



# Education Act 1962

## 1962 CHAPTER 12

*Awards and grants by local education authorities  
and Minister of Education in England and Wales*

### **1 Local education authority awards for first degree university courses and comparable courses in United Kingdom**

- (1) It shall be the duty of every local education authority, subject to and in accordance with regulations made under this Act, to bestow awards on persons who—
  - (a) are ordinarily resident in the area of the authority, and
  - (b) possess the requisite educational qualifications,in respect of their attendance at courses to which this section applies.
- (2) This section shall apply to such full-time courses at universities, colleges or other institutions in Great Britain and Northern Ireland as may for the time being be designated by or under the regulations for the purposes of this section as being first degree courses or comparable to first degree courses; and for the purposes of the preceding subsection the requisite educational qualifications, in relation to any course, shall be such as may be prescribed by or under the regulations, either generally or with respect to that course or a class of courses which includes that course.
- (3) Regulations made for the purposes of subsection (1) of this section shall prescribe the conditions and exceptions subject to which the duty imposed by that subsection is to have effect, and the descriptions of payments to be made in pursuance of awards bestowed thereunder, and, with respect to each description of payments, shall—
  - (a) prescribe the circumstances in which it is to be payable, and the amount of the payment or the scales or other provisions by reference to which that amount is to be determined, and
  - (b) indicate whether the payment is to be obligatory or is to be at the discretion of the authority bestowing the award;

and, subject to the exercise of any power conferred by the regulations to suspend or terminate awards, a local education authority by whom an award has been bestowed under subsection (1) of this section shall be under a duty, or shall have power, as the

case may be, to make such payments as they are required or authorised to make in accordance with the regulations.

- (4) Without prejudice to the duty imposed by subsection (1) of this section, a local education authority shall have power to bestow an award on any person in respect of his attendance at a course to which this section applies, where he is not eligible for an award under subsection (1) of this section in respect of that course.
- (5) The provisions of subsection (3) of this section and of the regulations made in accordance with that subsection (except so much of those provisions as relates to the conditions and exceptions subject to which the duty imposed by subsection (1) of this section is to have effect) shall apply in relation to awards under the last preceding subsection as they apply in relation to awards under subsection (1) of this section.
- (6) Notwithstanding anything in subsection (1) of this section, that subsection. shall not have effect so as to require a local education authority—
  - (a) to bestow awards in respect of any period beginning before the first day of September, nineteen hundred and sixty-two, or
  - (b) to bestow an award on a person in respect of any course, if a scholarship, exhibition, bursary or other allowance granted to him in respect of that course is in force on that day by virtue of regulations made under paragraph (c) of section eighty-one of the Act of 1944.
- (7) The reference in subsection (1) of this section to persons who are ordinarily resident in the area of a local education authority is a reference to persons who, in accordance with the provisions of the First Schedule to this Act, are to be treated as being so resident.

## **2 Local education authority awards for other courses of further education, and grants for training of teachers**

- (1) A local education authority shall have power to bestow awards on persons over compulsory school age (other than persons undergoing training as teachers) in respect of their attendance at courses to which this subsection applies, and to make such payments as are payable in pursuance of such awards.
- (2) The preceding subsection applies to any course of full-time or part-time education (whether held in Great Britain or elsewhere) which is not a course of primary or secondary education, or (in the case of a course held outside Great Britain) is not a course of education comparable to primary or secondary education in Great Britain, and is not a course to which section one of this Act applies.
- (3) A local education authority shall have power to pay grants to or in respect of persons undergoing training as teachers ; but the power conferred by this subsection shall not be exercisable by a local education authority except in accordance with such arrangements as may from time to time be submitted by the authority to the Minister and approved by him.

## **3 State grants for training of teachers and awards for postgraduate courses and students over prescribed age**

Provision may be made by regulations under this Act for authorising the Minister—

- (a) to pay grants to or in respect of persons undergoing training as teachers;
- (b) to bestow awards on persons in respect of their attendance at such courses at universities, colleges or other institutions (whether in Great Britain or

elsewhere) as may for the time being be designated by or under the regulations for the purposes of this section as being postgraduate courses or comparable to postgraduate courses;

- (c) to bestow awards on persons who, at such time as may be prescribed by the regulations, have attained such age as may be so prescribed, being awards in respect of their attendance at such courses at universities, colleges or other institutions (whether in Great Britain or elsewhere) as may for the time being be designated by or under the regulations for the purposes of this section as being first degree courses or comparable to first degree courses;

and, in the case of awards bestowed in accordance with paragraph (b) or paragraph (c) of this section, for authorising the Minister to make such payments as are payable in pursuance of the awards.

#### **4 Provisions supplementary to ss. 1 to 3**

- (1) For the purposes of the exercise of any power or the performance of any duty conferred or imposed by or under any of the provisions of sections one to three of this Act, it is immaterial—

- (a) whether an award is designated by that name or as a scholarship, studentship, exhibition or bursary or by any similar description, or
- (b) in what terms the bestowal of an award is expressed.

- (2) Any enactment contained in those sections which requires or authorises the making of regulations shall be construed as requiring or authorising regulations to be made by the Minister ; and regulations made for the purposes of any such enactment may make different provision for different cases to which that enactment is applicable.

- (3) Any power to make regulations under those sections shall be exercisable by statutory instrument; and any statutory instrument containing any such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (4) Subject to the next following subsection, sections one and two of this Act shall have effect in substitution for the following provisions, that is to say—

- (a) the provisions of section eighty-one of the Act of 1944 in so far as they require regulations to be made for the purpose of empowering local education authorities to grant scholarships, exhibitions, bursaries and other allowances in respect of pupils over compulsory school age in connection with their attendance at courses to which section one or subsection (1) of section two of this Act applies, or in connection with their undergoing training as teachers, and
- (b) the provisions of any regulations made under the said section eighty-one in so far as they provide for the granting of such scholarships, exhibitions, bursaries and other allowances,

and (subject to the next following subsection) those provisions shall cease to have effect in so far as they impose any such requirement or make any such provision as is mentioned in paragraph (a) or paragraph (b) of this subsection.

- (5) Nothing in the last preceding subsection shall affect or prevent—

- (a) the making of any payment in respect of a period ending before the first day of September, nineteen hundred and sixty-two, or the granting of any scholarship, exhibition, bursary or other allowance at any time before that day,

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*Status: This is the original version (as it was originally enacted).*

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- or the making of any payment (whether before or after that day) in pursuance of a scholarship, exhibition, bursary or other allowance so granted, or
- (b) the revocation of any regulations made under section eighty-one of the Act of 1944, or
  - (c) the variation of any such regulations in so far as they relate to matters not falling within paragraphs (a) and (b) of the last preceding subsection, or in so far as they relate to payments or grants falling within paragraph (a) of this subsection.
- (6) In sections two and three of this Act and in this section " training " (in relation to training as a teacher) includes further training, whether the person undergoing the further training is already qualified as a teacher or not; and any reference to a person undergoing training includes a person admitted or accepted by the appropriate university, college or other authorities for undergoing that training.