included in a comprehensive fee or are charged as separate fees) and any other fees which, in the opinion of the Authority, are reasonably incurred.
	UNDER SECTION 43(1)(*c*)	
3.	Awards to pupils over school age attending school— " Higher School Bursaries."	An allowance of £30 in respect of the cost of maintaining the applicant.
4.	Awards for Voluntary Further Education (Part-time)— " Continuation Class Bursaries," " Adult Education Bursaries," " Central Institution Bursaries," " University Bursaries," etc.	(*a*) The payment of matriculation, class, tuition, examination, laboratory and other fees necessarily incurred by the applicant; (*b*) the acquisition of necessary books, instruments, tools and materials;

Serial No. (1)	*Type of Award* (2)	*Purpose of Expenditure* (3)
	UNDER SECTION 43(1)(*c*)—*cont.*	
4.	Awards for Voluntary Further Education (Part-time)—*cont.*	(*c*) the payment of travelling expenses necessarily incurred in attending a university; (*d*) the acquisition of any special clothing with which the applicant is required to provide himself; (*e*) the purchase of meals which, in the opinion of the Authority, should be taken at a place other than that at which the applicant is living to enable him to obtain full benefit from the classes attended by him; and (*f*) the payment of expenses arising out of the membership of clubs or societies connected with the educational establishment which the applicant is attending, where, in the opinion of the Authority, such membership is necessary to enable the applicant to take a proper part in the corporate life of the establishment.
5.	Awards for Voluntary Further Education (Whole-time)— " University Bursaries," " Central Institution Bursaries," " Training College Bursaries," " Theological Bursaries," " Apprentices' Bursaries " (tenable while attending an educational establishment during continuous periods of release from employment,) " Pre-vocational Bursaries " (tenable at pre-apprenticeship courses, pre-nursing courses and other courses of a similar type,) etc.	(*a*) the payment of matriculation, class, tuition, examination, laboratory and other fees necessarily incurred by the applicant; (*b*) the acquisition of necessary books, instruments, tools and materials; (*c*) during periods other than vacations— (i) the following allowances in respect of the cost of maintaining the applicant in the same household as the person or one of the persons upon whom he is in the opinion of the Education Authority under paragraph 1(1)(*b*) of the Second Schedule to these Regulations actually dependent, wholly or mainly:—pre-vocational bursaries, 15s. per week; other bursaries, 25s. per week, or (ii) the following allowances in respect of the cost of maintaining the applicant elsewhere than in the same household as the person or one of the persons upon whom he is in the opinion of the Education Authority under paragraph 1(1)(*b*) of the Second Schedule to these Regulations actually dependent, wholly or mainly:—pre-vocational bursaries, not less than 25s. per week; other bursaries, not less than 40s. per week;

Serial No. (1)	*Type of Award* (2)	*Purpose of Expenditure* (3)
	UNDER SECTION 43(1)(*c*)—*cont.*	
5.	Awards for Voluntary Further Education (Whole-time)—*cont.*	(*d*) during such part of vacation periods as the Authority consider necessary, an allowance of 25s. per week in respect of the cost of maintaining an applicant, not being an applicant for a pre-vocational bursary, provided that the allowance in any bursary year shall not be less than £5; (*e*) the purchase of meals which, in the opinion of the Authority, should be taken at a place other than that at which the applicant is living to enable him to obtain full benefit from the classes attended by him; (*f*) the payment of travelling expenses necessarily incurred in attending a university or a theological college; (*g*) the acquisition of any special clothing with which the applicant is required to provide himself; and (*h*) the payment of expenses arising out of the membership of clubs or societies connected with the institution which the applicant is attending, where, in the opinion of the Authority, such membership is necessary to enable the applicant to take a proper part in the corporate life of the institution.
6.	" Correspondence Course Awards "	(*a*) The payment of matriculation, tuition and examination fees in respect of a correspondence course that has been approved by the Secretary of State for the purpose of these Regulations; and (*b*) the acquisition of necessary books and materials.

SECOND SCHEDULE

The Contribution

1. In assessing the contribution in relation to any type of award the Education Authority shall—

(1) ascertain—

(*a*) the balance of income of the applicant and, if he or she is married, of his or her wife or husband, and

(*b*) if, in the opinion of the Education Authority, the applicant is actually dependent, wholly or mainly, on a relative, the balance of income of the said relative, and, if the said relative is married, of the wife or husband of the said relative ; and

(2) aggregate the balances of income ascertained under sub-paragraph (1) and determine the contribution in respect of the said aggregate in accordance with Table A of this Schedule ; and

(3) where any person holds property in trust for the education and maintenance of the applicant or of persons of whom the applicant is one, add to the contribution as determined under the last foregoing sub-paragraph such sum as may be made available from the said property by the trustees thereof in accordance with the conditions of the trust upon which the property is held.

The amount of the contribution for the purposes of paragraph (2) of Regulation 2 of these Regulations shall be the aggregate of the contribution as determined under sub-paragraph (2) of this paragraph and any sum added under sub-paragraph (3) of this paragraph.

2. In ascertaining the balance of income of any applicant there shall be included in his income the amount of any scholarship, bursary, prize or other award (hereinafter referred to as an " award ") won by or granted to him, except where the award was won in open competition or was made by the Carnegie Trustees for the Universities of Scotland. The whole of an award won in open competition or £25 thereof, whichever is the less, and the whole of an award made by the said trustees shall be left out of account.

3. Where, under sub-paragraph (1) (*b*) of paragraph 1 of this Schedule, more than one applicant is, in the opinion of the Education Authority, actually dependent, wholly or mainly, on one person, the applications shall be combined, and the amount of the contribution shall be assessed under paragraph 1 as it would have been if there had been only one applicant, except that the balance of income of each of the applicants shall be taken into account, and that deductions under paragraphs 2 and 3 of Table B of this Schedule shall be permissible only in respect of persons to whom the applications do not relate. In calculating the amount of each of the awards the Education Authority shall deduct from the estimated expenditure such share of the contribution so assessed as they consider reasonable, and when an award has already been made in respect of one of the said applications they may make such consequential adjustments in the amounts of the said awards as they consider necessary.

4. Where insufficient information is supplied to the Authority to enable them to assess the balance of income of any person, they may assess the said balance at such sum as they consider reasonable.

5. In this Schedule the expression " balance of income " means a sum equal to the difference between—

(1) the total income of the person or persons concerned for the year ending on the fifth day of April last preceding the date of application, or such other year as the Education Authority may determine, and

(2) the aggregate of the amounts, if any, of the expenditure, or of the allowances in respect of expenditure, described in Table B of this Schedule :

Provided that where the amount of the balance of income includes a fraction of one pound, the said fraction shall be ignored if it is less than ten shillings, and shall be deemed to be one pound if it is ten shillings or more.

Table A

Balance of Income (1) £	*Contribution* (2) £	*Balance of Income* (1) £	*Contribution* (2) £
280 or under	Nil	901—920	90
281—290	4	921—940	94
291—300	6	941—960	98
301—320	8	961—980	102
321—340	10	981—1,000	106
341—360	12	1,001—1,020	111
361—380	14	1,021—1,040	116
381—400	16	1,041—1,060	121
401—420	18	1,061—1,080	126
421—440	20	1,081—1,100	131
441—460	22	1,101—1,120	136
461—480	24	1,121—1,140	141
481—500	26	1,141—1,160	146
501—520	28	1,161—1,180	151
521—540	30	1,181—1,200	156
541—560	32	1,201—1,220	162
561—580	34	1,221—1,240	168
581—600	36	1,241—1,260	174
601—620	39	1,261—1,280	180
621—640	42	1,281—1,300	186
641—660	45	1,301—1,320	192
661—680	48	1,321—1,340	198
681—700	51	1,341—1,360	204
701—720	54	1,361—1,380	210
721—740	57	1,381—1,400	216
741—760	60	1,401—1,420	223
761—780	63	1,421—1,440	230
781—800	66	1,441—1,460	237
801—820	70	1,461—1,480	244
821—840	74	1,481—1,500	251
841—860	78	and for every additional £20 an additional £7.	
861—880	82		
881—900	86		

Table B

1. Charges in respect of property owned by the person concerned including feu duties and interest on bonds.

2. £50 for each wholly dependent relative of the person concerned excluding the applicant.

3. Expenditure by the person concerned which in the opinion of the Education Authority is reasonably incurred on the education of other members of the family.

4. Exceptional items of expenditure at the discretion of the Education Authority.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations replace the Education Authority Bursaries (Scotland) Regulations, 1947. The principal changes are designed (1) to make specific provision for "apprentices' bursaries" for apprentices attending educational establishments during continuous periods of release from employment, and "pre-vocational bursaries" for pupils undergoing pre-apprenticeship courses, pre-nursing courses and other courses of a similar type, (2) to require that when an award is made or renewed the holder will be notified that it is a condition of tenure of the award that the Authority shall be satisfied as to his conduct and progress, and (3) to prescribe fixed or minimum instead of maximum sums to be allowed for expenditure upon maintenance of the holder of an award when assessing the amount of the award.

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2. GRANTS

(1) *Education Authorities.* | (2) *Supplemental Allowances*, p. 1558.

(1) EDUCATION AUTHORITIES

The Education Authorities (Scotland) Grant (Amendment No. 1) Regulations, 1949

1949 No. 2061 (S. 143)

Made - - - -	*4th November*, 1949
Laid before Parliament	*7th November*, 1949
Coming into Operation	*11th November*, 1949

In the exercise of the powers conferred upon me by paragraph (12) of section 70 and by sub-section (1) of section 71 of the Education (Scotland) Act, 1946(a), and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

Additional Grants

1. The grant payable under Regulation 2 of the Education Authorities (Scotland) Grant Regulations, 1948(b), (hereinafter referred to as "the Principal Regulations") in respect of the financial year of the Authorities ending in 1950 and of every subsequent financial year may, in addition to the grants there specified, include a grant to be known as the "Education in Hospitals Grant" and a grant to be known as the "Education in Prisons Grant"; and accordingly the Principal Regulations shall be amended as follows:—

(1) At the end of Regulation 2 there shall be inserted the following titles:—

"(*e*) Education in Hospitals Grant

(*f*) Education in Prisons Grant":

(2) In paragraph (1) of Regulation 3, for the expression "(*b*), (*c*) and (*d*)" there shall be inserted the expression "(*b*) to (*f*)":

(a) 9 & 10 Geo. 6. c. 72. (b) S.I. 1948 (No. 961) I, p. 768.