CHAPTER 66.

An Act to promote Intermediate Education in Ireland. A.D. 1878.

[16th August 1878.]

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:

Short title.

1. This Act may be cited as the Intermediate Education (Ireland) Act, 1878.

Establishment of Board.

2. A Board shall be established, to be called "The Intermediate Education Board for Ireland" (in this Act referred to as "the Board"). The Board shall consist of seven members, who shall be appointed by the Lord Lieutenant, and shall hold office during his pleasure.

If any vacancy occurs in the office of any member of the Board by death, resignation, or otherwise, the Lord Lieutenant may appoint some other fit person to fill the vacancy.

The Board shall at their first meeting in every year appoint one member of the Board to be chairman, and another member to be vice-chairman, who shall continue in office for one year.

If any casual vacancy occurs in the office of chairman or vice-chairman the Board shall, at a special meeting to be held not sooner than one month after the occurrence of such vacancy, choose some member of the Board to fill such vacancy, and the chairman or vice-chairman so elected shall continue in office so long only as the person in whose place he is so elected would have been entitled to continue if such vacancy had not occurred.

The Board shall be a body corporate, and shall have a common seal.

Three members of the Board shall form a quorum.

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Assistant commissioners and other officers.

3. The Lord Lieutenant may from time to time appoint two assistant commissioners to assist the Board in the execution of this Act, who shall hold office during his pleasure. The assistant commissioners shall also act as secretaries, and, when required, as inspectors. The Board may from time to time, with the consent of the Lord Lieutenant, and with the approval of Her Majesty's Treasury, appoint such examiners for such terms as the Board shall fix, and such other officers as they deem necessary for the purposes of this Act, and may, with such consent as aforesaid, remove such officers.

Salaries and expenses.

4. The following sums shall be paid by the Board out of any moneys for the time being in their hands in pursuance of this Act:

(1.) To each of the two assistant commissioners a salary not exceeding one thousand pounds per annum:

(2.) To the examiners and other officers such salaries or other remuneration as the Board may recommend, with the sanction of the Lord Lieutenant, and as the Commissioners of Her Majesty's Treasury may approve:

(3.) The other expenses of carrying this Act into execution.

Functions of Board.

5. It shall be the duty of the Board to promote intermediate secular education in Ireland in the manner provided by this Act; that is to say,

1. By instituting and carrying on a system of public examinations of students:
2. By providing for the payment of prizes and exhibitions, and the giving of certificates to students:
3. By providing for the payment to managers of schools complying with the prescribed conditions of fees dependent on the results of public examinations of students:
4. Generally by applying the funds placed at the disposal of the Board for the purposes of this Act as hereby directed; provided that no examination shall be held in any subject of religious instruction, nor any payment made in respect thereof.

Rules to be made by Board.

6. The Board shall from time to time, with the approval of the Lord Lieutenant, make rules for the purposes of this Act with respect to the following matters:

(1.) For prescribing the duties and powers of the assistant commissioners and other officers:

(2.) For appointing times and places at which examinations shall be held in each year:

(3.) For defining the qualifications of the students who may present themselves for examination:

(4.) For applying, as far as conveniently may be, the benefits of this Act to the education of girls:

(5.) For defining the subjects and nature of the examinations:

(6.) For requiring candidates for examination to give such notice as the Board may prescribe of their intention to present themselves for examination, and for fixing the fees to be paid by candidates upon such notices:

(7.) For fixing the numbers and amounts of the prizes and exhibitions which may be awarded in each year, and for declaring the conditions with respect to age, attendance at school, attendance at the examinations to be held under this Act, and the standard of merit, and conditions with respect to such other matters as the Board may prescribe, upon compliance with which such prizes, exhibitions, and certificates may be obtained and held. No candidate shall be allowed to obtain a pass, nor be awarded any exhibition, prize, or certificate at any examination under this Act, unless he satisfies the examiners that he possesses an adequate knowledge of one at least of the first, second, third, or fifth divisions of the subjects mentioned in the schedule to this Act:

(8.) For prescribing and satisfying themselves as to the observance of the conditions upon which managers of schools may receive payment of result fees:

(9.) For making proper provisions to carry out the rules in the schedule to this Act, and for varying, altering, and amending the rules contained in such schedule:

(10.) Generally for carrying this Act into effect.

All rules made in pursuance of this Act shall, within three weeks after the same shall have been made, be laid before both Houses of Parliament, if Parliament be sitting, or if not, then within three weeks after the beginning of the next ensuing session of Parliament; and if any such rules shall be disapproved by either House of Parliament within forty days after the same shall have been so laid before Parliament, such rules, or such part thereof as shall be so disapproved, shall thereupon become void and of no effect.

In the meantime, and until altered by rules to be made by the Board in the manner provided by this Act, the rules contained in the schedule to this Act shall govern the proceedings of the Board.

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No payment unless conditions as to religious instruction be observed.

7. The Board shall not make any payment to the managers of any school unless it be shown to the satisfaction of the Board that no pupil attending such school is permitted to remain in attendance during the time of any religious instruction which the parents or guardians of such pupil shall not have sanctioned, and that the time for giving such religious instruction is so fixed that no pupil not remaining in attendance is excluded directly or indirectly from the advantages of the secular education given in the school.

Finance.

32 & 33 Vict. c. 42.

8. For the purpose of carrying this Act into effect, the Commissioners of Church Temporalities in Ireland shall, out of the property accruing to the Commissioners under the Irish Church Act, 1869, when and as required by the Board, provide for the use of the Board, either in cash or in securities or rentcharges of an equivalent value, such amount, not exceeding in the whole one million of pounds sterling, as the Board shall estimate to be required for the purposes of this Act.

The annual income arising from the amount so provided shall be applied by the Board for the purposes of this Act, and if and so far as the same shall not in each or any year be required to be so applied, the same shall be invested by the Board by way of accumulation in the purchase of Government securities.

Extension of borrowing power of Commissioners of Church Temporalities.

32 & 33 Vict. c. 42.

9. The several provisions of the Irish Church Act, 1869, with respect to the raising of money by the Commissioners of Church Temporalities in Ireland, and the giving of security for the repayment thereof, and of interest thereon, and with respect to advances to be made by the Commissioners for the Reduction of the National Debt to the said Commissioners of Church Temporalities, and with respect to the powers of the Commissioners of Her Majesty's Treasury in relation to the money so to be raised, shall be extended and shall apply to the purposes of this Act as fully as such provisions apply to the purposes of the Irish Church Act, 1869.

Reports and accounts.

10. The Board shall present an annual report to the Lord Lieutenant, to be laid before both Houses of Parliament, and the Board shall prepare, in such form and either annually or for such shorter periods as the Commissioners of Her Majesty's Treasury may direct, accounts of the receipts and expenditure of the capital and the revenues derived from all funds under the control of the Board under this Act; and within three months after the expiration of each year, or other shorter period to which the accounts relate, the Board shall transmit the same to the Comptroller and Auditor General, to be audited, certified, and reported upon with reference

to the provisions of this Act, and in conformity with the powers and regulations prescribed in the Exchequer and Audit Departments Act, 1866, for the rendering and auditing of appropriation accounts; and the accounts, with the reports of the Comptroller and Auditor General thereon, shall be laid before both Houses of Parliament not later than two months after they have been tendered for audit, if Parliament be then sitting, and if not sitting, then within one week after it shall be next assembled: Provided always, that the expense of such audit shall be included in the expenses of carrying this Act into execution, and shall be defrayed accordingly.

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29 & 30 Vict. c. 39.

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Section 6.

SCHEDULE OF RULES.

Examinations.

Examinations extending over a course of three years shall be held in accordance with the rules following:

1. The examinations in each of the three years shall be held between the first day of June and the first day of August, at convenient centres to be selected by the Board, with the approval of the Lord Lieutenant. The examinations shall be held, if possible, in the Town Hall or other public building suitable for the purpose. The following shall be the divisions of the subjects of examination; viz.,
   (1.) The ancient language, literature, and history of Greece;
   (2.) The ancient language, literature, and history of Rome;
   (3.) The language, literature, and history of Great Britain and Ireland;
   (4.) The language, literature, and history of France, Germany, and Italy, or any one of them, either separately or together, with the Celtic language and literature;
   (5.) Mathematics, including arithmetic and book-keeping;
   (6.) Natural sciences; and
   (7.) Such other subjects of secular education as the Board may from time to time prescribe.
2. A programme of the examinations, including a list of the authors in which the literary part of the examinations shall consist, shall be furnished by the Board to any person on application.
3. The Board shall, before the first day of January in each year, prepare and publish a list of examiners in the various subjects for the year, to which list additions may, if necessary, be made during the year from time to time; and a sufficient number shall be selected from such list, with the approval of the Lord Lieutenant, to conduct the examinations.
4. A student of the first year's course shall be under the age of sixteen years on the first day of June in the year in which he shall first present himself for examination. No student

shall be eligible to present himself for examination in either the second or the third year's course in any year after 1879 and 1880 respectively, who shall not have been examined and have passed in two divisions at least in the year previous to his so presenting himself, unless the Board shall, for special reasons to be stated by them in each case, dispense with this condition of eligibility. In the year 1879 any student may present himself for examination in the second year's course who shall be under the age of 17 years on the 1st day of June in that year; and in that year and in 1880 any student may present himself for examination in the third year's course who shall be under the age of 18 years on the first day of June in the year in which he shall so present himself.

5. Every student desiring to be examined in any year shall, in the month of April previous to his presenting himself for examination, send to the Board notice of his intention so to do, accompanied by a certificate of age. A fee not exceeding 2*s.* 6*d.* shall be payable upon every notice given by a student, and shall be paid in such manner as the Board shall order. A number shall be assigned to each student so giving notice of his intention to be examined, by which alone he shall be known in the subsequent examination. Before admitting any student to examination, the Board shall satisfy itself that during the twelve months immediately preceding the date of examination he has pursued a course of study in Ireland.

Prizes and Exhibitions.

Exhibitions not exceeding 20*l.* a year, tenable for three years, shall be awarded to the students obtaining the highest places at the examination for the first year, who shall have passed in three divisions at the least.

Exhibitions not exceeding 30*l.* a year, tenable for two years, shall be awarded to the students obtaining the highest places at the examination for the second year, who shall have passed in three divisions at the least.

No student shall hold two such exhibitions at the same time.

No exhibition or prize (except medals or minor prizes) under the Act shall be tenable by any student holding a scholarship, exhibition, or free scholarship from any other endowment.

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No exhibition shall continue to be held by any student in any year subsequent to the year in which he has obtained it, unless in each such subsequent year he presents himself for examination and passes in three divisions at the least, and obtains a certificate of merit in one of such divisions.

Upon the recommendation of the examiners silver medals and prizes in books will be awarded to students of merit, who pass in three divisions in any year, and obtain certificates of merit in two of them, but fail to obtain exhibitions.

Prizes not exceeding 50*l.* shall be awarded to the students obtaining the highest places at the examination in the third year's course. No student to whom such a prize is awarded shall continue to hold any exhibition under this Act previously held by him.

The number of prizes and exhibitions to be awarded in each year shall be determined by assigning one prize or exhibition according to the respective years for every ten students in the aggregate who shall have passed in three of the divisions of examination for each such year.

Such prizes and exhibitions shall be awarded to the students highest in order of merit in the general examination list for the whole country in each year, without reference to the order of merit in the examination list for any particular place of examination.

Results Fees.

Results fees shall be paid to the managers of schools for students who, having attended their schools from the 15th of October of the year previous to that of the examination, and having made at least one hundred attendances from that date to the last day of the month preceding the examination, may obtain passes according to the following scale:—

	One Division.	Two Divisions.	Three Divisions.	Four Divisions.	Five Divisions.	Six Divisions.
	£	Not exceeding £	Not exceeding £	Not exceeding £	Not exceeding £	Not exceeding £
First year - -	Nil	3	4	5	—	—
Second year - -	—	4	5	6	7	—
Third year - -	—	5	6	7	8	10

For the purposes of this rule a school shall mean any educational institution (not being a national school) which affords classical or

scientific education to pupils not exceeding eighteen years of age, of whom not less than ten shall have made one hundred attendances at the least in the period between the fifteenth of October and the last day of the month preceding the examination in respect to which the result fees are claimed.

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Foreign Jurisdiction Act, 1878.

[41 & 42 Vict. Ch. 67.]

ARRANGEMENT OF SECTIONS.

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Section.

1. Construction of Act, and short titles.
2. Repeal of enactments in the Second Schedule.
3. Power for the Queen in Council to extend enactments in the First Schedule.
4. Validity of Orders made under Foreign Jurisdiction Acts.
5. Extension of Foreign Jurisdiction Acts over Her Majesty's subjects residing in countries without regular governments.
6. Jurisdiction over ships in Eastern seas.
7. Orders in Council to be laid before Parliament.
8. Provisions for protection of persons acting under Foreign Jurisdiction Acts.

SCHEDULES:

First Schedule.—Enactments referred to.

Second Schedule.—Enactments repealed.