



Education Act 1944

1944 CHAPTER 31

PART II

THE STATUTORY SYSTEM OF EDUCATION.

PRIMARY AND SECONDARY EDUCATION.

Provision and Maintenance of Primary and Secondary Schools.

12 Local education orders with respect to primary and secondary education.

- (1) As soon as may be after approving the development plan for the area of any local education authority, the Minister shall make an order to be called the local education order for the area specifying the county schools and voluntary schools which it is the duty of the authority to maintain, and the order shall, to such extent as the Minister considers desirable, define the duties of the authority with respect to the measures to be taken by the authority for securing that there shall be sufficient primary and secondary schools available for their area, and shall make provision as to which of the schools maintained or assisted by the authority for providing primary and secondary education shall be primary schools and secondary schools respectively and as to which of them, if any, shall, for the time being, be organised for the provision of both primary and secondary education.
- (2) The local education order for every area shall continue to regulate the duties of the local education authority in respect of the matters therein mentioned and shall be amended by the Minister whenever, in his opinion, the amendment thereof is expedient by reason of any change or proposed change of circumstances:

Provided that, before amending the local education order for any area in such manner as to vary the duties of a local education authority in any respect not either provided for by the development plan approved for the area or by proposals approved by him or occasioned by the discontinuance of a voluntary school under the provisions hereinafter contained relating to those matters respectively, the Minister shall give to the local education authority, and to the managers, governors or other proprietor of

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any school which, in his opinion, would be affected by the amendment, notice of the amendment proposed to be made and shall consider any objections made to him by the authority or by such managers, governors or proprietor within two months after the service of the notice.

- (3) If a local education authority inform the Minister that they are aggrieved by an order or by an amendment of an order made under this section, the order or amendment shall be laid before Parliament as soon as may be thereafter, and if either House of Parliament within the period of forty days beginning with the day on which any such order or amendment is laid before it resolves that the order or amendment be annulled, the order or amendment shall cease to have effect, but without prejudice to anything previously done thereunder or to the making of any new order or amendment.

In reckoning any such period of forty days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.