STATUTORY INSTRUMENTS

1978 No. 1463 (S.134)

EDUCATION, SCOTLAND

Sir Alexander Walker Trust Scheme 1978

Made - - - - *6th October* 1978

Coming into Operation *6th October* 1978

ARRANGEMENT OF PARAGRAPHS

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SCHEDULE—Particulars of endowment to which this scheme relates.

In exercise of the powers conferred on him by section 118(1) 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 for the future management of the endowment known as the Sir Alexander Walker Trust,

(*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 Sir Alexander Walker Trust Scheme 1978.

(**a**) 1962 c. 47. (**b**) 1969 c. 49.

Interpretation

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

"governing body" means the Trustees of the C. K. Marr Educational Trust constituted under the C. K. Marr Educational Trust Scheme sanctioned by the Court of Session on 1st June 1937 and reconstituted and incorporated under the C. K. Marr Educational Trust Scheme 1978 made by the Secretary of State on 6th March 1978.

"Trust" means the Sir Alexander Walker Trust.

(2) The Interpretation Act, 1889(a) 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.

(4) References in this scheme to a paragraph or schedule shall, except where the context otherwise requires, be construed as references to a paragraph of or a schedule to this scheme as the case may be.

Vesting of endowment

3. From and after 6th October 1978 the endowment known as the Sir Alexander Walker Trust which is described in the schedule to this scheme shall continue to be vested in the Trustees of the C. K. Marr Educational Trust as the governing body of the said endowment and it shall be held and administered by them exclusively in accordance with the provisions of this scheme.

Business arrangements

4. The business of the endowment shall be conducted in accordance with the ordinary rules and practice of the governing body.

Powers of investment

5. In regard to the funds of the Trust, the governing body shall have only the powers of investment applicable to trustees under the Trustee Investment Act 1961.

Disposal of heritable property

6. The governing body may sell, lease, grant options over, or otherwise dispose of for value all or any property, heritable or moveable, held by them under this scheme.

Application of income

7.—(1) The governing body after paying the necessary expenses of management and other outgoings affecting the Trust shall apply the free annual income in the following manner:—

(*a*) they shall meet the cost of the luncheons held in conjunction with the meetings of the governing body three times a year;

(*b*) they shall apply the balance of the free income in fulfilling the provisions of paragraphs 8 and 9 of this scheme.

(a) 1889 c. 63.

(2) If at the end of any financial year there is an unexpended balance of income, it shall be in the power of the governing body to carry the said balance or part thereof forward to the following financial year or to add the said balance or part thereof to the capital of the Trust.

Sir Alexander Walker Prize

8.—(1) The governing body shall award the Sir Alexander Walker prize or prizes to a pupil or pupils of outstanding merit in the fifth form at Marr College.

(2) The governing body shall decide the value of, and the particular form, the prize shall take.

(3) In awarding the prize, the governing body shall have regard to the views of the Rector of Marr College, who before submitting his views shall consult the teachers concerned. If in the opinion of the Rector and of the teachers concerned, no pupil merits an award in any year, it shall be in the power of the governing body to withhold the award of the prize in that year.

(4) The governing body may, if requested by the Rector of Marr College, meet the cost of lettering the Dux Board at Marr College with the details of the Sir Alexander Walker prize winners in each year in which prizes are awarded.

Sir Alexander Walker Bursaries

9.—(1) The governing body shall award Sir Alexander Walker bursaries, of such annual value as they think fit, to persons who have been pupils of Marr College for a period of not less than three years, and who are about to enter or are in attendance at a university or institution of higher education.

(2) The award shall be made annually or at such intervals as the governing body may decide and shall be tenable, subject to the proviso to sub-paragraph 3 of this paragraph, for such number of years as is necessary to enable the holder to complete his or her course of study.

(3) The governing body shall make such rules and regulations for the award of the bursaries as they may determine, with the proviso that—

they shall require the holders of bursaries to satisfy them that they are making satisfactory progress in their respective courses of study. If in the opinion of the governing body any such holder shall be guilty of serious misconduct or shall fail to make reasonable progress, the governing body may withdraw the bursary or suspend the holder from its benefits and the decision of the governing body shall be final.

Limitation of value of awards

10. The amount of any award made under this scheme to a person who holds, or is to hold, a scholarship or other allowance which is paid out of monies provided by Parliament or out of any fund aided by grants from Parliament, shall not be such as may cause the said scholarship or other allowance to be reduced.

Rules and standing orders

11. It shall be in the power of the governing body to make such rules and standing orders as they think fit for the exercise of their functions under this scheme, provided that the said rules and standing orders shall not be inconsistent with the provisions of this scheme.

Continuation of benefits

12. Any person who at 6th October 1978 is a beneficiary under the endowment to which this scheme relates shall continue to enjoy the benefit thereof subject always to the conditions under which it was awarded.

Copies of scheme

13. 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 sold 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.
6th October 1978.

Paragraph 3

SCHEDULE

PARTICULARS OF THE ENDOWMENT TO WHICH THIS SCHEME RELATES

Name of Endowment	Founder	Governing Instrument
Sir Alexander Walker Trust	Sir Alexander Walker, K.B.E., Troon.	Deed of Gift by Sir Alexander Walker, K.B.E., dated 3rd March 1947 registered in the Books of Council and Session on 27th March 1947.