TEACHERS

1958 No. 1634 (S. 74)

The Teachers (Training Authorities) (Scotland) Regulations, 1958

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Coming into Operation	*In accordance with Regulation* 69

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In the exercise of the powers conferred upon me by—

(1) paragraph (7) of section 70 of the Education (Scotland) Act, 1946(a),

(2) subsection (1) of section 71 of the said Act,

(3) subsections (2) and (3) of section 77 of the said Act as amended by section 9 of the Education (Scotland) Act, 1956(b), and

(4) sections 111 and 117, as read with section 118, of the Local Government Act, 1948(c),

and of all other powers enabling me in that behalf, I hereby make the following Regulations.

PART I

Constitution of Training Authorities

Incorporation of training authorities

1.—(1) With the general object of ensuring that teachers are adequately prepared for service in the educational establishments of Scotland, and for the particular purpose of carrying these Regulations and any other regulations relating to the training of teachers in Scotland into effect, governing bodies shall be and are hereby constituted under the following names, that is to say

"The Governors of Aberdeen College of Education",

"The Governors of Dundee College of Education",

"The Governors of Moray House College of Education",

"The Governors of Jordanhill College of Education",

"The Governors of Craiglockhart College of Education",

"The Governors of Notre Dame College of Education" and

"The Governors of Dunfermline College of Physical Education, Aberdeen";

and a Council shall be and is hereby constituted under the name of "The Scottish Council for the Training of Teachers".

(2) Each of the said governing bodies and the Scottish Council shall be a body corporate having a perpetual succession and a common seal, with full power by and in such name—

(*a*) to sue and be sued;

(*b*) to enter into contracts or agreements for the purposes of their functions under these Regulations;

(*c*) to accept, hold and dispose of money or other moveable property for the said purposes, including moneys provided by Parliament or by education authorities;

(*d*) to accept any endowments, whether subject to special conditions or not, for the furtherance of the said purposes; and

(*e*) to invest any moneys and funds held by them which are not immediately required to be expended for the said purposes on or upon any investments for the time being authorised by law for the investment of trust funds, and to vary or transpose any investments held or made by them into investments of a nature so authorised;

and, subject to the provisions of these Regulations, with all other rights, powers and privileges of a body corporate.

(a) 9 & 10 Geo. 6. c. 72. (b) 4 & 5 Eliz. 2. c. 75. (c) 11 & 12 Geo. 6. c. 26.

(3) Notwithstanding the provisions of the last foregoing paragraph the governing bodies and the Scottish Council shall not have power to borrow money other than power to borrow for periods not exceeding six months on overdraft from their bankers.

Composition of training authorities

2.—(1) The governing bodies shall be composed in the manner prescribed in the First Schedule to these Regulations.

(2) The Scottish Council shall be composed in the manner prescribed in the Second Schedule to these Regulations.

Appointment of governors

3. Appointments to governing bodies, other than appointments by the Secretary of State, shall be made either at special or at ordinary meetings which shall be convened and conducted according to the ordinary rules and practice of the appointing bodies. The names of the persons appointed to be governors shall be intimated to the governing body.

Election of governors by teachers

4.—(1) The general qualification entitling a person to vote in the elections of teachers to be members of a governing body under the First Schedule shall be that the person is a certificated teacher in whole-time employment in or in connection with a school or further education establishment in Scotland on the first day of February upon which the said school or further education establishment is open in the year in which elections are to be held, or is a person not being a certificated teacher who is employed whole-time on the said day to teach in a further education establishment. In this Regulation and the Third Schedule the expression " whole-time employment " has, with the necessary modifications, the meaning attached to it by Regulation 14 or by Regulation 20, as the case may be, of the Teachers' Salaries (Scotland) Regulations, 1956(a).

(2) Subject to the provisions of paragraph (5) of this Regulation, the persons qualified to vote in the elections of teachers to be Governors of Aberdeen College of Education under paragraph 1 of the First Schedule, of Dundee College of Education under paragraph 2 of the First Schedule, of Moray House College of Education under paragraph 3 of the First Schedule and of Jordanhill College of Education under paragraph 4 of the First Schedule shall be persons who have the general qualification required under the last foregoing paragraph, who are employed on the said first day of February in a school or further education establishment in the northern area, the eastern area, the south-eastern area and the south-western area respectively, but who are not certificated teachers entitled to vote in the elections of teachers under paragraph 5, or paragraph 6 or paragraph 7 of the First Schedule.

(3) Subject to the provisions of paragraph (5) of this Regulation, the persons qualified to vote in the elections of teachers to be Governors of Craiglockhart College of Education under paragraph 5 of the First Schedule and of Notre Dame College of Education under paragraph 6 of the First Schedule shall be certificated women teachers having the general qualification required under paragraph (1) of this Regulation (other than certificated women teachers entitled to vote in the election of teachers under paragraph 7 of the First Schedule) who are approved as regards their religious belief and character by the Scottish Hierarchy of the Roman Catholic Church and

(a) S.I. 1956/1656 (1956 I, p. 768).

were employed on the said first day of February in a school or further education establishment in the northern area excluding Inverness-shire, the eastern area or the south-eastern area in the case of elections to the Governors of Craiglockhart College of Education and in the south-western area or Inverness-shire in the case of elections to the Governors of Notre Dame College of Education.

(4) The persons qualified to vote in the election of teachers to be Governors of Dunfermline College of Physical Education, Aberdeen, under paragraph 7 of the First Schedule shall be certificated women teachers having the general qualification required under paragraph (1) of this Regulation and the Teacher's Technical Certificate in Physical Education.

(5) The following restrictions on the right to vote shall apply to persons qualified to vote in the elections of teachers, that is to say :—

(*a*) only those teachers employed in senior secondary schools, colleges of education and demonstration schools shall be entitled to vote in elections of head teachers of senior secondary schools ;

(*b*) only those teachers employed in junior secondary schools shall be entitled to vote in elections of head teachers of junior secondary schools ;

(*c*) only those teachers employed in primary schools shall be entitled to vote in elections of head teachers of primary schools ;

(*d*) only those persons, whether certificated teachers or not, employed in further education establishments other than colleges of education shall be entitled to vote in elections of head teachers of further education establishments ; and

(*e*) uncertificated teachers employed in further education establishments other than colleges of education shall be entitled to vote only in elections of head teachers of further education establishments.

(6) Where a teacher is in whole-time employment to teach or to supervise teaching in more than one school, or more than one further education establishment or in one or more schools and further education establishments, he may give notice in writing to his employer that he desires for the purposes of this Regulation to be deemed to be in whole-time employment in a school or further education establishment named in the notice, being one of the schools or further education establishments in which he teaches or supervises, and thereupon for the purposes of this Regulation he shall be deemed to be in whole-time employment in that school or further education establishment.

(7) The elections of teachers to be members of a governing body shall be conducted by that governing body in accordance with the procedure prescribed in the Third Schedule to these Regulations.

Periods of office of governors

5.—(1) The period of office of the governors first appointed or elected under these Regulations shall, subject to the provisions of Regulations 6 and 7, end on the second Tuesday of May, 1961, and the period of office of the governors appointed or elected to succeed the governors first appointed or elected shall, subject to the said provisions, end on the second Tuesday of May, 1964, and so on at intervals of three years.

(2) Governing bodies shall, on or about 1st February in each year in which periods of office expire under the last foregoing paragraph, intimate the impending vacancies to appointing bodies and to the Secretary of State, and the said bodies and the Secretary of State shall make appointments to

fill the vacancies in accordance with the relevant provisions of the First Schedule before or as soon as possible after the said second Tuesday of May.

Casual vacancies among governors

6.—(1) A governor shall be deemed to have vacated his office as governor, and the governing body shall declare his place vacant, in the following circumstances—

(*a*) where he intimates in writing his resignation as a governor,

(*b*) where he ceases to hold an office in respect of which he was qualified for appointment or election to the governing body, provided that he shall be deemed not to have ceased to hold the said office if he is at the first opportunity re-appointed or re-elected to the said office,

(*c*) where he becomes bankrupt,

(*d*) where he becomes incapacitated to hold office as a governor,

(*e*) where he fails without leave of the governing body to attend any meeting of the governing body or of a committee or sub-committee of the governing body for a period of six months, or

(*f*) where he becomes disqualified under Regulation 7 from holding office as a governor.

(2) Where the place of a governor who has been appointed to the office of governor has been declared vacant under the last foregoing paragraph or where an appointed governor has died, the governing body shall intimate the vacancy to the appointing body concerned or to the Secretary of State, as the case may be, and that body or the Secretary of State, as the case may be, may appoint a governor to fill the vacancy.

(3) Where the place of a governor who has been elected to the office of governor has been declared vacant, or where an elected governor has died, or where in one of the elections held under paragraph (7) of Regulation 4 and the Third Schedule no person is declared to have been duly elected or the number of persons declared to have been duly elected is less than the number prescribed in the relevant provision of the First Schedule, the elected members of the governing body may co-opt a person who is, or, as the case may be, persons who are, eligible to be elected to the vacant place or places.

(4) A governor appointed or co-opted under this Regulation shall, subject to the provisions of this and the next following Regulation, hold office for the remainder of the current period of office of the governors.

Disqualification from office of governor

7.—(1) A person who has attained the age of seventy years shall not be eligible for appointment, election or co-option to the office of governor, but a person who attains the said age while he is a governor may continue to be a governor until the expiry of his period of office.

(2) A person who is employed by a training authority shall not be eligible for appointment, election or co-option to the office of governor or to hold office as a governor.

(3) A person employed whole-time in a Scottish university in the Department of Education or in the Department of Psychology or in both Departments who is engaged in, or is directly responsible for, the teaching in one or both of the said Departments of students who are also in attendance at a college of education shall not be eligible for appointment to the office of governor of that college or to hold office as a governor of that college.

Periods of office of councillors

8.—(1) The periods of office of the councillors first appointed under these Regulations shall, subject to the provisions of Regulations 9 and 10, end on the second Tuesday of May, 1961, and the periods of office of councillors appointed to succeed the councillors first appointed shall, subject to the said provisions, end on the second Tuesday of May, 1964, and so on at intervals of three years.

(2) Nominations of persons for appointment as councillors under the provisions of the Second Schedule shall be made at the first meetings of the governing bodies held after the second Tuesday of May, 1961, the second Tuesday of May, 1964, and so on at intervals of three years. Appointments of councillors shall be made by the selection board under the provisions of the said Second Schedule as soon as possible after nominations have been received by the board.

Casual vacancies among councillors

9.—(1) A councillor shall be deemed to have vacated his office as councillor, and the Scottish Council shall declare his place vacant, in the following circumstances—

(*a*) where he intimates in writing his resignation as councillor,

(*b*) where, having been nominated by a governing body for appointment as councillor, he ceases to be a member of, or an assessor to, that governing body,

(*c*) where he becomes bankrupt,

(*d*) where he becomes incapacitated to hold office as a councillor,

(*e*) where he fails, without leave of the Scottish Council, to attend any meeting of the Council or of a committee or sub-committee of the Council for a period of six months, or

(*f*) where he becomes disqualified under Regulation 10 from holding office as a councillor.

(2) Where the place of a councillor who has been selected by the selection board under sub-paragraph (2) of paragraph 1 of the Second Schedule has been declared vacant under the last foregoing paragraph, or where such a councillor has died, the Scottish Council shall intimate the vacancy to the clerk to the selection board, and the board may select to fill the vacancy a person belonging to the class specified in a sub-paragraph of paragraph 3 of the said Schedule to which the councillor belonged. Where the place of a councillor who has been appointed by the Secretary of State under sub-paragraph (3) of paragraph 1 of the said Schedule has been declared vacant, or such a councillor has died, the Scottish Council shall intimate the vacancy to the Secretary of State, who may appoint a person to fill the vacancy.

(3) A councillor appointed under this Regulation shall, subject to the provisions of this and the next following Regulation, hold office for the remainder of the period of office for which the councillor he is succeeding was appointed.

Disqualification from office of councillor

10.—(1) A person who has attained the age of seventy years shall not be eligible for appointment to the office of councillor, but a person who attains the said age while he is a councillor may continue to be a councillor until the expiry of his period of office.

(2) A person who is employed by a training authority shall not be eligible for appointment to the office of councillor or to hold office as a councillor.

Validity of proceedings of training authorities

11.—(1) No act or proceeding of a training authority shall be invalidated or questioned by reason of the fact that at the time of the said act or proceeding there were vacancies in the membership of the training authority, provided that the number of members in office was not less than four-fifths of the number of members prescribed in the First or Second Schedule, as the case may be, for that training authority.

(2) No act or proceeding of any committee in relation to which it is provided by these Regulations that members of the training authority which appointed the committee shall be a majority of the committee or that a specified number of members of the training authority shall be members of the committee shall be invalidated by reason of the fact that at the time of the said act or proceeding the number of members of the training authority who were members of that committee was less than the number required by these Regulations:

Provided that—

(i) where a majority is required by these Regulations the number of members of the training authority who were members of the committee was not less than the number of other members of the committee, and

(ii) where a number is specified, the deficiency in the membership of the training authority does not exceed one.

Custody and use of common seal

12.—(1) Each training authority shall provide for the safe custody of its common seal.

(2) The common seal shall not be fixed to any deed except in accordance with a resolution of the training authority and in the presence of a member of the authority and of an official of the authority who has been empowered to sign deeds, and the member of the authority and the official shall sign the deed to which the seal was affixed in their presence.

(3) Any deed of the training authority shall be recognised as validly executed if it is sealed with the common seal of the authority and signed by a member of the authority and by an official of the authority who has been empowered by the authority to sign deeds.

Assessors to training authorities

13.—(1) The Secretary of State may appoint not more than two assessors to each training authority.

(2) The Senate of each of the Scottish universities may appoint as assessor to a governing body the Head of its Department of Education or of its Department of Psychology as follows:—

(*a*) the Senate of the University of Aberdeen, to the Governors of Aberdeen College of Education;

(*b*) the Senate of the University of St. Andrews, to the Governors of Dundee College of Education;

(*c*) the Senate of the University of Edinburgh, to the Governors of Moray House College of Education; and

(*d*) the Senate of the University of Glasgow, to the Governors of Jordanhill College of Education.

(3) The Association of Directors of Education in Scotland may appoint the following assessors to governing bodies:—

(*a*) to the Governors of Aberdeen College of Education, a Director of Education employed by an education authority in the northern area;

(*b*) to the Governors of Dundee College of Education, a Director of Education employed by an education authority in the eastern area;

(*c*) to the Governors of Moray House College of Education, a Director of Education employed by an education authority in the south-eastern area;

(*d*) to the Governors of Jordanhill College of Education, a Director of Education employed by an education authority in the south-western area;

(*e*) to each of the other governing bodies one Director of Education.

(4) The Association of Organisers of Physical Education may appoint an assessor from their own number to the Governors of Dunfermline College of Physical Education, Aberdeen.

(5) The Principals of the colleges of education shall be assessors to the Scottish Council *ex officiis*.

(6) Each assessor may nominate a substitute to represent him in his absence. The Principal of each college of education may nominate a senior member of his teaching staff to represent him in his absence.

(7) The names of the assessors appointed under paragraphs (1), (2), (3) and (4) of this Regulation shall be intimated, by the Secretary of State or by the appointing bodies, as the case may be, to the training authorities concerned, and the names of the substitutes appointed under the last foregoing paragraph shall be intimated by the assessors to the training authorities concerned. Each assessor shall be entitled to receive copies of all papers issued to members of the training authority to which he is assessor, and each assessor, or in his absence his substitute, shall be entitled to attend and speak at meetings of the said authority and of its committees and sub-committees, but shall not be entitled to vote except at meetings of committees or sub-committees of which he has been appointed a member.

PART II

Business Arrangements of Training Authorities

First meetings of governing bodies after triennial reconstitution

14.—(1) A meeting of each governing body shall be convened for a date after the second Tuesday in May, 1961, and not later than 15th June in that year. A meeting shall similarly be convened for a date after the second Tuesday in May, 1964, and not later than 15th June, 1964, and so on at intervals of three years.

(2) At the meetings held under this Regulation each governing body shall elect a chairman and a vice-chairman, shall make nominations for appointment to the Scottish Council in accordance with the provisions of paragraph 2 of the Second Schedule and shall transact such other business as may competently be brought before them.

First meeting of the Scottish Council after triennial reconstitution

15.—(1) A meeting of the Scottish Council shall be convened for a date after the second Tuesday in May, 1961, and not later than 15th July in that year. A meeting shall similarly be convened for a date after the second Tuesday in May, 1964, and not later than 15th July, 1964, and so on at intervals of three years.

(2) At the meetings held under this Regulation the Scottish Council shall elect a chairman and a vice-chairman and shall transact such other business as may competently be brought before them.

Ordinary meetings and quorums of training authorities

16.—(1) Each training authority shall hold at least three ordinary meetings each year.

(2) Every meeting of a governing body shall, unless the chairman for some exceptional reason otherwise directs, be held at the college of education administered by the governing body.

(3) The quorum at meetings of training authorities shall be as follows :—

(*a*) of the Scottish Council, eleven ;

(*b*) of the Governors of Aberdeen College of Education and of the Governors of Dundee College of Education, nine ;

(*c*) of the Governors of Moray House College of Education and of the Governors of Jordanhill College of Education, ten ; and

(*d*) of the Governors of Craiglockhart College of Education, of the Governors of Notre Dame College of Education and of the Governors of Dunfermline College of Physical Education, Aberdeen, seven.

Committees of training authorities

17.—(1) Subject to the provisions of the next following paragraph, each training authority may appoint such committees as they consider necessary and may appoint to each committee persons who are not, as well as persons who are, members of the authority, provided that the members of the authority shall be a majority of the committee. The authority shall appoint as convener of the committee a person who is a member of the authority. The authority may delegate or refer any of their functions to the committee :

Provided that—

(i) a remit delegating a function may contain instructions to the committee, and it shall be the duty of the committee in exercising the function to comply with such instructions, and

(ii) the authority may at any time withdraw the remit from the committee, but such withdrawal shall not affect anything done by the committee in the exercise of the delegated function before the withdrawal is intimated to them.

(2) The Scottish Council shall appoint—

(*a*) a standing committee, and shall refer to the committee the exercise of the functions of the Council under Regulation 41 and paragraph (1) of Regulation 42, and shall delegate to the committee the exercise of their functions under paragraph (3) of Regulation 42 ; and

(*b*) a standing committee composed of the Principals of the colleges of education and, if the Council think fit, of their chief official, and shall refer to the committee their functions under Regulations 36 and 37, paragraphs (1), (2) and (3) of Regulation 38 and Regulation 43, provided that the reference of a function to the committee appointed under this sub-paragraph shall not prevent the Scottish Council—

(i) from also referring that function to another committee or from delegating it to another committee, or

(ii) from exercising that function without a report from the committee appointed under this sub-paragraph,

nor shall it prevent a committee to whom the function has been delegated from exercising that function without a report from the committee appointed under this sub-paragraph.

(3) In appointing persons to serve on any committee appointed under this Regulation other than the committee appointed under sub-paragraph (*b*) of the last foregoing paragraph, the training authority shall have regard to the general principle that the number of members of the committee, whether members of the authority or not, representing each of the following groups in the training authority, that is to say, (*a*) representatives of education authorities, (*b*) representatives of teachers, and (*c*) representatives of other interests, should be in proportion to the number of members representing the said groups in the training authority.

(4) Any committee of a training authority may appoint such sub-committees from their own number as they think fit.

Employment of officials

18.—(1) Each training authority may employ such whole-time and part-time professional and other staff as they require to enable them to carry out the administrative and other non-teaching work arising out of their functions.

(2) The training authority may require any member of the staff whose responsibility includes intromissions with the funds of the training authority to find such caution as the authority may prescribe for his duly accounting for such intromissions.

(3) The training authority may, in accordance with directions given by the Scottish Council under sub-paragraph (*e*) of paragraph (2) of Regulation 38, pay, or enter into contracts with insurance companies for the payment of, pensions and other superannuation benefits to retired members of the staff described in paragraph (1) of this Regulation who are not compulsorily or voluntarily within the scope of a superannuation scheme other than the National Insurance Scheme.

Salaries

19.—(1) Each training authority shall pay to the professional and other staff employed by them under paragraph (1) of Regulation 18, and each governing body shall pay to the Principal and teaching staff employed by them under paragraph (2) of Regulation 22, salaries in accordance with salary schemes approved by the Secretary of State.

(2) The Scottish Council shall use their good offices to secure the establishment by agreement between the Council and the seven governing bodies, on the one hand, and the professional and other staffs employed by the training authorities under paragraph (1) of Regulation 18, on the other, of one or more negotiating bodies to prepare and submit to the Secretary of State for his approval salary schemes on a national basis relating to the salaries of the various grades of the said professional and other staffs.

(3) The Scottish Council shall use their good offices to secure the establishment by agreement between the seven governing bodies, on the one hand, and the Principals and teaching staffs employed by the said governing bodies under paragraph (2) of Regulation 22, on the other, of a negotiating body to prepare and submit to the Secretary of State for his approval salary schemes on a national basis relating to the salaries of the said Principals and teaching staffs.

(4) It shall be in the power of the Secretary of State to approve any salary scheme submitted to him under this Regulation, or, after consultation with the negotiating body which submitted the scheme, to amend and approve it as amended, or to reject it.

(5) If at any time no salary scheme relating to a particular class of employees is in operation having been approved by the Secretary of State under the foregoing provisions of this Regulation, it shall be in the power of the training authorities concerned, subject to the provisions of Regulation 53, to pay to that class of employees such salaries as the Secretary of State may approve.

Standing orders

20. Each training authority shall make standing orders relating to the convening of meetings of the authority and of its committees and sub-committees, the conduct of business at meetings, the keeping of minutes, accounts and other records, the signing of cheques and documents to which the common seal need not be affixed, the custody of deeds and other documents, the duties of officials, and, generally, to such other matters connected with the conduct of their business as they think fit.

PART III

Functions of Governing Bodies, Principals and Boards of Studies

Buildings and equipment

21.—(1) Each governing body shall maintain in good order the lands and buildings vested in them and the equipment and furnishings thereof. They shall also, subject to the provisions of any lease, maintain in good order any lands and buildings held by them on lease and the equipment and furnishings thereof. They may provide new equipment and furnishings for any land or buildings vested in or leased by them.

(2) The governing body may, subject to the provisions of paragraph (2) of Regulation 48, acquire by purchase, excambion, feu, lease or gift, additional lands and buildings for the purpose of any of their functions, and equip and furnish the said lands and buildings.

(3) The governing body may, subject to the provisions of paragraph (2) of Regulation 48, demolish, extend or improve any building vested in them or, subject to the provisions of the lease, held by them on lease, and may, subject to the provisions of the said Regulation, erect new buildings on lands vested in them or, subject to the provisions of the lease, held by them on lease.

(4) The governing body may, subject to the provisions of paragraph (2) of Regulation 48, dispose of any land or buildings not required for the purposes of these Regulations.

(5) The lands and buildings of Craiglockhart Roman Catholic Training College (under these Regulations to be known as Craiglockhart College of Education) shall remain vested in the Society of the Sacred Heart. The said Society shall be responsible for the upkeep of the said lands and buildings and for the payment to the proper authority or superior or other creditor of all rates and taxes, feuduties and other burdens thereon. No rent or other consideration shall be payable by the Governors of Craiglockhart College of Education for the use of the said lands and buildings for the purposes of the said college, and the said Society shall provide all facilities on and in the said lands and buildings for the carrying on of the

said college and shall keep the said lands and buildings in proper repair and in a healthy and sanitary condition to the satisfaction of the said governing body.

(6) Notwithstanding the provisions of the last foregoing paragraph, the Governors of Craiglockhart College of Education shall enter into agreements with the Society of the Sacred Heart for the repayment in whole or in part to the said Society of sums expended by the said Society for the purposes of the last foregoing paragraph.

(7) The lands and buildings of Notre Dame Training College (under these Regulations to be known as Notre Dame College of Education) shall remain vested in the Congregation of Notre Dame, and the provisions of paragraphs (5) and (6) of this Regulation shall, with the necessary modifications, apply to the said Congregation and to the Governors of Notre Dame College of Education in relation to Notre Dame College of Education as they apply to the Society of the Sacred Heart and to the Governors of Craiglockhart College of Education in relation to Craiglockhart College of Education.

Provision and control of colleges of education

22.—(1) Each governing body shall provide, administer and conduct a college of education in continuation and development of the training centre or training college transferred to them under these Regulations.

(2) The governing body shall exercise a general control over the college and everything connected therewith. They shall appoint and employ a Principal and such teaching staff as they consider necessary.

(3) The last foregoing paragraph shall apply with the following modifications to the Governors of Craiglockhart College of Education and to the Governors of Notre Dame College of Education :—

(*a*) the religious instruction and religious training of the students attending Craiglockhart College of Education and Notre Dame College of Education shall remain the sole responsibility of the Scottish Hierarchy of the Roman Catholic Church ;

(*b*) in filling any vacancy in the post of Principal of Craiglockhart College of Education the governing body of the said college shall appoint a member of the Society of the Sacred Heart who possesses teaching qualifications and experience satisfactory to the governing body ;

(*c*) in filling any vacancy in the post of Principal of Notre Dame College of Education the governing body of the said college shall appoint a member of the Congregation of Notre Dame who possesses teaching qualifications and experience satisfactory to the governing body ;

(*d*) no person shall be appointed by either governing body to the teaching staff of the college of education under their management unless she or he is approved as regards religious belief and character by the Scottish Hierarchy of the Roman Catholic Church.

(4) The governing body shall charge matriculation, tuition and other fees, if any, in accordance with directions given by the Scottish Council under subparagraph (*a*) of paragraph (2) of Regulation 38, and may remit fees in whole or in part in cases of need.

Method of appointment of Principal and teaching staff

23.—(1) On each occasion of a vacancy in the post of Principal of a college of education or in a post on the teaching staff of a college of education which in the opinion of the governing body is a major post (in this Regulation

referred to as " a major teaching post ") the governing body of that college shall appoint a special committee to make recommendations to them as to the appointment to fill the vacant post. The governing body shall appoint a standing committee to make recommendations to them as to appointments to fill vacancies in other posts on the teaching staff of the college. In the case of any appointment, the governing body may instruct each committee as to the number of persons whose names shall be submitted by the committee for consideration by the governing body, provided that the number specified shall not exceed four. The committee shall submit the specified number of names if in their opinion there are sufficient suitable candidates, or the names of the suitable candidates if in their opinion the number of suitable candidates is less than the specified number of names. The committee may make recommendations as to the relative merits of the candidates or any of them and shall give the governing body such additional information as they may require.

(2) The special committee on the appointment of a Principal shall be composed of—

(*a*) three members of the governing body, of whom one shall be chairman of the committee,

(*b*) a member of the Senate of a Scottish university who is not a member of the governing body of the college, and

(*c*) a Principal of a college of education.

(3) The special committee on the appointment to fill a major teaching post shall be composed of—

(*a*) two members of the governing body, one of whom shall be chairman of the committee,

(*b*) the Principal or, if he is unable to act, a substitute,

(*c*) the occupant of a major teaching post in the college, and

(*d*) a person of experience relevant to the work of the vacant post, and the said person may, if the governing body think fit, be the occupant of a major teaching post in the college.

(4) The standing committee on appointments to fill teaching posts other than major teaching posts shall be composed of—

(*a*) the Principal or, if he is unable to act, a substitute, and the Principal or his substitute shall be chairman of the committee,

(*b*) two permanent members, who shall be members of the teaching staff of the college, of whom one shall be and both may be occupants of major teaching posts, and if a permanent member is unable to act, a substitute shall be appointed, and

(*c*) two additional members who shall be added to the standing committee for the purposes of particular appointments. The additional members shall be members of the teaching staff of the college, and if the head of the department to which the appointment is to be made is not a permanent member of the standing committee he shall be one of the additional members.

(5) The governing body shall fill each vacancy to which this Regulation relates from among persons recommended to them by the appropriate committee as suitable to fill the said vacancy.

(6) This Regulation shall not apply to the governing bodies of Craiglockhart College of Education or Notre Dame College of Education.

Courses at colleges of education

24.—(1) Subject to the provisions of the Training Regulations, each governing body shall provide, in or in connection with the college of education under their administration, such of the courses required by the said Regulations as they consider necessary to enable candidates to obtain qualifications for which provision is made in the said Regulations. They shall also provide any shortened courses required by the Scottish Council under Regulation 42.

(2) The governing body may provide courses qualifying persons to fulfil the duties of leaders in service in connection with organised cultural, social and physical training and other leisure-time occupations.

(3) The governing body may, either by themselves or in co-operation with education authorities or other persons, provide short courses or arrange conferences for teachers or other persons, including leaders in service in connection with organised cultural, social and physical training and other leisure-time occupations, and they may assist or advise education authorities or other persons providing such courses or organising such conferences.

(4) The governing body may provide special courses suitable for persons who have undertaken or propose to undertake duties outside the United Kingdom which include or may include teaching in, or the supervision of, schools or colleges.

Co-operation with universities, central institutions and other bodies

25.—(1) Each governing body shall negotiate with the university in their vicinity with a view to securing that attendance at appropriate courses in the university and in the college may be recognised for the purposes of qualifications awarded by the governing body and by the university respectively, and may enter into agreements for such purposes.

(2) The governing body may co-operate in matters of common interest with universities, central institutions, schools and other educational institutions and with persons providing other educational services.

Powers and duties of Principals of colleges

26.—(1) The Principal shall have under his direct control, and shall be responsible to the governing body for, the whole organisation and discipline of the college.

(2) The Principal may suspend any member of the teaching staff who is, in his opinion, guilty of serious misconduct, provided that he shall report the suspension to the chairman or, if he is not available, to the vice-chairman or other member of the governing body within two days, provided also that suspension shall not affect the rights of the person suspended to the salary or other emoluments of his post.

(3)—(*a*) The Principal may admit to the college candidates for any of the qualifications for which provision is made in the Training Regulations who have fulfilled the relevant conditions of admission prescribed in the said Regulations:

Provided that where the candidate is not already a certificated teacher—

(i) if the Principal is of opinion that the candidate should be refused admission on grounds of misconduct or of personal unsuitability for employment as a teacher, the Principal shall not admit the candidate;

(ii) if the candidate fails to satisfy the medical officer of the college that, in accordance with directions given by the Scottish Council under sub-paragraph (*c*) of paragraph (2) of Regulation 38, he is medically fit to teach, the Principal shall not admit the candidate:

Provided also that in the case of any candidate—

(iii) admission of the candidate would not conflict with any directions given by the Scottish Council under sub-paragraph (*d*) of paragraph (2) of Regulation 38 ; and

(iv) the necessary courses and accommodation are available at the college.

(*b*) Where admission is refused under proviso (i) of the last foregoing sub-paragraph, the candidate may within one month of the date upon which the decision is intimated to him, appeal to the governing body, whose decision shall be final.

(4)—(*a*) Subject to the provisions of the next following sub-paragraph, the Principal shall admit to the college candidates who, having made application to the Scottish Council under Regulation 42 for the exceptional award of any of the qualifications for which provision is made in the Training Regulations, have been required by the Council under sub-paragraph (*c*) or sub-paragraph (*d*) of paragraph (3) of Regulation 42 to undergo courses at a college of education.

(*b*) Provisos (i) and (ii) to the last foregoing paragraph shall apply to admissions under this paragraph of candidates who are not already certificated teachers as they apply to admissions under that paragraph.

(*c*) The Principal shall have regard to the guidance given by the Scottish Council under Regulation 42, but shall be entitled to alter the length and nature of the course if, after experience of the candidate and his work at the college, he considers such alteration desirable.

(5) The Principal may admit to the college persons desiring to undergo courses at the college who do not seek to obtain any of the qualifications for which provision is made in the Training Regulations. The conditions of admission prescribed in the Training Regulations which are applicable to persons seeking such qualifications shall not apply to persons desiring to be admitted under this paragraph, but provisos (i) and (iv) to paragraph (3) of this Regulation shall apply to admissions under this paragraph as they apply to admissions under that paragraph. Successful completion of courses by persons admitted under this paragraph shall not entitle them to any such qualifications.

(6) The Principal may expel from the college any student who is, in his opinion, guilty of serious misconduct, or suspend such a student from attendance at the college. The expelled or suspended student may, within fourteen days of the date upon which the decision of the Principal is intimated to him, appeal to the governing body, whose decision shall be final.

(7) Where in the opinion of the Board of Studies a student is failing to make satisfactory progress, the Principal shall warn the student, or shall cause warning to be given to him, that if his progress continues to be unsatisfactory he may be required to leave the college, and if after a reasonable period the Board of Studies are still of the opinion that the student's progress is unsatisfactory, the Principal may require the student to leave the college, and the student shall leave forthwith.

(8) The governing body may authorise or require the Principal to execute on their behalf any function vested in them under these Regulations with regard to which special provision is not made in the foregoing paragraphs of this Regulation, and may give him such guidance in relation to the execution of the said function as they think fit.

Board of Studies

27.—(1) The Principal shall appoint, and act as convener of, a committee composed of members of the teaching staff selected by him to prepare a scheme for the constitution of a Board of Studies. The scheme shall provide that the Principal shall be chairman of the Board and shall include provisions for—

(*a*) the appointment of an interim chairman to act in the absence of the Principal,

(*b*) the occupants of specified teaching posts in the college to be members of the Board *ex officiis*,

(*c*) the attendance at meetings of the Board of persons who are not members of the Board for the consideration of particular questions,

(*d*) not less than two meetings of the Board to be held each year,

(*e*) the convening of meetings of the Board by the Principal or in his absence by the interim chairman, or at the request of any three members of the Board, and

(*f*) the making by the Board of standing orders regulating its procedure.

The scheme may also include provisions for—

(*g*) the co-option by the Board of members of the teaching staff other than those who are members *ex officiis* not exceeding in number a number to be specified in the scheme,

(*h*) the co-option by the Board of persons not being members of the teaching staff of the college not exceeding in number a number to be specified in the scheme,

(*i*) the submission to the governing body on the initiative of the Board of Studies or at the request of the governing body of an amending scheme for approval, and for the application of the next following paragraph with the necessary modifications to the amending scheme, and

(*j*) such other matters as appear to the committee to be necessary for the purposes of this scheme.

(2) The scheme prepared under the last foregoing paragraph shall be submitted on or before 1st May, 1959, to the governing body for approval. The governing body may approve the scheme as submitted or may remit it to the committee for further consideration, amendment and re-submission, and approve the scheme as re-submitted, or again remit it to the committee, and so on from time to time as occasion may require. The Board shall be constituted in accordance with the approved scheme.

(3) The function of the Board shall be to advise upon, and assist the Principal in relation to, the co-ordination of studies, including teaching method and practice, in the various courses, the maintenance of standards, the discipline of the students and generally questions falling within the ambit of the responsibilities of the teaching staff. The Board shall submit reports to the governing body on matters falling within the scope of this paragraph at the request of the governing body and may submit such reports to the governing body on their own initiative.

Exceptional admission to colleges of education

28.—(1) Each governing body may admit exceptionally to the college under their administration candidates for any of the qualifications for which provision is made in the Training Regulations whose admission is not a function of the Principal under paragraph (3) or paragraph (4) of Regulation 26.

In exercising the power of exceptional admission the governing body shall conform to the principles and rules prescribed by the Scottish Council under Regulation 41. Where an application comes before a governing body to which in their opinion the said principles and rules do not apply, they shall refer the application to the Scottish Council for advice as to the principle or rule which should be applied and shall act in accordance with the advice given by the Council.

(2) The provisos to paragraph (3) of Regulation 26 shall apply to admissions under this Regulation as they apply to admissions under that Regulation.

(3) Any person who applies for but is refused admission under this Regulation may, within one month of the date upon which the decision of the governing body is intimated to him, appeal to the Scottish Council, whose decision shall be final.

Awards and recommendations by governing bodies

29. Each governing body may award diplomas and certificates to students who have successfully completed the courses at or in connection with the college under their administration and they may also, in accordance with the Training Regulations, recommend any such student to the Secretary of State for the award of the appropriate qualification under the said Regulations, provided that before any recommendation is made under this Regulation the student has satisfied the medical officer of the college that in accordance with directions given by the Scottish Council under sub-paragraph (*c*) of paragraph (2) of Regulation 38 he is medically fit to teach.

Research

30. Each governing body may, either by themselves or in co-operation with other bodies, promote research into educational problems and assist members of their staff to undertake research work.

Students' representative councils

31. Each governing body shall, in consultation with representatives of students attending the college of education under their administration, make a scheme for the constitution and functions of a students' representative council in the college. The scheme shall also prescribe rules under which the said council shall be entitled to make representations to the governing body.

Admission to Special Recruitment Scheme

32. Each governing body shall exercise the functions relating to the admission to the Special Recruitment Scheme of candidates who wish to attend the college of education under their administration which have hitherto been exercisable by the National Committee under Regulations 2, 3, 5, 6 and 8 of the Teachers (Special Recruitment) (Scotland) Regulations, 1952(**a**), and such other functions under the said Regulations as are not exercisable under Regulation 43 by the Scottish Council.

Demonstration schools

33.—(1) Each governing body to whom a demonstration school is transferred under these Regulations shall continue to conduct and administer the school. They may charge such fees, if any, as they consider reasonable. The provisions of the Schools (Scotland) Code, 1956(**b**), shall apply to the school, and the provisions of the Teachers' Salaries (Scotland) Regulations,

(**a**) S.I. 1952/660 (1952 I, p. 860). (**b**) S.I. 1956/894 (1956 I, p. 735).

1956, shall apply to the salaries of teachers employed therein as they apply to the salaries of teachers employed by education authorities. The provisions of *subsections* (1), (3) and (4) of section 81 of the Act of 1946, as *modified* by section 27 of the Teachers (Superannuation) Act, 1956(a), (which relate to the dismissal of certificated teachers) shall apply to the governing body and to the certificated teachers employed by them in the school as they apply to an education authority and the certificated teachers in their service.

(2) The provisions of the last foregoing paragraph shall apply with the following modifications to the Governors of Craiglockhart College of Education as Managers of the Demonstration School attached to the college and known as the School of the Convent of the Sacred Heart, Edinburgh.

(*a*) The buildings, furnishings and equipment of the school shall remain the property of the Society of the Sacred Heart, and the Society shall be responsible for the upkeep thereof to the satisfaction of the governing body of the said college and shall make no charge to the said governing body in respect of the expenditure incurred by the Society under this sub-paragraph.

(*b*) The Society shall provide all heating, lighting and cleaning services, including both labour and materials, necessary to the proper management of the school to the satisfaction of the said governing body, and shall make no charge to the said governing body in respect of the expenditure incurred by the Society under this sub-paragraph.

(*c*) No teacher shall be appointed by the said governing body to the staff of the school unless she is approved as regards religious belief and character by the Scottish Hierarchy of the Roman Catholic Church.

(*d*) In filling any vacancy in the post of Headmistress of the school the said governing body shall, subject to the provisions of the last foregoing sub-paragraph, appoint a member of the Society who possesses teaching qualifications and experience satisfactory to the governing body.

(*e*) Religious instruction shall be given in accordance with the syllabus prescribed by the Scottish Hierarchy of the Roman Catholic Church.

Hostels

34.—(1) Each governing body may maintain and manage hostels for the benefit of students attending the college of education under their administration. The governing body shall charge fees for residence in hostels in accordance with directions given by the Scottish Council under sub-paragraph (*b*) of paragraph (2) of Regulation 38, and may remit fees in whole or in part in cases of need.

(2) Each governing body may approve hostels conducted by other bodies as hostels suitable for students attending the college of education under their administration, provided that such hostels are not conducted for private profit. The governing body may contribute towards any deficiency shown in the accounts of the body conducting a hostel approved by them under this paragraph provided that—

(i) they are satisfied that the expenditure shown in the accounts is reasonable;

(ii) except in cases of need, fees are charged for residence in the hostel, and

(iii) except with the approval of the governing body, the fees charged are in accordance with directions given by the Scottish Council under sub-paragraph (*b*) of paragraph (2) of Regulation 38.

(a) 4 & 5 Eliz. 2. c. 53.

(3) The Governors of Craiglockhart College of Education shall continue to recognise the hostel connected with Craiglockhart College of Education which was recognised by the National Committee immediately before the transfer day. The Governors of Notre Dame College of Education shall continue to recognise the hostel connected with Notre Dame College of Education which was recognised by the National Committee immediately before the transfer day.

Facilities for meals

35. Each governing body may provide or arrange for the provision of facilities for meals for the benefit of the students and staff of the college of education under their administration, and may extend the said facilities to pupils and staff of any demonstration school conducted by them. The governing body shall take all practicable steps to ensure that the charges are sufficient to make the facilities provided under this Regulation financially self-supporting. If in any year the governing body find it impossible to avoid a financial loss, they may, with the approval of the Scottish Council, apply to the Secretary of State for a grant and for a contribution from education authorities to meet the deficiency, and, if the Secretary of State approves, may include the deficiency or part thereof in their estimate for the ensuing year of expenditure ranking for Revenue Grant. The Secretary of State may attach such special conditions to the grant as he thinks fit.

PART IV

Functions of the Scottish Council

Advice and assistance to the Secretary of State

36. The Scottish Council may at any time, and shall when consulted by the Secretary of State, advise the Secretary of State on any problem arising out of the general object or the particular purpose for which the training authorities are constituted as set forth in paragraph (1) of Regulation 1. The Council shall also give to the Secretary of State assistance in relation to the recruitment of teachers.

Advisory functions in relation to governing bodies

37. Having regard to the general object for which the training authorities are constituted as set forth in paragraph (1) of Regulation 1, the Scottish Council shall keep under review the work carried out under these Regulations and under any other Regulations relating to the training of teachers in Scotland, but shall not concern themselves with the routine work or day to day administration of the colleges of education. They shall advise the governing bodies as to any major new developments or improvements which the Council think desirable, and any governing body who are themselves considering a major new development or improvement shall, before reaching a decision, put their proposals before the Council and shall have regard to any advice which the Council may give. The provisions of paragraph (2) of Regulation 40 shall apply where the Council and a governing body are unable to agree whether a development or improvement is a major new development or improvement within the meaning of this Regulation.

Co-ordinating functions

38.—(1) The Scottish Council shall after consultation with the governing bodies concerned give directions relating to the subjects set forth in the next following paragraph, and the governing bodies shall comply with the said directions.

(2) The subjects referred to in the last foregoing paragraph are:—

(*a*) scales of fees payable by students and other persons attending the colleges of education, and without prejudice to the generality of this power the Council may direct different scales—

(i) for students desiring to obtain qualifications for which provision is made in the Training Regulations where the governing body are satisfied that the students intend their professional careers to be teaching in educational establishments in Scotland,

(ii) for such students where the governing body are not so satisfied,

(iii) for students not desiring to obtain such qualifications,

(iv) for students taking different courses,

(v) for students taking the same course at different colleges of education, and

(vi) for teachers taking vacation and other courses,

and the Council may direct that no fees shall be payable for courses to be specified in the direction;

(*b*) scales of fees payable by students for residence in hostels to which Regulation 34 applies, being scales designed to ensure as far as practicable that the fees are sufficient to make the hostels financially self-supporting, and the Council may direct different scales for the various hostels;

(*c*) the medical standards required for admission to the colleges, for recommendation for the award of teachers' probation certificates under Regulation 29 and for the exceptional award of qualifications under Regulation 42;

(*d*) rules for restricting the admission to colleges of candidates for any particular qualification where the number of teachers with that qualification exceeds or is expected to exceed the number required; and

(*e*) the conditions under which pensions and other superannuation benefits may be paid, or contracts may be entered into with insurance companies for the payment of pensions and other superannuation benefits, to retired members of staff who are not compulsorily or voluntarily within the scope of a superannuation scheme other than the National Insurance Scheme.

(3) The Secretary of State, on the recommendation of the Scottish Council made after consultation with the governing bodies concerned, may, if he considers it desirable and appropriate that the governing bodies concerned should exercise functions additional to those referred to in the last foregoing paragraph in accordance with directions given by the Scottish Council, require the governing bodies concerned to exercise these functions in accordance with directions of the Scottish Council, and the governing bodies shall exercise the said functions accordingly.

(4) The Scottish Council shall arrange conferences of returning officers and other persons responsible for the conduct of the elections of teachers under Regulation 4 and the Third Schedule with a view to securing the efficient and economical conduct of the elections in accordance with the procedure prescribed in the Third Schedule.

Scottish Council as agents of governing bodies

39.—(1) Any two or more governing bodies may, on such terms and conditions as the governing bodies concerned and the Scottish Council agree, appoint the Scottish Council to act as agents of the governing bodies concerned to carry out any function specified in the document of appointment,

being a function vested under these Regulations in each of the governing bodies concerned in relation to the colleges respectively administered by them.

(2) The governing bodies concerned shall defray the expenses incurred by the Scottish Council in acting as agents under the last foregoing paragraph.

Settlement of disputes

40.—(1) Where any dispute arises between the governing bodies or any of them with regard to which they are unable to reach agreement they may refer the dispute to the Scottish Council. The Council may decide the issue or may refer it to the Secretary of State for decision, and the decision of the Council or of the Secretary of State, as the case may be, shall be final.

(2) Where any dispute arises between the Scottish Council and the governing bodies or any of them, they may refer the dispute to the Secretary of State, and, if the Secretary of State is of opinion that the issue is not one which the Scottish Council is required or empowered by these Regulations to decide, he may accept the reference, and his decision shall be final.

Exceptional admission of candidates to colleges of education

41. The Scottish Council shall formulate principles upon which exceptional admissions to colleges of education under Regulation 28 shall be based and shall make rules for the application of the said principles to the types of cases which, in their opinion having regard to past experience, are likely to occur most frequently. The Council shall publish the said principles and rules in such manner as to make them available to all persons interested.

Recommendations for exceptional awards of qualifications under the Training Regulations

42.—(1) The Scottish Council shall formulate principles upon which recommendations for exceptional awards of qualifications under the Training Regulations shall be based and shall make rules for the application of the said principles to the types of cases which, in their opinion having regard to past experience, are likely to occur most frequently. The Council shall publish the said principles and rules in such manner as to make them available to all persons interested. The Council shall conform to the said principles and rules in deciding upon applications under these Regulations.

(2) The said principles and such of the said rules as may be relevant to the case shall apply where—

(*a*) a certificated teacher desires to obtain an additional qualification for which provision is made in the Training Regulations, or

(*b*) another person desires to obtain a qualification for which provision is made in the said Regulations, and, in either case,

(*c*) the conditions prescribed in the said Regulations for the award of the said qualification have not been fulfilled, and

(*d*) the applicant represents to the Scottish Council that because of qualifications obtained furth of Scotland, or of practical experience of teaching, or for any other reasons, the qualification he desires to obtain should be awarded to him without the fulfilment of the conditions so prescribed.

(3) All applications for the exceptional award of qualifications under the Training Regulations shall be made to the Scottish Council. The Council shall consider such applications and shall in each case decide whether they should—

(*a*) recommend the certificated teacher or other person forthwith to the Secretary of State for the award of the qualification which he desires ; or

(*b*) require the certificated teacher or other person to obtain an additional qualification specified by them and defer consideration of the application until he has obtained the specified additional qualification ; or

(*c*) require the certificated teacher or other person to undergo the relevant course prescribed in the Training Regulations and obtain a satisfactory report before such a recommendation is made ; or

(*d*) require the certificated teacher or other person to undergo a shortened course at a college of education or elsewhere and obtain a satisfactory report before such a recommendation is made and, if the Council so decide, they shall give guidance as to the length and nature of the course which they consider desirable ; or

(*e*) refuse the application.

Provided that—

(i) no recommendation shall be made to the Secretary of State in relation to a person other than a certificated teacher unless that person satisfies the medical officer of a college of education specified by the Council that in accordance with directions given by the Scottish Council under sub-paragraph (*c*) of paragraph (2) of Regulation 38 he is medically fit to teach, and

(ii) where the teacher or other person is aggrieved by the decision of the Council he may, within one month of the intimation of the decision of the Council to him, appeal to the Secretary of State, whose decision shall be final.

Administration of Special Recruitment Scheme

43. The Scottish Council shall exercise the functions hitherto exercisable by the National Committee under Regulation 4 of the Teachers (Special Recruitment) (Scotland) Regulations, 1952, in so far as it relates to general guidance to selection boards, under Regulation 7 of the said Regulations, which relates to the payment of allowances to persons admitted to the Special Recruitment Scheme, and under Regulation 11 of the said Regulations, in so far as it relates to consultation with the Secretary of State on the limitation of the scope of the Scheme.

Assistance to students to attend special courses

44. Where a student or a teacher desires to undergo a special course of training of a kind or of a standard which in the opinion of the Scottish Council is not provided by a governing body and such a course is provided by another body whether in Scotland or furth thereof, the Scottish Council may give financial assistance to the said student or teacher to enable him to attend the course.

Contributions to other bodies

45. The Scottish Council may contribute to the funds of any body providing services which in the opinion of the Council supplement the work of a college of education or are otherwise of value to persons undergoing courses at such colleges.

PART V

Financial Arrangements

Approval of estimates and authority for expenditure

46.—(1) Each governing body shall prepare and submit to the Scottish Council not later than 1st October in each year in respect of the next following financial year an estimate of their expenditure ranking for Revenue Grant, an estimate of their expenditure ranking for Capital Grant and an estimate of

their expenditure ranking for Supplementary Grant. Each of the said estimates shall include an estimate of their income from sources other than the relevant grant payable by the Secretary of State under Regulation 47 and contributions payable by education authorities under subsection (5) of section 25 of the Act of 1946 (in this section referred to as " income from public funds ") applicable towards defraying the expenditure to which the estimate relates, and an estimate of the amount required from public funds towards defraying the said expenditure. Each governing body providing facilities for meals shall at the same time submit an estimate of their expenditure and income relating to the said facilities. The Scottish Council shall prepare an estimate of their expenditure ranking for Revenue Grant, an estimate of their expenditure ranking for Capital Grant and an estimate of their expenditure ranking for Special Recruitment Grant. Each of the said estimates shall include an estimate of the income from sources other than public funds applicable towards defraying the expenditure to which the estimate relates and an estimate of the amount required from public funds towards defraying the said expenditure. The estimates to which this paragraph relates shall be prepared and submitted on forms approved by the Secretary of State in which provision is made for the estimated expenditure to be classified under main heads according to the purposes for which it is to be incurred, and for expenditure under each main head to be further classified under such sub-heads as are, in the opinion of the Secretary of State, necessary to give the Scottish Council and the Secretary of State information in sufficient detail to enable them to exercise their respective functions under this Regulation.

(2) The Scottish Council shall consider the estimates submitted to them under the last foregoing paragraph and shall submit them to the Secretary of State not later than 1st November with any comments they desire to make and with their recommendations. They shall also submit to the Secretary of State at the same time the estimates prepared by them under the said paragraph.

(3) The estimates submitted under this Regulation shall be accompanied by explanatory memoranda, and governing bodies shall give such additional information to the Scottish Council and training authorities shall give such additional information to the Secretary of State as the Council or the Secretary of State may require.

(4) The Secretary of State, after considering the estimates and after such consultation, if any, with the training authorities or any of them as he considers necessary, may—

(*a*) approve the estimates as submitted, or

(*b*) amend the estimates and approve them as amended, or

(*c*) direct that the estimates be amended and approve them as amended, or further amend them and approve them as further amended.

(5) The approval of any estimate under this Regulation shall be sufficient authority for the training authority who prepared and submitted the estimate to incur the expenditure up to but not exceeding the total sum for which provision is made in each main head of the approved estimate :

Provided that—

(i) where expenditure under a main head of an approved estimate is or is likely to be less than the sum for which provision is made under that head and expenditure under another main head of that estimate is or is likely to be more than the sum for which provision is made under that other head, the whole or part of the sum which is or is likely to be underspent may with the consent of the Secretary of State on the

recommendation of the Scottish Council, in relation to the expenditure of a governing body, or of the Secretary of State in relation to the expenditure of the Scottish Council, be used to defray the sum which is or is likely to be overspent, and

(ii) where the total expenditure for which provision is made in an approved estimate of a training authority is or is likely to be less than the sum for which provision is made in that estimate and the total expenditure for which provision is made in another approved estimate of that training authority is or is likely to be more than the sum for which provision is made in that other estimate, the whole or part of the sum which is or is likely to be underspent may with the consent of the Scottish Council and of the Secretary of State be used to defray the sum which is or is likely to be overspent.

(6) If expenditure not provided for in an approved estimate becomes unavoidable, cannot be provided for under either of the provisos to the last foregoing paragraph and cannot reasonably be postponed until the following financial year, the training authority shall submit a supplementary estimate, and the foregoing provisions of this Regulation shall with the necessary modifications apply to the supplementary estimate.

Assessment and payment of grants

47.—(1) The grants which the Secretary of State may pay under paragraph (7) of section 70 of the Act of 1946 shall be " the Revenue Grant ", " the Capital Grant ", " the Supplementary Grant " and " the Special Recruitment Grant ".

(2) The Revenue Grant shall be payable to each training authority and shall not exceed 60 per cent. of the net expenditure actually incurred under the relevant estimate approved under Regulation 46.

(3) The Capital Grant shall be payable to any training authority which has incurred expenditure under the relevant estimate approved under Regulation 46 and shall not exceed 75 per cent. of the net expenditure actually so incurred.

(4) The Supplementary Grant shall be payable to any governing body which has incurred expenditure under the relevant estimate approved under Regulation 46 and shall not exceed 75 per cent. of the net expenditure actually so incurred.

(5) The Special Recruitment Grant shall be payable to the Scottish Council and shall not exceed 100 per cent. of the net expenditure actually incurred under the relevant estimate approved under Regulation 46.

(6) Grants shall be payable in such instalments and at such times as the Secretary of State may arrange. If the accounts in respect of any financial year duly audited and examined as provided by Regulation 50 show that a balance of any of the grant payable in respect of that financial year is due to or by the Secretary of State, the balance shall be adjusted as soon as can conveniently be arranged.

Conditions of grants

48.—(1) The conditions of payment and acceptance of the Revenue Grant shall be that the training authority receiving the grant shall exercise to the satisfaction of the Secretary of State their functions under these and any other Regulations relating to the training of teachers.

(2) The conditions of payment and acceptance of the Capital Grant shall be—

(*a*) that the grant is applied with the approval of the Secretary of State to any of the following projects for the purpose of the exercise of any of the functions of the training authority to whom the grant is paid, that is to say, the acquisition of sites, the acquisition of buildings, the erection of buildings, the levelling and the lay-out of grounds, the enlargement or improvement of buildings, and the initial equipment and furnishing of buildings—whether such projects are undertaken by the training authority alone or in co-operation with other bodies;

(*b*) that plans are submitted to the Secretary of State at such stages as he may require and are approved by him;

(*c*) that the tenders accepted by the training authority shall not exceed in the aggregate a total sum fixed by the Secretary of State or calculated by methods prescribed by him; and

(*d*) that the training authority undertake to repay to the Secretary of State the whole or such part as he may require of the grant in the event of the sites or buildings or any part of them, as the case may be, towards the cost of which the grant was applied, ceasing to be used by the training authority for the purposes of any of its functions.

(3) The conditions of payment and acceptance of the Supplementary Grant shall be that the grant is applied towards the rent of temporary premises which are held on lease by, or are let to, the governing body with the approval of the Secretary of State for the purpose of the exercise of any of the functions of the governing body to whom the grant is paid.

(4) The conditions of payment and acceptance of the Special Recruitment Grant shall be that the Scottish Council and any governing body participating in the grant shall exercise to the satisfaction of the Secretary of State their functions under Regulations 43 and 32 respectively.

Intimation and payment of education authority contributions

49.—(1) The Secretary of State shall, when he approves the estimates under Regulation 46 or as soon as practicable thereafter, intimate to each education authority and to the Scottish Council the sum determined by him under subsection (5) of section 25 of the Act of 1946 which shall be contributed by that education authority towards the aggregate expenses of the training authorities in the financial year to which the estimates relate. The sum so determined shall be paid by that education authority to the Scottish Council in three equal instalments, not later than 1st June, 1st October and 1st February, respectively.

(2) The Secretary of State shall, when he approves a supplementary estimate under paragraph (6) of Regulation 46 or as soon as practicable thereafter, intimate to each education authority and to the Scottish Council a further sum determined by him under subsection (5) of the said section 25 which shall be contributed by that education authority towards the aggregate expenses of the training authorities in the financial year to which the supplementary estimate relates. The sum so determined shall be paid by the education authority to the Scottish Council within six weeks of the date of the intimation.

(3) The Scottish Council shall pay in instalments to each governing body from the sums received by the Council under this Regulation a sum equal to the difference between the estimated amount of the net expenditure provided for in the estimates approved under Regulation 46 for that governing

body and the estimated amount of the grants payable to that governing body under Regulation 47. The Council shall retain the balance of the said sums and apply it towards defraying the expenditure included in their approved estimates.

Audit and approval of accounts and recognition of expenditure for grant purposes

50.—(1) Each training authority shall with the approval of the Secretary of State from time to time appoint an auditor to audit the accounts of the training authority and may, with the like approval, end the appointment of the auditor.

(2) Each training authority shall prepare an abstract of their accounts and after the abstract has been examined and approved by the training authority it shall be submitted to the auditor.

(3) Each training authority shall make available for inspection by the auditor all books and documents which he may think necessary, and shall give the auditor every reasonable facility for carrying out the audit.

(4) The auditor shall add a docket to the abstract of accounts containing a report on the audit and on the accuracy of the accounts and abstract.

(5) Each training authority shall within one month of receipt of the abstract from the auditor transmit it to the Secretary of State, and, after such examination and inspection of books and documents as the Secretary of State may think necessary, the Secretary of State shall intimate to the training authority concerned the amount of each of the grants assessed and approved by him in respect of the expenditure of the training authority in the financial year to which the accounts relate.

PART VI

TRANSITIONAL PROVISIONS

First appointments, elections and nominations

51.—(1) The governors to be first appointed or elected under this Regulation shall be appointed or elected as soon after 10th November, 1958, as possible. The Provincial Committees and Committees of Management shall exercise the functions in relation to the first appointments and elections which are exercisable under these Regulations by governing bodies in relation to subsequent appointments and elections. For the purposes of the first appointments to be made and of the first elections to be held under these Regulations, the following dates shall be substituted for those prescribed in these Regulations:—

(*a*) in paragraph (1) of Regulation 4, for the first day of February upon which the said school or further education establishment is open in the year in which elections are to be held there shall be substituted the first day of October, 1958, upon which the said school or further education establishment is open;

(*b*) in paragraphs (2) and (3) of Regulation 4 for the said first day of February there shall be substituted the said first day of October, 1958;

(*c*) in paragraph (2) of Regulation 5, for 1st February in the year in which periods of office expire under the last foregoing paragraph there shall be substituted 15th November, 1958;

(*d*) in paragraphs 2 and 3 of the Third Schedule, for 15th January in the year in which elections are to be held there shall be substituted 15th November, 1958;

(*e*) in paragraph 4 of the said Schedule, for 10th February in the year in which elections are to be held there shall be substituted 3rd December, 1958;

(*f*) in paragraphs 3, 4, 5 and 7 of the said Schedule, for 1st March in the year in which elections are to be held there shall be substituted 24th December, 1958;

(*g*) in paragraphs 7 and 8 of the said Schedule, for 1st April in the year in which elections are to be held there shall be substituted 21st January, 1959.

(2) Nominations of governors for appointment as councillors under the provisions of the Second Schedule shall be made at the first meetings of the governing bodies held under these Regulations. Appointments of councillors shall be made by the selection board composed of the chairmen of the governing bodies under the provisions of the Second Schedule as soon as possible after nominations have been received by the board.

First meetings of training authorities

52.—(1) The first meeting of each governing body to be held under these Regulations shall be convened by the Director of Studies employed by the Provincial Committee or the Principal employed by the Committee of Management which exercised the functions under paragraph (1) of the last foregoing Regulation relating to the appointment and election of members of that governing body. It shall be convened for a date as soon after the coming into operation of these Regulations as the said Director of Studies or Principal considers practicable.

(2) The first meeting of the Scottish Council to be held under these Regulations shall be convened by the Secretary of State for a date as soon after the meetings to be held under the last foregoing paragraph as he considers practicable.

Transfer of staff

53. Any person employed by an existing committee immediately before the transfer day shall, unless his employment ends on the day before the transfer day or unless he otherwise elects, be employed by the appropriate training authority from and after the transfer day, so, however, that nothing in these Regulations shall place any such person in a worse position than that in which he would have been if these Regulations had not come into operation. In the event of a dispute between governing bodies as to which governing body is the appropriate training authority, the dispute shall be referred to the Scottish Council, whose decision shall be final. In the event of a dispute between the Scottish Council and a governing body, the dispute shall be referred to the Secretary of State, whose decision shall be final.

Estimates for 1959-60

54.—(1) The estimates of the income and expenditure of governing bodies for the financial year 1959-60 shall be prepared by the existing committees and shall be submitted to the National Committee as soon after this Regulation comes into operation as possible.

(2) The estimates submitted under the last foregoing paragraph shall be considered by the National Committee and shall be submitted by them to the Secretary of State with any comments they desire to make and with their recommendations as soon as possible. The estimates of the income and expenditure of the Scottish Council for the financial year 1959-60 shall be prepared by the National Committee, and shall be submitted to the Secretary of State with the estimates submitted to the National Committee under the last foregoing paragraph.

Transfer of heritable properties

55.—(1) On the transfer day the heritable properties vested in the National Committee shall be and are hereby transferred without the necessity of any new instrument or conveyance to governing bodies as follows, that is to say:—

(*a*) those situated in the County of the City of Aberdeen and described in the Fourth Schedule, to the Governors of Dunfermline College of Physical Education, Aberdeen, and those so situated but not so described, to the Governors of Aberdeen College of Education;

(*b*) those situated in the County of the City of Dundee, to the Governors of Dundee College of Education;

(*c*) those situated in the County of the City of Edinburgh, to the Governors of Moray House College of Education; and

(*d*) those situated in the County of the City of Glasgow, and those situated in the Burgh of Milngavie, to the Governors of Jordanhill College of Education.

(2) Without prejudice to anything contained in the last foregoing paragraph, if a governing body think fit to complete a title to any of the heritable properties vested in them by virtue of the said paragraph by expeding a notarial instrument or notice of title or otherwise, this Regulation shall be deemed to be and may be used as a general disposition or assignation as the case may be of such heritable properties in favour of that governing body.

(3) The transfer of a heritable property under this Regulation shall include the transfer of the equipment and furnishings of that heritable property.

Lease of property at Woolmanhill, Aberdeen

56. On the transfer day the Governors of Dunfermline College of Physical Education, Aberdeen, shall be substituted for the National Committee in the lease of the property known as the Surgical Block of the Old Infirmary Buildings situated in Spa Street, Aberdeen, of which the National Committee are tenants.

Transfer of responsibilities and discharge of existing committees

57. As soon after the first meeting of the Scottish Council as can conveniently be arranged, the National Committee and the Scottish Council shall meet together and shall agree, or failing agreement, shall apply to the Secretary of State for decisions, on the following subjects:—

(1) the day, being a day not later than 1st April, 1959, which shall be the transfer day;

(2) the arrangements for meeting expenditure necessarily incurred by the training authorities before the transfer day and by the existing committees on or after that day;

(3) the arrangements for the transfer to training authorities of cash balances, bank balances, deposit receipts and other moneys at call or on short notice;

(4) the liabilities of the existing committees which shall be met by them before they receive their discharges from the training authorities, and the allocation of the liabilities, including responsibility for the continuance of existing pensions, to be taken over from existing committees among the training authorities;

(5) the handing over of books, deeds, records and other papers to the training authorities;

(6) the audit of the accounts of the existing committees and the discharge by training authorities of the existing committees; and generally

(7) any other arrangements for the orderly transfer of the responsibility for the training of teachers in Scotland.

Action by governing bodies pending directions by Scottish Council

58. Where under any of these Regulations a function is to be exercised by a governing body in accordance with a direction by the Scottish Council under Regulation 38, and where such a direction has not been given, the governing body shall, unless the Scottish Council agree to a change, continue to exercise the function in accordance with principles established before the transfer day.

Exceptional admissions to colleges before formulation of principles by Scottish Council

59. Until the Scottish Council have formulated and published principles and rules under Regulation 41 upon which exceptional admissions to the colleges of education under Regulation 28 shall be based, governing bodies shall act in accordance with such of the precedents established by the Secretary of State under the Training Regulations as may be applicable. If no precedent appears to the governing body concerned to be applicable, or if they are of opinion that a precedent should not be applied, they shall refer the case to the Scottish Council for advice as to how the case should be decided and shall act in accordance with the advice given by the Council.

Recommendations for exceptional awards of qualifications before formulation of principles by Scottish Council

60. Until the Scottish Council have formulated and published principles and rules under Regulation 42 upon which recommendations for exceptional awards of the qualifications under the Training Regulations shall be based, the Council shall act in accordance with such of the precedents established by the Secretary of State under the Training Regulations as may be applicable. If no precedent appears to the Council to be applicable, or if they are of opinion that a precedent should not be applied, they shall refer the case to the Secretary of State for advice as to how the case should be decided, and shall act in accordance with the advice of the Secretary of State.

Agreements relating to expenditure on Roman Catholic colleges

61. Until new agreements are made under paragraph (6) or paragraph (7), as the case may be, of Regulation 21, the following conditions shall be deemed to have been agreed upon by the Governors of Craiglockhart College of Education and the Society of the Sacred Heart in relation to Craiglockhart College of Education and by the Governors of Notre Dame College of Education and the Congregation of Notre Dame in relation to Notre Dame College of Education, that is to say:—

The Governors shall repay all outlays relating solely to the college of education for—

(*a*) wages of janitors, firemen, gardeners and cleaners,

(*b*) fuel, light, power and cleaning material, and

(*c*) rents, rates, taxes and insurance upon buildings:

Provided that—

(i) a duly vouched claim for repayment of these outlays is submitted annually,

(ii) in respect of any financial year the responsibility of the Governors of Craiglockhart College of Education for such payment shall be limited to one-fifth of the total outlays for the same purposes by the Governors of Moray House College of Education, and

(iii) in respect of any financial year, the responsibility of the Governors of Notre Dame College of Education shall be limited to one-fifth of the total outlays for the same purposes by the Governors of Jordanhill College of Education.

PART VII

General and Supplementary Provisions

Allowances to members of training authorities

62. The training authorities are hereby prescribed as bodies to which Part VI of the Local Government Act, 1948, shall apply.

Extension of time limits

63. Where the period within which any person may appeal to the Secretary of State or to a training authority is limited by these Regulations or by the Training Regulations, it shall be in the power of the Secretary of State or of the training authority, as the case may be, to extend the said period if in his or their opinion there are reasonable grounds for doing so.

Reports and returns

64.—(1) Each governing body shall make such reports and returns and give such information to the Scottish Council and to the Secretary of State as they or he may require.

(2) The Scottish Council shall make such reports and returns and give such information to the Secretary of State as he may require.

(3) Each governing body shall not less than two months before the expiry of the periods of office of its members in 1961, in 1964 and at three yearly intervals thereafter make a general report to the Scottish Council on their proceedings and on the progress of the college of education under their administration during the preceding triennium. The Scottish Council shall transmit the said reports to the Secretary of State together with a report of their own proceedings during the period to which the said reports relate.

Consequential modifications of regulations

65. The Regulations specified in the Fifth Schedule shall have effect subject to the modifications specified in relation to them respectively in the said Schedule, being modifications consequential upon the provisions of these Regulations.

Revocations

66. The Minute and Regulations specified in the Sixth Schedule are hereby revoked to the extent specified in the third column of that Schedule, provided that notwithstanding the revocation of the Training of Teachers (Constitution of Committees) Amending Minute, 1934(a), each existing committee shall remain in office for the purpose of executing the functions imposed upon them by these Regulations and until they have been discharged under arrangements made under Regulation 57.

(a) S.R. & O. 1934/275 (Rev. VI, p. 749: 1934 I, p. 554).

Interpretation

67.—(1) The Interpretation Act, 1889(a), applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) In these Regulations unless the context otherwise requires,

(*a*) references to any enactment or regulation shall be construed as references to that enactment or regulation as amended by any subsequent enactment or regulation or to any enactment or regulation substituted for that enactment or regulation, and

(*b*) references to a Regulation or to a Schedule are references to a Regulation of these Regulations or to a Schedule to these Regulations as the case may be.

(3) For the removal of doubt, it is declared that Dunfermline College of Physical Education, Aberdeen, is a college of education for the purposes of these Regulations.

Definitions

68. In these Regulations, unless the context otherwise requires, the following expressions have the meanings respectively assigned to them:—

(1) " Act of 1946 " means the Education (Scotland) Act, 1946 ;

(2) " appointed governor " means a governor other than an elected governor or a governor *ex officio ;*

(3) " Board of Studies " means a Board of Studies constituted under a scheme approved under Regulation 27 ;

(4) " Committee of Management " means a committee for the management of a training college constituted under a scheme made under the Training of Teachers (Constitution of Committees) Amending Minute, 1934 ;

(5) " councillor " means a member of the Scottish Council ;

(6) " delegate ", in relation to a committee appointed by a training authority, means, subject to the provisions of paragraph (1) of Regulation 17, remit to the committee with power to the committee to exercise on behalf of the authority the function specified in the remit, and includes power to grant any obligation or enter into any contract or execute any deed on behalf of the authority, and where any function is delegated by an authority to a committee, the committee may, subject to the provisions of the said paragraph (1), exercise the function in like manner in all respects as the authority could have done ;

(7) " eastern area " means the County of the City of Dundee, the counties of Angus, Clackmannan and Fife and the combined county of Perth and Kinross and the burghs in the said counties and combined county ;

(8) " elected governor " means a governor who has been elected by teachers under subsection (4) of paragraph 1, or subsection (4) of paragraph 2, or subsection (4) of paragraph 3, or subsection (4) of paragraph 4, or subsection (4) of paragraph 5, or subsection (4) of paragraph 6, or subsection (4) of paragraph 7, all of the First Schedule, or who has been co-opted under paragraph (3) of Regulation 6 ;

(9) " existing committee " means the National Committee, a Provincial Committee or a Committee of Management, and " existing committees " means any two or more of these committees ;

(a) 52 & 53 Vict. c. 63.

(10) " financial year " in relation to a training authority means the period beginning on 1st April in one year and ending on 31st March in the following year;

(11) " further education centre " has the meaning ascribed to it in the Further Education (Scotland) Code, 1952(a);

(12) " further education establishments " means central institutions, colleges of education and further education centres;

(13) " governing body " means a governing body constituted under Regulation 1;

(14) " governor " means a member of a governing body;

(15) " junior secondary school " means a school in which the courses provided include, or consist only of, courses of secondary education extending to not more than four years, but do not include courses of secondary education extending to not less than five years;

(16) " meals " includes main meals, snacks and light refreshments;

(17) " National Committee " means the National Committee for the Training of Teachers constituted by the Training of Teachers (Constitution of Committees) Amending Minute, 1934, or, in relation to any function delegated by the National Committee to the Central Executive Committee constituted by the said Regulations, the Central Executive Committee;

(18) " net expenditure ", in relation to the expenditure provided for in an estimate of a training authority for any financial year, means the expenditure of that authority under that estimate in that financial year reduced by any income applicable towards defraying that expenditure from sources other than public funds;

(19) " northern area " means the County of the City of Aberdeen, the counties of Aberdeen, Banff, Caithness, Inverness, Kincardine, Orkney, Ross and Cromarty, Sutherland and Zetland, and the combined county of Moray and Nairn and the burghs in the said counties and combined county;

(20) " primary school " means a school providing only courses of primary education;

(21) " Provincial Committee " means a Provincial Committee for the training of teachers constituted by the Training of Teachers (Constitution of Committees) Amending Minute, 1934;

(22) " refer " in relation to a committee appointed by a training authority, means remit to a committee for consideration and report to the authority or to any committee of the authority to which the function may have been delegated, but without power to the committee to whom the reference is made to exercise any function on behalf of the authority or of the committee to which the function may have been delegated;

(23) " schools " means public schools, grant-aided schools, demonstration schools to which Regulation 33 applies, and approved schools within the meaning of subsection (1) of section 110 of the Children and Young Persons (Scotland) Act, 1937(b);

(24) " Scottish Council " means the Scottish Council for the Training of Teachers constituted under Regulation 1;

(a) S.I. 1952/2201 (1952 I, p. 854). (b) 1 Edw. 8 & 1 Geo. 6. c. 37.

(25) "Senate" in relation to a university means the Senatus Academicus of that university;

(26) "senior secondary school" means a school in which the courses provided include, or consist only of, courses of secondary education extending to not less than five years;

(27) "south-eastern area" means the County of the City of Edinburgh and the counties of Berwick, East Lothian, Midlothian, Peebles, Roxburgh, Selkirk and West Lothian and the burghs in the said counties;

(28) "south-western area" means the County of the City of Glasgow and the counties of Argyll, Ayr, Bute, Dumfries, Dunbarton, Kirkcudbright, Lanark, Renfrew, Stirling and Wigtown and the burghs in the said counties;

(29) "training authorities" means the governing bodies and the Scottish Council;

(30) "Training Regulations" means the Regulations for the Preliminary Education, Training, and Certification of Teachers for Various Grades of Schools (Scotland) 1931(a), as amended, or any Regulations made under Section 77 of the Act of 1946 substituted for the said Regulations; and

(31) "transfer day" means the day upon which responsibility for the training of teachers in Scotland passes from the existing committees to the training authorities.

Commencement and citation

69.—(1) These Regulations may be cited as the Teachers (Training Authorities) (Scotland) Regulations, 1958.

(2) These Regulations shall come into operation as follows:—

(*a*) on 10th November, 1958, Part I, Part II, Part VI, in Part VII, Regulations 62, 64, 67, 68 and 69, First Schedule, Second Schedule and Third Schedule;

(*b*) on the transfer day Part III, Part IV, Part V, in Part VII, Regulations 63, 65 and 66, Fourth Schedule, Fifth Schedule and Sixth Schedule.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
30th September, 1958.

(a) S.R. & O. 1931/180 (Rev. VI, p. 758: 1931, p. 363).

Regulation 2

FIRST SCHEDULE

COMPOSITION OF GOVERNING BODIES

Aberdeen College of Education

1. The Governors of Aberdeen College of Education shall be composed as follows:—

(1) two persons appointed by the education authority of the County of the City of Aberdeen from the members of their education committee;

(2) six persons appointed by the Association of County Councils in Scotland, being persons each of whom is a member of the education committee of a county council or of a joint county council in the northern area;

(3) three persons appointed by the Senate of the University of Aberdeen from their own number;

(4) seven teachers elected in accordance with the provisions of Regulation 4 and of the Third Schedule, being teachers serving in schools or in further education establishments in the northern area of whom—

(*a*) one shall be the head teacher of a senior secondary school,

(*b*) one shall be the head teacher of a junior secondary school,

(*c*) one shall be the head teacher of a primary school,

(*d*) one shall be the head teacher of a further education centre, and

(*e*) three shall be certificated teachers elected without regard to the posts in which they are employed;

(5) three persons appointed by the education committee of the General Assembly of the Church of Scotland; and

(6) three persons appointed by the Secretary of State, being persons of experience in education or having other qualifications which, in the opinion of the Secretary of State, make them suitable for appointment to the governing body.

Dundee College of Education

2. The Governors of Dundee College of Education shall be composed as follows:—

(1) two persons appointed by the education authority of the County of the City of Dundee from the members of their education committee;

(2) six persons appointed by the Association of County Councils in Scotland, being persons each of whom is a member of the education committee of a county council or of a joint county council in the eastern area;

(3) three persons appointed by the Senate of the University of St. Andrews from their own number;

(4) seven teachers elected in accordance with the provisions of Regulation 4 and of the Third Schedule, being teachers serving in schools or in further education establishments in the eastern area of whom—

(*a*) one shall be the head teacher of a senior secondary school,

(*b*) one shall be the head teacher of a junior secondary school,

(*c*) one shall be the head teacher of a primary school,

(*d*) one shall be the head teacher of a further education centre, and

(*e*) three shall be certificated teachers elected without regard to the posts in which they are employed;

(5) three persons appointed by the education committee of the General Assembly of the Church of Scotland; and

(6) three persons appointed by the Secretary of State, being persons of experience in education or having other qualifications which, in the opinion of the Secretary of State, make them suitable for appointment to the governing body.

Moray House College of Education

3. The Governors of Moray House College of Education shall be composed as follows:—

(1) two persons appointed by the education authority of the County of the City of Edinburgh from the members of their education committee;

(2) six persons appointed by the Association of County Councils in Scotland, being persons each of whom is a member of the education committee of a county council in the south-eastern area, or, if the said Association think fit, a member of the education committee of the county council of Fife;

(3) three persons appointed by the Senate of the University of Edinburgh from their own number;

(4) seven teachers elected in accordance with the provisions of Regulation 4 and of the Third Schedule, being teachers serving in schools or in further education establishments in the south-eastern area of whom—

(*a*) one shall be the head teacher of a senior secondary school,

(*b*) one shall be the head teacher of a junior secondary school,

(*c*) one shall be the head teacher of a primary school,

(*d*) one shall be the head teacher of a further education centre, and

(*e*) three shall be certificated teachers elected without regard to the posts in which they are employed;

(5) three persons appointed by the education committee of the General Assembly of the Church of Scotland;

(6) one person appointed by the Governors of Craiglockhart College of Education from their own number; and

(7) three persons appointed by the Secretary of State, being persons of experience in education or having other qualifications which, in the opinion of the Secretary of State, make them suitable for appointment to the governing body.

Jordanhill College of Education

4. The Governors of Jordanhill College of Education shall be composed as follows:—

(1) two persons appointed by the education authority of the County of the City of Glasgow from the members of their education committee;

(2) six persons appointed by the Association of County Councils in Scotland, being persons each of whom is a member of the education committee of a county council in the south-western area;

(3) three persons appointed by the Senate of the University of Glasgow from their own number;

(4) seven teachers elected in accordance with the provisions of Regulation 4 and of the Third Schedule, being teachers serving in schools or in further education establishments in the south-western area of whom—

(*a*) one shall be the head teacher of a senior secondary school,

(*b*) one shall be the head teacher of a junior secondary school,

(*c*) one shall be the head teacher of a primary school,

(*d*) one shall be the head teacher of a further education centre, and

(*e*) three shall be certificated teachers elected without regard to the posts in which they are employed;

(5) three persons appointed by the education committee of the General Assembly of the Church of Scotland;

(6) one person appointed by the Governors of Notre Dame College of Education from their own number; and

(7) three persons appointed by the Secretary of State, being persons of experience in education or having other qualifications which, in the opinion of the Secretary of State, make them suitable for appointment to the governing body.

Craiglockhart College of Education

5. The Governors of Craiglockhart College of Education shall be composed as follows, and, for the removal of doubt, it is declared that men as well as women shall be eligible for appointment or election:—

(1) one person appointed by the education authority of the County of the City of Edinburgh from the members of their education committee;

(2) four persons appointed by the Association of County Councils in Scotland each of whom is a member of the education committee of a county council or of a joint county council in the northern area excluding Inverness-shire, the eastern area or the south-eastern area;

(3) one person appointed by the Senate of the University of Edinburgh from their own number;

(4) five teachers elected in accordance with the provisions of Regulation 4 and of the Third Schedule, being teachers approved as regards their religious belief and character by the Scottish Hierarchy of the Roman Catholic Church, who are serving in schools or in further education establishments in the northern area excluding Inverness-shire, the eastern area or the south-eastern area of whom—

(*a*) one shall be the head teacher of a senior secondary school,

(*b*) one shall be the head teacher of a junior secondary school,

(*c*) one shall be the head teacher of a primary school, and

(*d*) two shall be certificated teachers elected without regard to the posts in which they are employed;

(5) two persons appointed by the Scottish Hierarchy of the Roman Catholic Church;

(6) the Reverend Mother Superior of the Convent of the Sacred Heart, Edinburgh, or, if she is disqualified from the office of governor under Regulation 7, another person to be appointed by the Society of the Sacred Heart;

(7) one person appointed by the Governors of Moray House College of Education from their own number; and

(8) two persons appointed by the Secretary of State, being persons of experience in education or having other qualifications which, in the opinion of the Secretary of State, make them suitable for appointment to the governing body, of whom one shall be a member, and both may be members, of the Roman Catholic Church.

Notre Dame College of Education

6. The Governors of Notre Dame College of Education shall be composed as follows, and, for the removal of doubt, it is declared that men as well as women shall be eligible for appointment or election:—

(1) one person appointed by the education authority of the County of the City of Glasgow from the members of their education committee;

(2) four persons appointed by the Association of County Councils in Scotland each of whom is a member of the education committee of a county council in the south-western area or Inverness-shire;

(3) one person appointed by the Senate of the University of Glasgow from their own number;

(4) five teachers elected in accordance with the provisions of Regulation 4 and of the Third Schedule, being teachers approved as regards their religious belief and character by the Scottish Hierarchy of the Roman Catholic Church, who are serving in schools or in further education establishments in the south-western area or Inverness-shire of whom—

(*a*) one shall be the head teacher of a senior secondary school,

(*b*) one shall be the head teacher of a junior secondary school,

(*c*) one shall be the head teacher of a primary school, and

(*d*) two shall be certificated teachers elected without regard to the posts in which they are employed;

(5) two persons appointed by the Scottish Hierarchy of the Roman Catholic Church;

(6) the Sister Superior of the Convent of Notre Dame, Glasgow, or, if she is disqualified from the office of governor under Regulation 7, another person to be appointed by the Congregation of Notre Dame;

(7) one person appointed by the Governors of Jordanhill College of Education from their own number; and

(8) two persons appointed by the Secretary of State, being persons of experience in education or having other qualifications which, in the opinion of the Secretary of State, make them suitable for appointment to the governing body, of whom one shall be a member, and both may be members, of the Roman Catholic Church.

Dunfermline College of Physical Education, Aberdeen

7. The Governors of Dunfermline College of Physical Education, Aberdeen, shall be composed as follows, and, for the removal of doubt, it is declared that men as well as women shall be eligible for appointment or election:—

(1) one person appointed by the education authority of the County of the City of Aberdeen from the members of their education committee;

(2) four persons appointed by the Association of County Councils in Scotland, being persons each of whom is a member of the education committee of a county council or of a joint county council;

(3) one person appointed by the Senate of the University of Aberdeen from their own number;

(4) four teachers elected in accordance with the provisions of Regulation 4 and of the Third Schedule, being teachers holding the Teacher's Technical Certificate in Physical Education;

(5) one person appointed by the education committee of the General Assembly of the Church of Scotland;

(6) one person appointed by the Scottish Hierarchy of the Roman Catholic Church;

(7) one woman, being a registered medical practitioner, appointed by the British Medical Association (Scottish Branch);

(8) one person appointed by the Scottish League of Physical Education from their own number; and

(9) two persons appointed by the Secretary of State, being persons of experience in education or having other qualifications which, in the opinion of the Secretary of State, make them suitable for appointment to the governing body, of whom one shall be a man and one a woman.

Regulation 2

SECOND SCHEDULE

Composition of Scottish Council

Composition of Council

1. The Scottish Council for the Training of Teachers shall be composed of twenty-five members as follows:—

(1) the chairman of each governing body, *ex officio*;

(2) fifteen persons selected by a selection board composed of the chairmen of the governing bodies from among twenty-one persons nominated by the governing bodies, being persons each of whom is a member of a governing body or an assessor to a governing body other than an assessor appointed by the Secretary of State; and

(3) three persons appointed by the Secretary of State, being persons of experience in education or having other qualifications which, in the opinion of the Secretary of State, make them suitable for appointment to the Scottish Council, and not being members of, or assessors to, a governing body.

Nominations by governing bodies

2. Nominations under sub-paragraph (2) of the last foregoing paragraph shall be made as follows:—

(1) three by the Governors of Aberdeen College of Education;

(2) three by the Governors of Dundee College of Education;

(3) four by the Governors of Moray House College of Education;

(4) five by the Governors of Jordanhill College of Education;

(5) two by the Governors of Craiglockhart College of Education;

(6) two by the Governors of Notre Dame College of Education; and

(7) two by the Governors of Dunfermline College of Physical Education, Aberdeen.

Selection of persons nominated

3. The selection board shall make the selection under sub-paragraph (2) of paragraph 1 subject to the condition that among the *ex officio* members acting under sub-paragraph (1) of the said paragraph and the members selected under the said sub-paragraph (2) there shall be not less than the numbers of persons of the classes specified in the following sub-paragraphs, that is to say—

(1) four persons each of whom is serving on a governing body having been appointed thereto by the education authority of a county of a city or by the Association of County Councils in Scotland;

(2) four persons each of whom is serving on a governing body having been appointed thereto by the Senate of a Scottish university, or is an assessor to a governing body as Head of a Department of Education or of a Department of Psychology in a Scottish university, provided that at least one of the persons selected under this sub-paragraph shall be a governor and at least one shall be an assessor;

(3) four persons each of whom is serving on a governing body having been elected thereto by teachers;

(4) two persons each of whom is serving on a governing body having been appointed thereto by the education committee of the General Assembly of the Church of Scotland;

(5) one person who is serving on a governing body having been appointed thereto by the Scottish Hierarchy of the Roman Catholic Church; and

(6) two persons each of whom, as a Director of Education, is assessor to a governing body.

Insufficient nominations

4. If among the *ex officio* members acting under sub-paragraph (1) of paragraph 1 and the persons nominated under paragraph 2 there is no person or is less than the minimum number of persons of a class specified in any sub-paragraph of the last foregoing paragraph, the selection board shall call for additional nominations of persons of that class and shall make the selection of persons of that class, in so far as the number of *ex officio* members and of persons originally nominated was less than the minimum number to be appointed, from among persons nominated under this paragraph.

General considerations

5. In selecting under paragraphs 3 and 4, the selection board shall have regard to the size of each college of education, to the desirability of relating the representation of the governing bodies on the Council to the size of their respective colleges and to the desirability of including women among the members of the Council.

Business arrangements of selection board

6. Meetings of the selection board shall be convened by the Chairman of the Governors of Moray House College of Education. The quorum of the selection board shall be five. At each meeting the members of the board shall elect one

of their number to be chairman, and the chairman shall have a second or casting vote in addition to a deliberative vote. The senior official of the Scottish Council, whom failing another official of the Scottish Council or an official of a governing body to be appointed by the Chairman of the Governors of Moray House College of Education, shall be clerk to the selection board.

Regulation 4

THIRD SCHEDULE

Election of Teachers to Governing Bodies

Interpretation

1. In this Schedule, unless the context otherwise requires—

(1) " governing body " means the governing body of which the teachers are to be elected members ;

(2) " election " means one of the elections to be held in any year under Regulation 4 under arrangements to be made by the governing body, and " elections " in relation to paragraph 1, paragraph 2, paragraph 3 and paragraph 4 of the First Schedule means the five elections to be held under each of the respective paragraphs, and " elections " in relation to paragraph 5 and paragraph 6 of the First Schedule means the four elections to be held under each of the respective paragraphs ; and

(3) references to a month are to a month in the year in which elections are to be held under these Regulations.

Returning officer and staff

2. Governing bodies shall, not later than 15th January, appoint suitable persons to be returning officers and deputy returning officers for the elections as follows : —

(1) the Governors of Aberdeen College of Education, after consultation with the Governors of Dunfermline College of Physical Education, Aberdeen, for the elections to the governing bodies of the said colleges ;

(2) the Governors of Dundee College of Education, for the elections to the governing body of the said college ;

(3) the Governors of Moray House College of Education, after consultation with the Governors of Craiglockhart College of Education, for the elections to the governing bodies of the said colleges ; and

(4) the Governors of Jordanhill College of Education, after consultation with the Governors of Notre Dame College of Education, for the elections to the governing bodies of the said colleges.

Each returning officer shall be responsible to the governing body for the proper conduct of the elections. Each returning officer may appoint one or more persons in each education area to assist him, and the persons so appointed may, with the consent of the returning officer, appoint in any school or further education establishment a teacher to be official correspondent for the school or establishment in relation to the elections. Each governing body shall pay to the returning officer conducting the elections to the governing body, to his deputy returning officer and his assistants such fees as they consider reasonable, but no fees shall be payable to official correspondents. Each governing body shall pay the administrative expenses incurred by or with the approval of the returning officer conducting the elections to the governing body.

Roll of electors

3. The Secretary of State shall not later than 15th January supply each returning officer with lists of the schools and other educational establishments with which he is concerned, showing separately the different types of schools and establishments mentioned in paragraph (5) of Regulation 4. Each returning officer shall arrange for a roll of voters in each school or other educational establishment to be prepared and displayed in that school or establishment before 1st March, or as soon thereafter as possible, giving the names of persons qualified under Regulation 4 to vote in the elections conducted by him, or in any of them, and indicating the elections or election in which each such person is entitled to vote. He shall also

arrange for the names of teachers who have given notice under paragraph (6) of Regulation 4 to be added to the roll of voters of the school or further education establishment in which the said teachers are deemed to be employed whole-time. If at any time before he issues voting papers the returning officer is satisfied that an error has been made in the roll or that a name has been omitted which should have been included, he may arrange for the roll to be corrected.

Notice of elections

4. The returning officer shall issue to each school and to each further education establishment not later than 10th February a notice of the elections intimating that nominations of candidates must reach him not later than 1st March. Copies of the notice shall be sent to the County Clerks and to the Directors of Education in the area with which the returning officer is concerned.

Nominations

5.—(1) Each candidate shall be nominated by one elector and seconded by another elector and shall be supported by twenty other electors. The said electors shall be electors who are entitled to vote in the election. Nominations shall be in writing and shall be signed by the proposer, the seconder and the supporters. The candidate shall on the nomination paper intimate his willingness to accept office, certify that he is not a candidate in another election, and sign the paper. Nomination papers must be despatched to reach the returning officer on or before 1st March. At any time up to and including 1st March the candidate may withdraw his acceptance. Nomination papers shall give such information as to the proposer, seconder, supporters and candidate as the returning officer may require.

(2) The returning officer shall intimate to the proposer his acceptance of the nomination as valid or his provisional decision to reject it as invalid with his reasons for rejection. The proposer may ask for reconsideration of the provisional decision giving his reasons why the nomination should be held to be valid. After considering the reasons given by the proposer and, if he considers it necessary, after hearing the proposer, the returning officer shall decide whether to accept or reject the nomination and shall intimate his decision to the proposer. The decision of the returning officer shall be final.

Unopposed elections

6. If the number of persons validly nominated in an election does not exceed the number to be elected, the returning officer shall declare the persons validly nominated to have been duly elected members of the governing body.

Issue of voting papers

7.—(1) If the number of persons validly nominated in an election exceeds the number to be elected, the returning officer shall as soon after 1st March as practicable issue voting papers to official correspondents. Each voting paper shall be numbered and shall be accompanied by an envelope bearing the same number. On the envelope there shall be printed a certificate that the person voting is qualified to vote in the election, and space shall be provided for the voter's signature and the signature of the official correspondent and for the name of the school or further education establishment in or in connection with which the voter is serving. Voting papers and envelopes shall be in such form as the returning officer thinks fit.

(2) In each election each elector shall have the same number of votes as the number of persons to be elected. He shall vote by marking his voting paper in accordance with the instructions printed thereon. He shall place his voting paper in the numbered envelope bearing the same number as the voting paper, shall close the envelope, sign the certificate printed thereon, fill in any particulars for which the envelope provides and hand or send the envelope to the official correspondent. The official correspondent shall examine the particulars on the envelope and, if satisfied that the voter is entitled to vote in the election, shall countersign the envelope and send it to the returning officer.

(3) Voting papers must be dispatched to reach the returning officer on or before 1st April.

Counting of votes and declaration of results

8.—(1) As soon after 1st April as is practicable the marked envelopes shall be opened, the votes shall be counted and the result of the election shall be declared. Where the election is to fill one place, the candidate who has secured the greatest number of votes shall be declared elected. Where the election is to fill two, three or four places, the two, three or four candidates as the case may be each of whom has secured more votes than any of the other candidates shall be declared elected. Where two candidates have secured the same number of votes the returning officer shall decide between them by lot.

(2) Before the numbered envelopes are opened they shall be scrutinised in such manner as the returning officer may direct, and any question as to whether the teacher who signed the envlope is entitled to vote shall be decided by the returning officer, whose decision shall be final.

(3) Thereafter numbered envelopes which have not been rejected by the returning officer shall be opened and the votes shall be counted. Any question as to whether a voting paper has been validly completed shall be decided by the returning officer, whose decision shall be final.

(4) Each candidate and a person nominated by him shall be entitled to be present and to make representations to the returning officer about any envelope or voting paper which the returning officer proposes to reject.

(5) As soon as the counting of votes is completed the returning officer shall publicly declare the result and shall intimate to the governing body concerned the names of the teachers who have been duly elected members of the governing body.

Regulation 55 FOURTH SCHEDULE

TRANSFER OF HERITABLE PROPERTIES IN ABERDEEN

1. 72 Queen's Road, Aberdeen.
2. 74 Queen's Road, Aberdeen.
3. 76 Queen's Road, Aberdeen.
4. 7 Rubislaw Terrace, Aberdeen.
5. 8 Rubislaw Terrace, Aberdeen.
6. Kepplestone House and lands, Queen's Road, Aberdeen.
7. Areas of ground at Seaton, Aberdeen.

Regulation 65 FIFTH SCHEDULE

CONSEQUENTIAL MODIFICATIONS OF REGULATIONS

Regulations for the Preliminary Education, Training, and Certification of Teachers for Various Grades of Schools (Scotland), 1931

(NOTE.—The letters specifying footnotes to these Regulations are those used in the original edition of 1931 and in the Statutory Rules and Orders, 1931. Where a different letter is used for a particular footnote in the Revised Statutory Rules and Orders and Statutory Instruments, 1948, Volume VI, or in the last reprint of the Regulations issued in 1954, that letter is also given.)

1. Article 15. For the words "Training Authorities", wherever they occur, there shall be substituted the words "governing bodies"; for footnote (a) to the said Article the following footnote shall be substituted—

"(a) the expression "governing body" has the meaning attributed to it by Regulation 68 of the Teachers (Training Authorities) (Scotland) Regulations, 1958.";

footnotes (b) and (c) shall cease to have effect; in footnote (d) (Rev., 1948, p. 761 (a); 1954, (a)) for the word "Department" there shall be substituted the words "governing bodies".

2. Article 16. This Article shall cease to have effect.

3. Article 18. For the words "Training Authorities" there shall be substituted the words "governing bodies"; and in footnote (f) (Rev., 1948, (d); 1954, (d)) thereto for the words "Training Authority's" there shall be substituted the words "governing body's".

4. Article 20. For the words "Training Authorities" there shall be substituted the words "governing bodies".

5. Article 23. For the words "Training Authorities" there shall be substituted the words "governing bodies".

6. Article 24. For the words "Training Authority" there shall be substituted the words "governing body".

7. Article 25. In paragraph (*d*) for the words "Training Authority" there shall be substituted the words "governing body".

8. Article 26. For the words "Training Authority" there shall be substituted the words "governing body".

9. Article 27. This Article shall cease to have effect.

10. Article 28. For the words "Training Authority" wherever they occur, there shall be substituted the words "governing body"; and in footnote (a) (Rev., 1948, (b)) to the said Article, for the words "National Committee recognise under Article 27" there shall be substituted the words "governing body recognise".

11. Article 30. For the words "Training Authority" there shall be substituted the words "governing body"; and the words "according to a scale approved by the Department as suitable" shall cease to have effect.

12. Article 31. This Article shall cease to have effect.

13. Article 32. In paragraph (*a*) for the words "Provincial Committees" there shall be substituted the words "Governing bodies"; in sub-paragraph (3) of the said paragraph for the words "Department as to age and physical capacity in the manner prescribed by the Teachers' Superannuation Rules (Scotland), 1926(a)" there shall be substituted "medical officer of the college that they are medically fit to teach"; footnote (a) to the said sub-paragraph shall cease to have effect; in paragraph (*b*) for the words "the National Committee for the Training of Teachers" there shall be substituted the words "governing bodies"; and in footnote (c) (Rev., 1948, (b); 1954, (c)) to the said paragraph the words "subject to the conditions of Article 34 as to age and physical capacity" shall cease to have effect.

14. Article 33. For the words "Training Authority" wherever they occur, there shall be substituted the words "governing body".

15. Article 34. For the word "Department" where it first occurs there shall be substituted the words "governing body"; and the words "provided that he has in the first place satisfied the Department as to age and physical capacity in the manner prescribed by the Teachers' Superannuation Rules (Scotland), 1926" shall cease to have effect.

16. Article 35. In sub-paragraph (*d*) of paragraph (1) for the word "Department" wherever it occurs, there shall be substituted the words "Scottish Council"; in paragraph (2), in sub-paragraph (*a*) for the word "Department" where it first occurs there shall be substituted the words "Scottish Council"; for the words "a Provincial Committee" there shall be substituted the words "the Scottish Council" and for the word "Committee" there shall be substituted the word "Council"; in sub-paragraph (*b*) for the word "Department" where it first occurs there shall be substituted the words "Scottish Council"; in sub-paragraph (*c*) for the word "Department" there shall be substituted the words "Scottish Council"; sub-paragraph (*e*) shall cease to have effect, and a footnote shall be added as follows:—

"(aa) "Scottish Council" has the meaning attributed to it by Regulation 68 of the Teachers (Training Authorities) (Scotland) Regulations, 1958."

17. Article 39. The words "Training Authority may in each case propose and the" shall cease to have effect.

18. Article 40. For the words "Training Authorities" there shall be substituted the words "governing bodies".

19. Article 43. For the words "Training Authorities" there shall be substituted the words "governing bodies"; and for the word "Department" there shall be substituted the words "governing body"; in footnote (d) (Rev., 1948, (a); 1954, (b)) for the word "Department" there shall be substituted the words "governing body"; in footnote (e) (Rev., 1948, (b); 1954, (c)) for the word "Department" there shall be substituted the words "governing body"; and in footnote (a) (Rev., 1948, (c); 1954, (d)) for the word "Department" wherever it occurs there shall be substituted the words "governing body".

20. Article 44. For the words "Training Authority" there shall be substituted the words "Scottish Council", and in footnote (c) (Rev., 1948, (e); 1954, (f)) to the said Article for the words "Training Authority" there shall be substituted the words "governing body".

21. Article 45. In paragraph (*b*) for the words "a Provincial Committee" there shall be substituted the words "the Scottish Council"; for the word "Department" there shall be substituted the words "Scottish Council".

22. Article 46. For the words "Training Authority" there shall be substituted the words "governing body".

23. Article 46(a). For the words from the beginning of the Article to "Such recognition" there shall be substituted the words "Recognition as a holder of the Teacher's Special Certificate".

24. Article 47. In footnote (a) to paragraph (*b*), in the proviso to paragraph (4) of the footnote for the words "training authority" there shall be substituted the words "governing body" and in paragraph (7) of the footnote for the words "Provincial Committee for the Training of Teachers" there shall be substituted the words "governing body"; in paragraph (*bb*) in proviso (iv) for the words "Training Authority" in both places where they occur there shall be substituted the words "governing body"; and in paragraph (*c*) for the words "a Provincial Committee" there shall be substituted the words "the Scottish Council".

25. Article 48 (*a*). For the words from the beginning of the Article to "Such recognition" there shall be substituted the words "Recognition as a holder of the Teacher's Technical Certificate"; and for the word "Department" there shall be substituted the words "governing body".

26. Article 55. For the words "Provincial Committees", there shall be substituted the words "governing bodies"; and in footnotes (a) (1954 (c)) and (b) (1954 (d)) to the said Article for the words "Provincial Committee", wherever they occur, there shall be substituted the words "governing body".

27. Article 58. This Article shall cease to have effect.

28. Article 59. This Article shall cease to have effect.

29. Article 60. This Article shall cease to have effect.

30. Article 61. This Article shall cease to have effect.

31. Article 62. This Article shall cease to have effect.

32. Article 63. For the words "Training Authority" there shall be substituted the words "governing body".

Teachers (Special Recruitment) (Scotland) Regulations, 1952

33. Regulation 1. To paragraph (3) the following sub-paragraph shall be added—

"(*e*) "governing body" means a governing body within the meaning of the Teachers (Training Authorities) (Scotland) Regulations, 1958, and "Scottish Council" has the meaning ascribed to it by the said Regulations."

34. Regulation 2. In paragraph (1) for the words "the National Committee" there shall be substituted the words "the Scottish Council and the governing bodies", and in paragraphs (2) and (3) for the words "the National Committee" wherever they occur, there shall be substituted the words "the governing body concerned".

35. Regulation 3. For the words "National Committee" there shall be substituted the words "governing body concerned", and the words "in the form prescribed by the Secretary of State under Article 16 of the Training Regulations" shall cease to have effect.

36. Regulation 4. For paragraph (1) the following paragraph shall be substituted:—

"(1) Each governing body shall, either by themselves or jointly with one or more other governing bodies and with the approval of the Secretary of State, appoint a selection board, and they may with the like approval alter the constitution of the selection board. The Scottish Council may give general guidance to selection boards as to the policy to be followed in exercising their functions under these Regulations. The Secretary of State may appoint assessors to selection boards."

37. Regulation 5. For the words "National Committee" there shall be substituted the words "governing body concerned".

38. Regulation 7. In paragraph (1), for the words "National Committee" where they first occur, there shall be substituted the words "Scottish Council" and, where they occur for the second and third times, there shall be substituted the words "governing body concerned"; in paragraphs (2), (4) and (5), for the words "National Committee" wherever they occur, there shall be substituted the words "Scottish Council".

39. Regulation 8. For the words "National Committee" there shall be substituted the words "governing body concerned".

40. Regulation 9. This Regulation shall cease to have effect.

41. Regulation 10. This Regulation shall cease to have effect.

42. Regulation 11. For the words "National Committee" where they first occur, there shall be substituted the words "Scottish Council", and where they occur for the second and third times there shall be substituted the words "governing body concerned".

Regulation 66. SIXTH SCHEDULE

REVOCATIONS

Registered No. (1)	Description (2)	Extent of Revocation (3)
S.R. & O. 1931/180 (Rev. VI, p. 758: 1931, p. 363).	The Regulations for the Preliminary Education, Training, and Certification of Teachers for Various Grades of Schools (Scotland), 1931.	Articles 16, 27, 31, in Article 35, in paragraph (2), sub-paragraph (*e*), and Articles 58 to 62, both inclusive.
S.R. & O. 1934/275 (Rev. VI, p. 749: 1934 I, p. 554).	The Training of Teachers (Constitution of Committees) Amending Minute, 1934.	The whole Minute.
S.I. 1952/660 (1952 I, p. 860).	The Teachers (Special Recruitment) (Scotland) Regulations, 1952.	Regulations 9 and 10.

EXPLANATORY NOTE

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

These Regulations introduce a new system for the administration of the training of teachers in Scotland.

Seven new governing bodies are constituted each of which will take over one of the training centres or training colleges from the present managers —a Provincial Committee or a Committee of Management. The training centres and colleges will be renamed "Colleges of Education".

The governing bodies of the main colleges in Aberdeen and Dundee will each have 24 members, and of the main colleges in Edinburgh and Glasgow, 25 members. Education authorities will have 8 representatives on each governing body, universities 3, teachers 7 and the Church of Scotland 3. The Secretary of State will appoint 3 members; and the main colleges

in Edinburgh and Glasgow will exchange representatives with the denominational colleges in these cities. The governing bodies of the two denominational colleges and of the College of Physical Education will be smaller and will include representatives of the special interests concerned.

A new body to be known as "the Scottish Council for the Training of Teachers" is also to be set up. This will replace the National Committee for the Training of Teachers and its Central Executive Committee. The Council will have 25 members—the chairmen of the governing bodies of the 7 colleges and 15 members of, or assessors to, the governing bodies to be selected by a selection board composed of the seven chairmen of the governing bodies: three are to be appointed by the Secretary of State from among persons of experience in education or otherwise suitably qualified who do not belong to the governing bodies. The governing bodies are to nominate the persons from among whom their representatives are to be selected, and in making the selection the selection board are to secure that the Council include 4 representatives of education authorities, 4 of universities, 4 of teachers, 2 of the Church of Scotland, 1 of the Roman Catholic Church and 2 Directors of Education.

The lands and buildings of each college are to be vested in its governing body, with the exceptions of those of Craiglockhart College of Education and Notre Dame College of Education which are, and are to remain, vested in the Society of the Sacred Heart and the Congregation of Notre Dame respectively.

Each governing body are to fill vacancies in the post of Principal from candidates recommended by a special committee composed of three governors, a university representative and the Principal of another college of education. Major teaching posts are to be filled from candidates recommended by a special committee composed of two governors, the Principal, the occupant of a major teaching post in the college and a person of experience relevant to the work of the vacant post. Appointments to other posts on the teaching staff are to be made from candidates recommended by a standing committee composed of the Principal, two permanent members drawn from the teaching staff of the college and two additional members added to the committee for the purpose of the particular appointment, also drawn from the teaching staff of the college. These provisions do not apply to vacancies in the Roman Catholic colleges.

Each governing body are to exercise a general control over the college under their administration, but the direct control is to be in the hands of the Principal who is to be responsible to the governing body for the whole organisation and discipline of the college.

A Board of Studies are to be established in each college under a scheme approved by the governing body which has been prepared by a committee of the teaching staff appointed by the Principal, of which the Principal is to be chairman. The Board are to advise upon, and to assist the Principal in relation to, the co-ordination of studies, the maintenance of standards, the discipline of students and generally questions falling within the ambit of the responsibilities of the teaching staff. The Board must submit reports to the governing body at the request of the governing body or may do so on their own initiative.

Each governing body are to provide courses as required by the Training Regulations for students and for teachers in service. They are empowered to provide courses qualifying persons to fulfil the duties of leaders in service in connection with organised cultural, social and physical training, to arrange

short courses and conferences for teachers and others and to provide special courses for persons whose work outside the United Kingdom may include teaching in, or the supervision of, schools. The governing bodies are also empowered to award diplomas and certificates and to recommend students to the Secretary of State for the award of teaching qualifications. Students' representative councils are to be set up. The governing bodies may promote research into educational problems and assist members of their staff to undertake research work. The governing bodies are to be responsible for admitting candidates to the Special Recruitment Scheme.

The Scottish Council are to keep the training of teachers under review but are not to concern themselves with day to day routine or minor matters. They are to advise governing bodies on major new developments. After consultation with the governing bodies they are to give directions as to the scales of fees for attendance at the colleges of education and for residence in hostels, the medical standards for admission to colleges, rules for the avoidance of over-supply of teachers with particular qualifications, and the conditions under which superannuation benefits for members of staff not covered by superannuation schemes may be made available. The powers of the Scottish Council to give directions may be extended to other subjects by the Secretary of State on the recommendation of the Council made after consultation with the governing bodies concerned. The Council are to use their good offices to secure the establishment of joint negotiating machinery for salaries. The governing bodies may appoint the Scottish Council to act as their agents for the execution of any function upon terms and conditions to be agreed with the Council. Disputes between governing bodies may be referred to the Council for settlement. The Council are to formulate and publish principles and rules for the exceptional admission to colleges of persons who do not have the normal Scottish qualifications required for admission. They are also to formulate and publish principles and rules upon which they will recommend to the Secretary of State the exceptional award of qualification under the Training Regulations to persons who have obtained qualifications furth of Scotland and to other persons with practical experience of teaching. The Council are to assess and pay grants under the Special Recruitment Scheme and are to advise and assist the Secretary of State on problems connected with the recruitment and training of teachers.

The financial arrangements are to be as follows. The main sources of revenue of the governing bodies will be fees from students, contributions from education authorities under section 25 (5) of the Education (Scotland) Act, 1946, and grants from the Secretary of State. Governing bodies will submit their estimates to the Scottish Council. The Council will submit them to the Secretary of State with their comments and recommendations and will also submit the Council's estimates of their own expenditure. The estimates will then be approved by the Secretary of State, if necessary after adjustment. This approval will be sufficient authority for the governing bodies and the Scottish Council to incur the expenditure provided for in their approved estimates. The Secretary of State will also intimate the sums to be contributed by education authorities under the Act of 1946 and the amount of the grants he will give.

There will be four grants, the Revenue Grant which will not exceed 60 per cent. of the cost of conducting the colleges, the Capital Grant which will not exceed 75 per cent. of the capital expenditure on new buildings and extensions, the Supplementary Grant which will not exceed 75 per cent. of the rent of temporary accommodation, and the Special Recruitment Grant which will be 100 per cent. of the cost of the Special Recruitment Scheme.