STATUTORY INSTRUMENTS

1979 No. 173 (S.17)

EDUCATION, SCOTLAND

George Heriot's Trust (Amendment) Scheme 1979

Made - - - -	19*th February* 1979
Coming into Operation	19*th February* 1979

In exercise of the powers conferred on him by section 118(1) and 129 of the Education (Scotland) Act 1962(a) and section 125(2) of the said Act as substituted by section 19 of the Education (Scotland) Act 1969(b) and all other powers enabling him in that behalf and after—

(*a*) preparing a draft scheme to amend the George Heriot's Trust Schemes 1966 and 1968,

(*b*) carrying out the procedure specified in section 125(1) of the said Act, and

(*c*) no objections or proposed amendments to the draft scheme having been received by him,

the Secretary of State hereby makes the following scheme:—

Citation

1. This scheme may be cited as the George Heriot's Trust (Amendment) Scheme 1979 and the George Heriot's Trust Schemes 1966 and 1968 and this scheme shall be construed as one and may be cited together as the George Heriot's Trust Schemes 1966 to 1979.

Interpretation

2.—(1) In this scheme, unless the context otherwise requires:—

"governing body" means the Governors of George Heriot's Trust, and

"principal scheme" means the George Heriot's Trust Scheme 1966 approved by Her Majesty in Council on 16 May 1966 as amended by the George Heriot's Trust (Amendment) Scheme 1968 approved by Her Majesty in Council on 20 December 1968.

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

(3) References in this scheme to any enactment or scheme shall, except where the context otherwise requires, be construed as references to that enactment or scheme as amended by or under any other enactment or scheme or as contained in any other enactment or scheme substituted for that enactment or scheme.

Amendments to Part IV of the principal scheme

3.—(1) In section 28 (which relates to the provision and maintenance of the School and other premises) the following amendment shall be made:—

in line 4 of subsection (1) after the word "boys" there shall be inserted the words "and girls".

(a) 1962 c. 47. (b) 1969 c. 49. (c) 1889 c. 63.

(2) In section 32 (which relates to the admission of pupils) the following amendment shall be made:—

in line 1 of subsection (1) the word "boys" shall be deleted and the word "pupils" shall be substituted therefor.

Amendments to Part V of the principal scheme

4.—(1) In section 35 (which relates to foundations) the following amendments shall be made:—

(*a*) subsection (1) shall be deleted and the following subsection shall be substituted therefor—

"(1) The governing body shall, subject to the next two following subsections, appoint to and maintain and educate on the foundation not less than 100 fatherless children (hereinafter referred to as 'foundationers'). The said number of 100 children shall be inclusive of the boys duly qualified whom the Corporation of Skinners and those in right of the late Colonel Shillinglaw have been in use to present. One of the foundations open to boys shall be known as 'The Hogg Foundation' and four of the foundations open to girls shall be known as 'Lear Foundations'."

(*b*) subsection (4) shall be deleted and the following subsection shall be substituted therefor—

"(4) Foundationers shall receive free education, with the use of books and stationery, at the School or, under the provisions of section 36(1), shall receive education at a school under the management of an education authority."

(2) In section 36 (which relates to the education of foundationers) the following amendments shall be made:—

(*a*) subsection (1) shall be amended—

(i) in line 1 by the deletion of the word "boy";

(ii) in line 3 by the insertion after the word "his" of the words "or her", and

(iii) in line 4 by the insertion after the word "he" of the words "or she" and after the word "his" of the words "or her".

(*b*) subsections (2) and (3) shall be deleted and the following subsection shall be substituted therefor:—

"(2) When a foundationer attains the upper limit of school age the governing body shall, after taking into account a report on his or her progress and educational attainments obtained from the head teacher of the school which he or she is attending, determine whether and if so for how long he or she should be continued on the foundation."

(3) In section 37 (which relates to the maintenance of foundationers) the following amendment shall be made:—

in subsection (2)(*a*) the word "boy" shall be deleted.

(4) In section 38 (which relates to power to revise and add to the list of foundationers) the following amendments shall be made—

(*a*) in line 4 the word "boy" shall be deleted and the word "pupil" shall be substituted therefor, and

(*b*) in line 6 the word "his" shall be deleted and the word "the" shall be substituted therefor and the word "him" shall be deleted and the words "the pupil" shall be substituted therefor.

(5) In section 40 (which relates to bursaries and allowances to former foundationers for further studies) the following amendment shall be made—

in line 5 of subsection (1) after the word "his" there shall be inserted the words "or her".

Amendments to Part VI of the principal scheme

5.—(1) In section 45 (which relates to higher education bursaries) the following amendment shall be made—

in line 2 of subsection (2) after the word "his" there shall be inserted the words "or her".

(2) In section 48 (which relates to the termination of awards) the following amendments shall be made:—

(*a*) in line 2 after the word "he" there shall be inserted the words "or she", and

(*b*) in line 3 after the word "his" there shall be inserted the words "or her".

Copies of scheme

6. The governing body shall maintain a supply of printed copies of this scheme and shall cause a copy to be kept available for inspection by any member or officer of the governing body and copies shall be made available for sale to the public at a reasonable price.

Given under the seal of the Secretary of State for Scotland.

W. A. P. Weatherston,
Assistant Secretary.

Scottish Education Department,
New St. Andrew's House,
Edinburgh.
19th February 1979.