general grants which ought to be made in respect of each financial year having regard to the audited accounts of each local education authority.

Given under the official seal of the Minister of Education this 16th day of March, 1959.

(L.S.) *Geoffrey Lloyd,*
Minister of Education.

EXPLANATORY NOTE

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

These regulations provide for the pooling of expenditure of all local education authorities on teacher training, advanced further education and the education of pupils who do not belong to the area of any authority, and for the adjustment of the general grants payable under section 1 of the Local Government Act, 1958, in order to distribute the expenditure amongst all local education authorities.

1959 No. 393

The Further Education (Local Education Authorities) Regulations, 1959

Made - - - -	10*th March*, 1959
Laid before Parliament	18*th March*, 1959
Coming into Operation	1*st April*, 1959

The Minister of Education, in exercise of the powers conferred upon him by sub-section (4) of section 3 of the Local Government Act, 1958(a), hereby makes the following regulations:—

1. These regulations may be cited as the Further Education (Local Education Authorities) Regulations, 1959, and shall come into operation on the first day of April, 1959.

2. These regulations prescribe standards and general requirements to be observed by local education authorities in respect of facilities for further education provided or assisted by them.

3.—(1) In these regulations—

"authority" means a local education authority as defined in the Education Act, 1944(b);

"establishment" means an institution maintained by an authority for the purpose of providing further education;

"further education" has the same meaning as in the Education Act, 1944;

"Minister" means the Minister of Education;

"premises" includes a hostel or other residential accommodation, and any ground used or intended to be used for the purposes of an establishment.

(2) The Interpretation Act, 1889(c), shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(a) 6 & 7 Eliz. 2. c. 55. (b) 7 & 8 Geo. 6. c. 31. (c) 52 & 53 Vict. 6. c. 63.

Establishments and courses generally

4. An establishment shall be conducted with efficiency, and instruction given in courses of further education provided by an authority, whether in an establishment or elsewhere, shall be efficient.

5. A person shall not be refused admission to or excluded from any establishment, or from any course of instruction provided by an authority in an establishment or elsewhere, on other than reasonable grounds.

Premises and Equipment of Establishments

6. The premises of an establishment shall be suitable and adequately equipped for their purposes, hygienic, well lighted, heated and ventilated, maintained in good repair, and provided with adequate safeguards against danger from fire and accident.

7.—(1) Before new premises are provided for an establishment, or alterations made to existing premises, the approval of the Minister shall be obtained.

(2) Before any article of equipment of the value of £500 or more is provided for teaching purposes in an establishment, or articles are provided for the initial furnishing and equipping of a hostel or other residential accommodation for the students, the approval of the Minister shall be obtained.

(3) The Minister may give his approval under this regulation either generally, or in a particular case.

Administration of Major Establishments

8.—(1) For an establishment which is a technical college, commercial college, school or college of art, residential college of adult education, or farm institute, an authority shall constitute a governing body, which shall be responsible to the authority for the conduct of the establishment.

(2) Except in the case of a residential college of adult education, the authority shall provide for substantial representation on the governing body of industrial, commercial and other appropriate interests, and in addition, if the establishment provides a considerable number of courses of the kind specified in regulation 10, for the appointment of representatives by university and professional bodies.

(3) In the case of a residential college of adult education the authority shall provide for the representation on the governing body of such interests, and of such university, professional and other bodies, as it shall consider appropriate in the circumstances.

9. At an establishment of the kind specified in paragraph (1) of the preceding regulation an authority shall avoid uneconomical duplication of courses with those provided at similar institutions in neighbouring areas, and the fees charged shall be reasonable in relation to the fees charged at such other institutions; and with a view to securing these objects the authority shall consult the bodies maintaining such other institutions through the Regional Advisory Council of Further Education, or otherwise as may be appropriate.

Approval of Courses

10.—(1) In an establishment providing instruction in science, technology, agriculture, commerce or art, no course of the kind specified in this regulation shall be provided unless the Minister has given his approval to the course,

which he may withdraw after consultation with the authority if he is satisfied, having regard to the number of students attending the course, or for other good reason, that it is no longer justified :

Provided that approval shall not be required for any course which, if full-time, is not more than one month's duration, or, if part-time, is not more than forty hours in length.

(2) This regulation applies to courses of the following kinds :—

(*a*) a course of post-graduate or post-diploma instruction ;

(*b*) a course of study in preparation for a university degree, a Diploma in Technology, a Higher National Diploma, a Higher National Certificate, a Diploma in Management Studies, a National Diploma in Design or a final professional examination, if above the standard of instruction required for the Ordinary National Certificate or General Certificate of Education (Advanced Level) ;

(*c*) a course of study of at least two years' duration if part-time, or of equivalent length if full-time, following an intermediate course of the like duration or longer, in preparation for a Final or Full Technological Certificate of the City and Guilds of London Institute, or any course of study designed to supplement such a Certificate ; or

(*d*) a course of study of a standard equivalent to that of any course specified in this paragraph.

Teachers

11. Teachers shall be employed sufficient in number and having the qualifications necessary for the adequate instruction of the students taking the courses of further education provided.

12.—(1) A teacher, not being an occasional teacher or one employed for not more than a year for part-time teaching, shall be employed under a written agreement, or a minute of an authority.

(2) The agreement or minute shall, expressly or by reference to specified regulations or minutes, define the conditions of service and indicate whether the teacher is employed in full-time service in the capacity of a teacher, or in part-time service in the capacity of a teacher, or partly in the capacity of a teacher and partly in another capacity.

13. If a teacher's engagement is terminated, whether by dismissal or resignation, on account of misconduct, grave professional default or conviction of a criminal offence, the facts shall be reported to the Minister.

14.—(1) A person who, on grounds of misconduct or grave professional default, has been determined by the Minister (or previously by the Board of Education) to be unsuitable for employment as a teacher shall not be employed as such in the provision of any facilities for further education, or, if he has been determined to be suitable for employment to a limited extent only, shall be employed only to that extent.

(2) Before making any such determination the Minister shall use every available means of informing the teacher of the charges against him and of giving him an opportunity for explanation.

(3) References in this and the preceding regulation to a teacher shall include references to the warden of a community centre, and the leader of a youth club or similar institution.

Assisted Institutions

15. Where an authority contributes, by the regular provision of financial assistance, to the maintenance by some other body of a technical college,

commercial college, school or college of art, residential college of adult education or farm institute, the authority shall make it a condition of providing such assistance that the requirements of these regulations, except regulation 8, are, so far as applicable, observed by that other body as if it were an authority, and the institution an establishment, within the meaning of these regulations.

Given under the Official Seal of the Minister of Education this 10th day of March, 1959.

(L.S.)

Geoffrey Lloyd,
Minister of Education.

EXPLANATORY NOTE

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

These regulations replace the provisions of the Further Education Grant Regulations, 1946 (S.I. 1946/352) (and amendments), applicable to local education authorities. Besides omitting regulations relating to grant, they effect a considerable simplification of the provisions of the existing regulations, and the Minister's requirements have been modified as follows:

(*a*) approval will no longer be required for arrangements governing the admission of students, tests of progress and fees;

(*b*) regulations relating to the recognition of particular establishments or courses are no longer appropriate, but the Minister's approval will be required for certain courses (regulation 10);

(*c*) major establishments are required to have governing bodies (regulation 8); and

(*d*) the provision of furniture and equipment will require the Minister's approval in certain cases (regulation 7).

1959 No. 362

The Handicapped Pupils (Boarding) Regulations, 1959

Made - - - -	*4th March,* 1959
Laid before Parliament	*12th March,* 1959
Coming into Operation	*1st April,* 1959

The Minister of Education in exercise of the powers conferred upon him by subsection (4) of section 3 of the Local Government Act, 1958(a), hereby makes the following regulations:—

1. These regulations may be cited as the Handicapped Pupils (Boarding) Regulations, 1959, and shall come into operation on the first day of April, 1959.

2. These regulations prescribe the requirements to be observed by local education authorities in respect of board and lodging provided by them for handicapped pupils otherwise than at boarding schools.

3. In these regulations—

"authority" means a local education authority as defined in the Education Act, 1944(b);

(a) 6 & 7 Eliz. 2. c. 55. (b) 7 & 8 Geo. 6. c. 31.