

1980 No. 1817 (S. 164)

EDUCATION, SCOTLAND

George Heriot's Trust (Amendment) Scheme 1980

Made - - - - 26th November 1980

Coming into Operation 26th November 1980

In exercise of the powers conferred on him by sections 105(1), 116 and 112(2) of the Education (Scotland) Act 1980(a) and all other powers enabling him in that behalf and after—

- (a) preparing a draft scheme to amend the George Heriot's Trust Schemes 1966 to 1979,
- (b) carrying out the procedure specified in section 112(1) of the said Act, and
- (c) no objections or proposed amendments to the draft scheme having been received by him,

the Secretary of State hereby makes the following scheme:—

Citation

1. This scheme may be cited as the George Heriot's Trust (Amendment) Scheme 1980 and the George Heriot's Trust Schemes 1966 to 1979 and this scheme shall be construed as one and may be cited together as the George Heriot's Trust Schemes 1966 to 1980.

Interpretation

2.—(1) In this scheme, unless the context otherwise requires:—

“Council” means the Lothian Regional Council (as statutory successors under section 1(2) of the Local Government (Scotland) Act 1973(b) to the Corporation of the City and the Royal Burgh of Edinburgh);

“date of this scheme” means the date upon which this scheme comes into operation;

“governing body” means the Governors of George Heriot's Trust;

“principal scheme” means the George Heriot's Trust Scheme 1966 approved by Her Majesty in Council on 16th May 1966 as amended by the George Heriot's Trust (Amendment) Scheme 1968 approved by Her Majesty in Council on 20th December 1968 and as further amended by the George Heriot's Trust (Amendment) Scheme 1979.

(2) References in this scheme to any enactment or scheme, shall, except where the context otherwise requires, be construed as references to that enactment or scheme, as amended by or under any other enactment or scheme or as contained in any other enactment or scheme substituted for that enactment or scheme.

Amendments to principal scheme

3. The principal scheme shall have effect as though for section 4 the following were substituted:—

“4. The governing body shall consist of seventeen nominated governors and four co-opted governors, that is to say:—

- (a) three persons to be nominated by the Council from their own number;
- (b) one person with experience in education (other than a member of the Council) to be nominated by the Council;
- (c) one person to be nominated by the Senate of Heriot-Watt University;
- (d) three persons to be nominated by the Edinburgh Presbytery of the Church of Scotland from the members of the said Presbytery;
- (e) one person to be nominated by the Senatus Academicus of the University of Edinburgh;
- (f) one person to be nominated by the Royal College of Physicians, Edinburgh from their own number;
- (g) one person to be nominated by the Edinburgh Chamber of Commerce and Manufactures from their own number;
- (h) one person to be nominated by Edinburgh and District Trades Council from their own number;
- (i) three persons to be nominated by the Heriot Club from their own number;
- (j) two persons to be nominated by the George Heriot's School Parents' Association from their own number;
- (k) four persons to be co-opted by the governing body—one of whom shall have experience in education and the remaining three shall be persons of experience which in the opinion of the governing body will be of value to them in the exercise of their functions under the provisions of the George Heriot's Trust Schemes 1966 to 1980.”

Transitional arrangements

4.—(1) The Convener of the Council shall cease to be a member of the governing body at the date of this scheme. The remaining members of the governing body in office at the date of this scheme shall, subject to the provisions of section 8 of the principal scheme, continue in office until the expiry of the respective periods for which they were nominated or co-opted.

(2) Vacancies occurring among the seven persons nominated by the Council from their own number shall be dealt with in the following manner, that is to say:—

The first three vacancies shall be filled by the nomination of three persons by the Council from their own number. The first two of the remaining four vacancies shall be filled by the co-option by the governing body of two persons with experience which in the opinion of the governing body will be of value to them in the exercise of their functions under the provisions of the George Heriot's Trust Schemes 1966 to 1980. The second two remaining vacancies shall be filled by the nomination of two persons by the George Heriot's School Parents' Association from their own number.

(3) On the expiry of the periods of office of the two persons with experience in education nominated by the Council, one vacancy shall be filled by the nomination by the Council of such a person and the other vacancy shall be filled by the co-option by the governing body of such a person.

(4) A nomination under section 4(i) of the principal scheme as substituted by this scheme shall be made within three months of the date of this scheme or as soon thereafter as can conveniently be arranged.

(5) All nominations and co-options to the governing body shall be in accordance with the provisions of the principal scheme as amended by this scheme.

Copies of scheme

5. The governing body shall maintain a supply of printed copies of this scheme and shall cause a copy to be kept available for inspection by any member or officer of the governing body and copies shall be made available for sale to the public at a reasonable price.

Given under the seal of the Secretary of State for Scotland.

Alastair D. F. Findlay,
Assistant Secretary.

Scottish Education Department,
New St. Andrew's House,
Edinburgh.
26th November 1980.