(3) TRAINING

The Training of Teachers (Scotland) Regulations, 1949

1949 No. 1909 (S. 129)

Made - - - -	10*th October*, 1949
Laid before Parliament	13*th October*, 1949
Coming into Operation	14*th October*, 1949

In the exercise of the powers conferred on me by paragraphs (7) and (11) of section 70, subsections (1) and (2) of section 77 and section 79 of the Education (Scotland) Act, 1946(a), and of all other powers enabling me in that behalf, I hereby make the following Regulations:—

Interpretation

1. In these Regulations, unless the context otherwise requires, references to any Regulations or Rules shall be construed as references to the said Regulations or Rules as amended by any subsequent Regulations or Rules, including these Regulations.

Discontinuance of Preliminary Training

2. Chapter II of the Regulations for the Preliminary Education, Training and Certification of Teachers for Various Grades of Schools (Scotland), 1931(b), (hereinafter referred to as " the Principal Regulations ") shall cease to have effect on 1st August, 1950.

Amendment of Article 15 *of the Principal Regulations*

3.—(1) For section (*a*) of Article 15, as amended, of the Principal Regulations the following section shall be substituted:—

" (*a*) Persons who—

(i) hold a Leaving or a Senior Leaving Certificate (c) of the Scottish Education Department or a Certificate of Attestation of Fitness of the Scottish Universities Entrance Board ; or

(ii) having been presented for one or more of the following Certificates, namely the Leaving Certificate of the Scottish Education Department, the Senior Leaving Certificate or the Scottish Leaving Certificate, have obtained at the relative examination or examinations passes in five subjects:

Provided that—

(*a*) the five subjects or five of the subjects in which they were presented include (i) English and (ii) History or Geography and do not include any of the additional mathematical subjects of Dynamics, Elementary Analysis and Geometry ;

(*b*) presentation for the Scottish Leaving Certificate includes presentation in Arithmetic ;

(*c*) the five passes obtained include (i) English on the higher grade and (ii) at least one other subject on the higher grade ;

(*d*) where a person is presented on the higher grade in two or more subjects in addition to English and passes in English and one of the said subjects, the Department may reduce the number of subjects in which a pass is required ;

(a) 9 & 10 Geo. 6. c. 72. (b) S.R. & O. 1931 (No. 180) p. 363.

(*e*) the said passes in the said five subjects were obtained in one of the following ways, that is to say,

(i) all passes at not more than two examinations ; or

(ii) one pass on the lower grade at an examination held before the final year of their approved Leaving Certificate course and the remaining passes at not more than two subsequent examinations ; and

(*f*) in relation to any subject of the Senior Leaving Certificate examination for the years 1940 to 1945, both inclusive, the word " pass " means a performance which is accepted by the Department as satisfactory for the purposes of this Article ; or

(iii) (*a*) having been presented for one or more of the Leaving Certificates as prescribed in the last foregoing sub-section either—

(i) at not more than one examination, or

(ii) at not more than one examination in addition to an examination held before the final year of their approved Leaving Certificate course, and

(*b*) having failed to obtain passes as required by the said sub-section,

have obtained passes at not more than one Preliminary Examination of the Scottish Universities Entrance Board which are regarded by the Department as compensating for such failure ; or

(iv) having been presented at not more than two Preliminary Examinations of the said Board but not holding the Board's Certificate of Attestation of Fitness, have obtained passes in the said examinations which are regarded by the Department as equivalent to the passes described in sub-section (ii) of this section."

(2) In section (*d*) of Article 15 for the words " Leaving Certificate " there shall be substituted the words " qualification under section (*a*) of this Article ".

Amendment of Article 35 of the Principal Regulations

4. For Article 35 of the Principal Regulations the following Article shall be substituted :—

" 35.—(1) The Teacher's General Certificate may be granted upon the fulfilment of the conditions prescribed in the next following paragraph to persons of the following categories :—

(*a*) Persons trained under regulations or conditions prescribed by the Board of Education who were recognised by the Board before 1931 as certificated teachers ;

(*b*) Untrained teachers who were recognised by the Board of Education before 1916 as certificated teachers ;

(*c*) Graduates trained under regulations or conditions prescribed by the Board of Education or the Ministry of Education who were recognised by the Board or Ministry after 1930 as certificated or qualified teachers ;

(*d*) Persons other than those described in sub-paragraphs (*a*), (*b*) and (*c*) who have been recognised as teachers by any authority accepted by the Department for the purposes of this Article or who produce other evidence satisfactory to the Department of qualification for recognition under these Regulations.

(2) The conditions referred to in the last foregoing paragraph are as follows:—

(*a*) Applications for the Teacher's General Certificate by persons described in sub-paragraphs (*a*), (*b*) and (*c*) of paragraph (1) shall be made to the Department. Applications by persons described in sub-paragraph (*d*) of paragraph (1) shall be made to a Provincial Committee and shall be submitted to the Department by the Committee with their recommendation;

(*b*) Every applicant shall be required to satisfy the Department that he intends, as soon as his application is granted, to seek employment as, and to serve as, a teacher in a school under the inspection of the Department;

(*c*) The Department may require persons described in sub-paragraph (*d*) of paragraph (1) to satisfy them as to general education and professional training;

(*d*) The Department may require any applicant to undergo a period of probation; and

(*e*) Every applicant shall produce such evidence of age and physical capacity as may be required by the Department under the Teachers Superannuation Rules (Scotland), 1926."

Amendment of Article 47 of the Principal Regulations

5.—(1) The following paragraph shall be inserted after paragraph (*b*) of Article 47 of the Principal Regulations—

"(*bb*) The Teacher's Technical Certificate (or Endorsement) in a subject of Applied Science, Technical Industry or Commerce may be granted by the Department to a person of not less than twenty-two years of age who applies for a qualification to teach a subject described opposite to any serial number of footnote (*cc*) to this paragraph if he holds the certificate or other qualification set forth opposite to the said serial number and has spent in an appropriate branch of industry or commerce not less than six years (including time spent in apprenticeship or other approved form of training and in any work approved by the Department as work of national importance):

Provided that—

(i) the applicant has reached a standard of general education satisfactory to the Department, being a standard not lower than that required of candidates for the Teacher's Technical Certificate in Educational Handwork who have completed an apprenticeship approved by the Department;

(ii) the applicant has successfully completed a course of professional training approved by the Department for the purpose;

(iii) the applicant has satisfied the requirements of Article 48 (*a*); and

(iv) a qualification to teach commercial subjects shall not, save in exceptional circumstances, be granted under this paragraph to an applicant who fails to satisfy the Training Authority of his proficiency in shorthand, or in typewriting, or in book-keeping, as the Training Authority may require."

(2) For section (2) of footnote (*a*) to paragraph (*b*) of Article 47 the following section shall be substituted—

"(2) The Diploma of a Central Institution or other approved institution or the Degree in Applied Science of a Scottish or other approved

University, or the Higher National Diploma or an approved equivalent—for a qualification to teach any branch of Applied Science or Technical Industry to which the Diploma or Degree is relative."

(3) For the second and third sentences of footnote (*b*) to paragraph (*b*) of Article 47 the following sentence shall be substituted—

"Candidates born after 31st July, 1906, must hold one of the qualifications for admission to training specified in Article 15:

Provided that—

(i) in the case of persons who propose to enter on training as teachers of Physical Education or Music the Department may accept a lower qualification, and

(ii) in the case of persons who hold the Higher National Diploma or an approved equivalent the Department may accept other evidence of a satisfactory standard of general education."

(4) The following footnote shall be inserted after footnote (*c*) to paragraph (*b*) of Article 47:—

(*cc*)

Serial Number (1)	Certificate or other qualification (2)	Subject (3)
1	Higher National Certificate or other qualification accepted by the Department as equivalent thereto.	The technical subject to which the Certificate or qualification relates.
2	Associateship of the Chartered Institute of Secretaries, the Association of Cost and Works Accountants, the Institute of Bankers in Scotland, the Chartered Insurance Institute or of any other body approved by the Department for this purpose.	Appropriate commercial subjects.
3	Full Technological Certificate of the City and Guilds of London Institute or other qualification accepted by the Department as equivalent thereto.	The technical subject to which the Certificate or qualification relates.
4	Senior Certificate of the National Committee (Scotland) for Commercial Certificates; Advanced Certificate, First or Second Class, (or, in the case of shorthand, an equivalent certificate) of the Royal Society of Arts in any three of the following subjects:—Arithmetic, book-keeping, commerce, economic geography, economic and social history, economic theory, shorthand, typewriting; or other qualification accepted by the Department as equivalent thereto.	The commercial subjects to which the Certificate or qualification relates.

Amendment of Article 51 of the Principal Regulations

6. The following paragraph shall be substituted for the second paragraph of Article 51 of the Principal Regulations—

"On the fulfilment of corresponding conditions an endorsement of special qualification to act as principal teacher of a nursery school may be granted to a woman who holds the Teacher's General Certificate, and an endorsement of special qualification to act as a teacher of blind children

or of mentally or physically handicapped (other than blind or deaf) children may be granted to a man or a woman who holds the Teacher's General Certificate or the Teacher's Technical Certificate."

Amendment of Article 60 of the Principal Regulations

7.—(1) For Article 60 the following Article shall be substituted—

"60. In respect of the financial year ending on 31st July, 1950, and of each subsequent financial year, there shall be paid to the National Committee for the Training of Teachers in place of the capitation grant referred to in Article 9 (1) (*b*) of the Training of Teachers (Constitution of Committees) Amending Minute, 1934 (**a**) an annual grant equal to 60 per centum of the net recognisable expenditure on maintenance as approved by the Department. For the purpose of this Article the said net recognisable expenditure shall be ascertained by deducting from the total expenditure shown in the certified abstract of the audited accounts of the National Committee the amounts of—

(1) fees or receipts from sales or other returns for expenditure incurred;

(2) expenditure which in the opinion of the Department should not be reckoned for the purpose of grant under this Article because other grants are payable from the Education (Scotland) Fund or from moneys provided by Parliament;

(3) any other expenditure not recognised by the Department as expenditure in respect of which grants should be made to the National Committee."

(2) For footnote (**a**) to Article 60 the following footnote shall be substituted—

"(**a**) S.R. & O. 1934 (No. 275) I, p. 554."

Addition of new Articles to the Principal Regulations

8. The following Articles shall be inserted after Article 62 of the Principal Regulations—

"63. In addition to any payments from the Education (Scotland) Fund made under this Chapter, the Department may apply such sum from the said Fund as they think fit for the purpose of providing, or aiding in the provision of, short courses of instruction for teachers which in their opinion cannot suitably be provided by a Training Authority.

64. The Department may pay grants from the Education (Scotland) Fund towards the travelling and other expenses of teachers nominated or selected by them to attend a short course of instruction."

End of Emergency

9. The Regulations for the Preliminary Education, Training and Certification of Teachers for Various Grades of Schools (Scotland) (Amendment) Minute, 1943(**a**) and the Training of Teachers (Scotland) (No. 1) Order, 1943(**b**), are hereby revoked, and the emergency that was the occasion of the making of the said Minute shall be deemed to end on 14th October, 1949. On the said revocations coming into operation, the Principal Regulations shall be restored to the form in which they were immediately before they were modified by the said Minute and Order:

Provided that—

(*a*) notwithstanding the provisions of Article 25 (*c*), the course for Graduates shall continue normally to extend to three terms;

(**a**) S.R. & O. 1943 (No. 726) I, p. 253. (**b**) S.R. & O. 1943 (No. 1503) I, p. 254.

(*b*) Article 76A of the Principal Regulations shall continue to be omitted; and

(*c*) the said revocations shall not affect anything previously done under the revoked Minute or Order or affect any right, privilege, obligation or liability acquired, accrued or incurred under the revoked Minute or Order.

Application of Teachers' Salaries (Scotland) Regulations, 1948

10. The Teachers' Salaries (Scotland) Regulations, 1948(a), shall not apply to the salary of any teacher to whom the Teacher's Technical Certificate is granted under paragraph (*bb*) of Article 47 of the Principal Regulations or under paragraph (*c*) of the said Article read in relation to the said paragraph (*bb*).

Citation and Commencement

11.—(1) These Regulations may be cited as the Training of Teachers (Scotland) Regulations, 1949.

(2) These Regulations shall come into operation on 14th October, 1949.

Arthur Woodburn,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
10th October, 1949.

EXPLANATORY NOTE

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

The principal changes made upon the Regulations relating to the training of teachers by the foregoing Regulations are as follows:—

(1) The system of preliminary training in the art of teaching given in schools to young persons qualified for the award of the Senior Leaving Certificate is to be discontinued on 1st August, 1950.

(2) The standard of general education required of persons seeking admission to training as teachers is re-defined.

(3) Revised conditions are prescribed on which persons not trained in Scotland may be granted a Teacher's General Certificate.

(4) The Teacher's Technical Certificate is to be granted in a subject of Applied Science or Technical Industry or Commerce to suitably qualified persons who have been employed in industry or commerce for not less than six years. The Teachers' Salaries (Scotland) Regulations, 1948, which came into operation on 1st April, 1948, are not to apply to the salaries of teachers holding a Certificate so granted.

(5) The categories of teacher eligible for an endorsement of qualification to teach handicapped children are further defined.

(6) For the financial year ending on 31st July, 1950, and subsequent financial years, the grant to the National Committee for the Training of Teachers from the Education (Scotland) Fund will be at the rate of 60 per cent. of the net recognisable expenditure on maintenance approved by the Secretary of State. The new grant will replace the present capitation grant of £30 per student.

(7) Payments may be made from the Education (Scotland) Fund to promote the further instruction of teachers in short courses.

(8) Emergency powers to amend the Regulations relating to the training of teachers by Order of the Secretary of State are revoked.

(a) S.I. 1948 (No. 611) I, p. 822.

ELECTRICITY

[*See also* RATING AND VALUATION, S., below; and the Index to Vol. II for Instruments made under the Defence Regulations.]

1. *Arbitration Tribunal (Scotland).*
2. *Compensation*, p. 1578.
3. *Conversion Dates*, p. 1595.
4. *Transfer of Property*, p. 1596.

1. ARBITRATION TRIBUNAL (SCOTLAND)

The Electricity Arbitration Tribunal (Scotland) Rules, 1949

1949 No. 1517 (S. 108)

Made - - - - *5th August*, 1949
Coming into Operation *11th August*, 1949

ARRANGEMENT OF RULES

PART I. Introductory ... ... Rules 1 to 3
PART II. Proceedings before the Tribunal ... ... Rules 4 to 9
PART III. General ... ... Rules 10 to 27

Whereas I, the undersigned, Douglass Alexander Mortimer am the person appointed by the Lord President of the Court of Session in exercise of the power conferred on him by the Electricity Act, 1947(a), to be a member of the Electricity Arbitration Tribunal and Whereas we, the undersigned Sir Frederick John Alban and Edgar Charles Ellen, are the two persons appointed by the Lord Chancellor in exercise of the power conferred on him by the said Act, to be members of the said Tribunal;

And Whereas by section 32 (5) as read with section 32 (6) (*b*) of the said Act it is provided that, subject to the provisions of that section, the procedure in or in connection with any proceedings before the Tribunal, which under section 31 (5) of the said Act are required to be held in Scotland, shall be such as may be determined by rules to be made by the Tribunal with the approval of the Secretary of State;

Now, therefore, we, with the approval thereof of the Secretary of State, do hereby make the following Rules:—

PART I

Introductory

1. These Rules may be cited as the Electricity Arbitration Tribunal (Scotland) Rules, 1949, and shall come into operation on the 11th day of August, 1949.

2.—(1) In these Rules the following expressions shall (if not inconsistent with the context or subject matter) have the respective meanings hereinafter assigned to them that is to say—

"the Act" shall mean the Electricity Act, 1947;

"the Tribunal" shall mean the Electricity Arbitration Tribunal established under section 31 of the Act;

"the Clerk" shall mean the person for the time being performing the functions of clerk to the Tribunal in Scotland;

"the Office" shall mean the office for the time being of the Tribunal;

"the Minister" shall mean the Minister of Fuel and Power.

(a) 10 & 11 Geo. 6. c. 54.