And Whereas a doubt has arisen as to the true construction of paragraph (*b*) of Article 2 of the Minister of Education (Transfer of Functions) Order, 1949:

Now, therefore, His Majesty, by and with the advice of His Privy Council, and by virtue of the Authority committed to Him by the Education (Miscellaneous Provisions) Act, 1948, and of all other powers enabling Him in that behalf, is pleased to Order, and it is hereby Ordered, as follows:—

1. This Order may be cited as the Minister of Education (Transfer of Functions) (Removal of Doubt) Order, 1950.

2. For the removal of doubt, the following paragraph is hereby substituted for paragraph (*b*) of Article 2 of the Minister of Education (Transfer of Functions) Order, 1949:—

"(*b*) endowments held for any one or more of the following purposes—

(i) recreation,

(ii) physical training,

(iii) social and physical training;

endowments held for any one or more of the aforesaid purposes and for the purpose of education; and

endowments held as aforesaid the trusts of which provide in addition for other ancillary purposes;".

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

The object of this Order is to remove a doubt which has arisen as to the true construction of paragraph (*b*) of Article 2 of the Minister of Education (Transfer of Functions) Order, 1949.

EDUCATION, SCOTLAND

BURSARIES

The Education (Scotland) Fund Bursaries Regulations, 1950

1950 No. 1014 (S. 77)

Made - - - -	*20th June*, 1950
Laid before Parliament	*22nd June*, 1950
Coming into Operation	*29th June*, 1950

In the exercise of the powers conferred on me by paragraph (10) of section 70 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;

(a) 9 & 10 Geo. 6. c. 72.

(*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 to or for behoof of an applicant ;

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

(3) In these Regulations, unless the context otherwise requires, references to any Act or Regulations shall be construed as references to the said Act or Regulations as amended by any subsequent Act or Regulations.

Awards

2. Where the Secretary of State is satisfied—

(1) that an applicant over school age is qualified to attend in Scotland a University, a theological college or an educational establishment ;

(2) that, having regard to all the circumstances including the cost of the educational facilities, it is reasonable that the applicant should be enabled to attend such university, college or establishment ;

(3) that no Education Authority is empowered to make an award to the applicant under section 43 of the Act, or that, having regard to the residential qualification, it would be unreasonable to expect any Authority to make such an award ;

(4) that the applicant has such connection with Scotland as to make it reasonable to assist him by means of a payment from the Education (Scotland) Fund ; and

(5) that without such assistance the applicant would be unable without hardship to himself or to his parents to take advantage of the educational facilities available to him—

the Secretary of State may pay a bursary from the said Fund to or for behoof of the applicant. The provisions of the Education Authority Bursaries (Scotland) Regulations, 1949(b), shall apply to such awards with the substitution of references to the Secretary of State for references to the Education Authority and with any other necessary modifications.

Citation and commencement

3.—(1) These Regulations may be cited as the Education (Scotland) Fund Bursaries Regulations, 1950.

(2) These Regulations shall come into operation on 29th June, 1950.

Hector McNeil,
One of His Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
20th June, 1950.

EXPLANATORY NOTE

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

These Regulations enable the Secretary of State to make payments from the Education (Scotland) Fund by way of bursaries to pupils over school age who have connections with Scotland, but not such connections with particular education areas as would enable the Education Authorities to award bursaries to them in the normal way or as would make it reasonable to expect the Authorities to do so.

(a) 52 & 53 Vict. c. 63. (b) S.I. 1949 (No 1489) I. p. 1549.