LOANS BY THE FISHERY BOARD FOR SCOTLAND.

PART IV.

Loans to Fishermen under the Crofters Holdings (Scotland) Act, 1886 (50 & 51 Vict. c. 29.):—

District.		Amount advanced.	Amount repaid and realised by Sale of Boats.	Amount to be written off the Assets of the Local Loans Fund.
		£ s. d.	£ s. d.	£ s. d.
Barra	Donald McInnes Duncan McDonald John McInnes Donald McInnes, junr.	61 0 0	59 6 9	1 13 3
Cromarty	John McIntosh John McIntosh, junr. John Mitchell Thomas Fraser	65 0 0	36 13 10	28 6 2
Loch Broom	Roderick McKay Hugh Gunn George McKay William McIntosh	252 0 0	207 0 11	44 19 1
Stornoway	Alexander McRae, senr. Kenneth Campbell Alexander McRae, junr. Angus McSween John McKay Donald McSween Roderick McSween Norman Morrison	124 10 0	102 0 9	2 14 3*
Wick	John Grant	105 0 0	44 19 11	60 0 1
			Total	137 12 10

* 19*l.* 15*s.* already written off under the Public Works Loans Act, 1897

CHAPTER 32.

An Act to make better provision for the Elementary Education of Defective and Epileptic Children in England and Wales. [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:

Power to school authority to

1.—(1.) A school authority, as defined by the Elementary Education (Blind and Deaf Children) Act, 1893, may, with the

approval of the Education Department, make such arrangements as they think fit for ascertaining— determine what children are defective or epileptic. 56 & 57 Vict. c. 42.

(*a*) what children in their district, not being imbecile, and not being merely dull or backward, are defective, that is to say, what children by reason of mental or physical defect are incapable of receiving proper benefit from the instruction in the ordinary public elementary schools, but are not incapable by reason of such defect of receiving benefit from instruction in such special classes or schools as are in this Act mentioned; and

(*b*) what children in their district are epileptic children, that is to say, what children, not being idiots or imbeciles, are unfit by reason of severe epilepsy to attend the ordinary public elementary schools.

(2.) The school authority, in making their arrangements under this section, shall provide facilities for enabling any parent, who is of opinion that his child ought to be dealt with under this Act, to present such child to the school authority to be examined, although he may not have been required so to do by that authority; and any school authority failing to provide such facilities shall be deemed to have acted in contravention of this Act.

(3.) For the purpose of ascertaining whether a child is defective or epileptic within the meaning of this section, a certificate to that effect by a duly qualified practitioner approved by the Education Department shall be required in each case. The certificate shall be in such form as may be prescribed by the Education Department.

(4.) For the purpose of the exercise of the powers conferred by this section, it shall be the duty of the parent of any child who may be required by the school authority to be examined to cause the child to attend such examination, and any parent who fails to comply with such requirement shall be liable on summary conviction to a fine not exceeding five pounds.

2.—(1.) Where a school authority have ascertained that there are in their district defective children, they may make provision for the education of such children by all or any of the following means:— Power to provide for education of defective and epileptic children.

(*a*) by classes in public elementary schools certified by the Education Department as special classes; or

(*b*) by boarding out, subject to the regulations of the Education Department, any such child in a house conveniently near to a certified special class or school; or

(*c*) by establishing schools, certified by the Education Department, for defective children.

(2.) Where a school authority have ascertained that there are in their district epileptic children, they may make provision for the education of such children by establishing schools, certified by the Education Department, for epileptic children.

(3.) The power conferred by this section shall include power to establish or acquire and to maintain certified schools, and to

contribute, on such terms and to such extent as may be approved by the Education Department, towards the establishment, enlargement, or alteration, and towards the maintenance of certified schools.

(4.) A school authority may in respect of children resident in or whose permanent home is in their district and attending certified special classes or schools in the district of another school authority, contribute to that other authority the proportionate cost of the provision and maintenance of such special classes or schools.

(5.) The school authority, acting under this section, shall make provision for the examination from time to time of any child dealt with under this section, in order to ascertain whether such child has attained such a mental and physical condition as to be fit to attend the ordinary classes of public elementary schools; and the school authority shall make provision for such examination in the case of any child whose parent claims such examination of his child, provided that the parent shall not make such claim within less than six months after his child has been examined; and any school authority failing to make such provision as this sub-section requires shall be deemed to have acted in contravention of this Act.

(6.) The Education Department shall not certify any establishment established after the commencement of this Act for boarding and lodging more than fifteen defective or epileptic children in one building or comprising more than four such buildings.

Provision of guides or conveyances.

3. A school authority may provide guides or conveyances for children who, in the opinion of the school authority, are by reason of any physical or mental defect, unable to attend school without guides or conveyances.

Obligation of parent as to defective and epileptic children. 39 & 40 Vict. c. 79.

4.—(1.) The duty of a parent under section four of the Elementary Education Act, 1876, to provide elementary instruction for his child shall, in the case of a defective or epileptic child over seven years of age in any place where a certified special class or school is within reach of the child's residence, include the duty to cause the child to attend such a class or school, and a parent shall not be excused from this duty by reason only that a guide or conveyance for the child is necessary.

(2.) In the case of an epileptic child whose age exceeds seven years, the school authority may, if they think fit, apply to a court of summary jurisdiction for an order requiring the child to be sent to a certified school for epileptics, and if any parent fails to comply with the order, he shall be deemed to have failed to perform the duty prescribed by section four of the Elementary Education Act, 1876, and may be proceeded against accordingly.

Conditions and effect of grant of certificate to school for defective or epileptic children.

5. The provisions of section seven of the Elementary Education (Blind and Deaf Children) Act, 1893, respecting the conditions and effect of the grant of certificates to schools for blind or deaf children shall apply, with the necessary modifications, to schools for defective or epileptic children established or proposed to be

established under this Act, except that no requirement need be made as to the proportion of the expenses to be defrayed out of private sources.

Powers and expenses of school authority. 56 & 57 Vict. c. 42.

6. The provisions of section five of the Elementary Education (Blind and Deaf Children) Act, 1893 (relating to the powers and expenses of a school authority under that Act), shall apply, with the necessary modifications, to school authorities acting under this Act.

Provided that a parish in which there is a school board shall be exempt from contributing to the expenses incurred by any district council acting as a school authority under this Act, and where a school authority are an urban district council their expenses as such authority shall be paid out of the fund to be raised in the area for which they are a school authority in the same manner as the fund out of which their general expenses are payable is raised in the urban district.

Grants from public money towards education of defective and epileptic children.

7. Nothing in any Act of Parliament shall prevent the Education Department from giving aid from the parliamentary grant to a school in respect of education given to defective or epileptic children to such amount and on such conditions as may be directed by or in pursuance of the minutes of the Education Department in force for the time being.

Contribution by parent.

8.—(1.) The parent of a defective or epileptic child shall be liable to contribute towards the expenses of the child incurred by a school authority under this Act in like manner and to the like extent as the parent of a blind or deaf child is liable to contribute under section nine of the Elementary Education (Blind and Deaf Children) Act, 1893, and the provisions of that section shall apply accordingly.

(2.) The parent of a defective or epileptic child shall not, by reason of any payment made under this Act in respect of the child, be deprived of any franchise, right, or privilege, or be subject to any disability or disqualification.

(3.) Payments under this Act shall not be made on condition of a child attending any certified school other than such as may be reasonably selected by the parent, nor refused because the child attends or does not attend any particular certified school.

Contribution by guardians of the poor.

9. The board of guardians of any poor law union may contribute such of the expenses of providing, enlarging, or maintaining any certified special class or school under this Act as are certified by the Education Department to have been incurred wholly or partly in respect of scholars taught at the class or school who are either resident in a workhouse or in an institution to which they have been sent by the guardians from a workhouse or boarded out by the guardians.

Limitation on liability of school authority.

10. Nothing in this Act shall be construed as imposing a duty on a school authority to receive in a special class or school established by them any child—

(*a*) who is resident in, or whose permanent home in their opinion is in, the district of another school authority; or

(*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: