



# Education (Scotland) Act 1945

## 1945 CHAPTER 37

### PART IV

#### INDEPENDENT SCHOOLS.

#### 66 Registration of independent schools.

- (1) The Secretary of State shall appoint one of his officers to be the Registrar of Independent Schools in Scotland (hereafter in this Part of this Act referred to as " the Registrar "), and it shall be the duty of the Registrar to keep a register of independent schools, which shall be open to public inspection at all reasonable times, and the Registrar shall register therein—
- (a) the prescribed particulars relating to any independent school the proprietor of which makes application for the purpose and furnishes the information required by regulations made under this section, and
  - (b) every order of an Independent Schools Tribunal or of the Secretary of State imposing or removing any disqualification under this Part of this Act:

Provided that—

- (a) no independent school shall be registered if, by virtue of an order made under the provisions hereinafter contained, the proprietor is disqualified from being the proprietor of an independent school or if the school premises are disqualified from being used as a school or if the school premises are used or proposed to be used for any purpose for which they are disqualified by virtue of any such order ; and
  - (b) the registration of any school shall be provisional only until the Secretary of State, after the school has been inspected on his behalf under section fifty-three of this Act, gives notice to the proprietor that the registration is final.
- (2) If after the expiration of six months from the appointed day any person—
- (a) conducts an independent school (whether established before or after the appointed day) which is not a registered school or a provisionally registered school, or

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (b) being the proprietor of an independent school does any act calculated to lead to the belief that the school is a registered school while it is a provisionally registered school,

he shall be liable on summary Conviction to a fine not exceeding twenty pounds or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

(3) The Secretary of State shall make regulations—

- (a) prescribing the particulars information as to which is to be furnished to the Registrar by the proprietors of independent schools and the manner in which it shall be so furnished;
- (b) requiring the notification to the Registrar of any changes in such particulars;
- (c) prescribing the circumstances in which the name of a school may be deleted from the register if the Registrar is unable to obtain sufficient information of such changes; and
- (d) dealing with such incidental matters as the Secretary of State may deem expedient.