

Enregistré sur les Records le 13 avril 1935.

1935

AT THE COURT AT BUCKINGHAM PALACE,

The 29th day of March, 1935.

PRESENT,

THE KING'S MOST EXCELLENT MAJESTY,

LORD PRESIDENT,

MR. SECRETARY THOMAS,

LORD MOTTISTONE,

MR. J. A. LYONS,

SIR GEORGE CLAUS RANKIN.

WHEREAS there was this day read at the Board a Report from the Right Honourable the Lords of the Committee of Council for the Affairs of Guernsey and Jersey, dated the 6th day of March, 1935, in the words following, viz. :—

“YOUR MAJESTY having been pleased by Your General Order of Reference of the 10th day of May, 1910, to refer unto this Committee the humble Petition of the States of the Island of Guernsey, setting forth :—

‘1.—That for the reasons set forth in the preamble thereof, the Royal Court on the 3rd day of November, 1934, adopted a Bill or *Projet de Loi*, prepared by the Law Officers of the Crown, intituled “*Loi relative à l’Instruction Primaire et aux fonctions du Conseil d’Education et des Comités d’Education Paroissiaux, 1935*”, and requested the Bailiff to submit the same to the States of Deliberation for approval. 2.—That on the 28th day of December, 1934, the said Bill or *Projet de Loi* was duly submitted to the States, when a resolution was passed postponing its consideration, in order to give the members of the States further opportunity of studying the said Bill, and requesting the President to reproduce it at a subsequent meeting. 3.—That on the 6th day of February, 1935, the said Bill or *Projet de Loi* was again brought before the States, when a resolution was passed approving the same, with certain modifications, and authorising the President to present a most humble Petition to Your

Loi relative à l’Instruction Primaire et aux fonctions du Conseil d’Education et des Comités d’Education Paroissiaux, 1935.

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Majesty in Council praying for Your Royal Sanction thereto. 4.—That the said Bill or Projet de Loi is in the words and figures set forth in the Schedule hereunto annexed. And most humbly praying that Your Majesty would be graciously pleased to grant Your Royal Sanction to the Bill or Projet de Loi of the States of Guernsey intituled “Loi relative à l’Instruction Primaire et aux fonctions du Conseil d’Education et des Comités d’Education Paroissiaux, 1935”, and to order and direct that the same shall have the force of Law within the Island of Guernsey.’

“THE LORDS OF THE COMMITTEE, in obedience to Your Majesty’s said Order of Reference, have taken the said Petition and the said Projet de Loi into consideration, and do this day agree humbly to report, as their opinion, to Your Majesty, that it may be advisable for Your Majesty to comply with the prayer of the said Petition and to approve of and ratify the said Projet de Loi.”

HIS MAJESTY, having taken the said Report into consideration is pleased, by and with the advice of His Privy Council, to approve of and ratify the said Projet de Loi, and to order, as it is hereby ordered, that the same shall have the force of Law within the Island of Guernsey.

AND HIS MAJESTY doth hereby further direct that this Order, and the said Projet de Loi (a copy whereof is hereunto annexed) be entered upon the Register of the Island of Guernsey and observed accordingly.

And the Lieutenant-Governor or Commander-in-Chief of the Island of Guernsey, the Bailiff and Jurats, and all other His Majesty’s Officers, for the time being, in the said Island, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

M. P. A. HANKEY.

‘PROJET DE LOI’ referred to in the foregoing Order. 1935

LOI RELATIVE À L'INSTRUCTION PRIMAIRE
ET AUX FONCTIONS DU CONSEIL D'ÉDU-
CATION ET DES COMITÉS D'ÉDUCATION
PAROISSIAUX, 1935.

Attendu que les Etats par leur Délibération en date du 6 juin 1934, ont adopté les recommandations y spécifiées du Conseil d'Education relative à la réorganisation des Ecoles Publiques Primaires, à la modification dans le sens des dites recommandations des Lois réglant l'Education présentement en vigueur et à la codification dans la langue anglaise de telles Lois ainsi modifiées :

Les Etats, pour donner effet à leur dite Délibération, ont approuvé le Projet de Loi rédigé en anglais dans les termes qui ensuivent, lequel moyennant la Sanction de Sa Très Excellente Majesté en Conseil, aura force de Loi en cette Ile.

DEFINITIONS.

1.—In this Law unless the context otherwise requires, the following expressions shall have the meanings in this section respectively assigned to them, that is to say :—

“ Royal Court ” means the Royal Court sitting as a Full court.

“ Parent ” shall include the father, mother, legal guardian or other person for the time being having the custody of a child of school age.

“ A child of school age ” means a child who has attained the age of five years and whose age does not exceed fourteen years provided that for the purpose of this law a child shall not be deemed to have attained the age of five years until the first day of the Elementary School term commencing next after the date of the attainment by that child of that age

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and a child attaining the age of fourteen years on a date in any Elementary School half-term shall not be deemed to have attained that age until the close of school on the last day of that half-term, and the expression "school age" shall be construed accordingly.

"Public Elementary School" means any school maintained for the purpose of providing free elementary education wholly at the cost of the States.

"Voluntary School" means any school maintained for the purpose of providing elementary education which the States, whether before or after the commencement of this law, shall have decided to subsidise out of moneys provided by the States.

"Private School" means any school purporting to provide general education to children of school age not maintained wholly at the cost of or subsidised out of moneys provided by the States.

"Elementary School" includes "Public Elementary School" and "Voluntary School".

The masculine includes the feminine and *vice versa*.

EXPENSES OF ELEMENTARY EDUCATION.

2.—(1) On and after the 1st day of January, 1935, such part of the cost of elementary education given in the public Elementary Schools in this Island and of all matters and things incidental or ancillary thereto—including the salaries of the Teaching Staff, the cost of the purchase of sites for the erection of new Public Elementary Schools or for the extension of existing Public Elementary Schools or for the provision or extension of playgrounds or other Public Elementary School amenities and the cost of the erection of new Public Elementary Schools and buildings auxiliary thereto, and of the maintenance, upkeep, repair, renewal and decoration of the Public Elementary Schools from time to time existing and of the buildings auxiliary thereto and the maintenance, upkeep and repair of all lands used in connection

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with any Public Elementary School and of the walls and hedges surrounding or dividing the same and belonging thereto and of the provision of all furniture, furnishings, equipment and educational requisites in the Public Elementary Schools from time to time existing—as shall not be provided by the Parishes in accordance with the provisions of subsection (3) hereof shall be borne out of moneys provided by the States.

(2) On and after the said date the cost of elementary education given in a Voluntary School and of all matters and things incidental or ancillary thereto shall be borne as follows :—

(a) The Managers thereof shall be responsible for providing the whole cost of the provision, maintenance, upkeep, repair, renewal and decoration of the premises in which that Voluntary School is carried on or which are auxiliary thereto.

(b) The States and the Managers of that Voluntary School shall each provide one-half of the cost of the following (herein styled “ Ordinary Expenditure ”) :—

Books, stationery and other educational equipment.

School Furniture.

Light, fuel and water.

Cleaning.

(c) The States shall bear the cost of the following in relation to that Voluntary School :

(i) The Salaries of all teachers :

(ii) The expenses of the States Education Office in relation to that school :

(iii) Examinations and Inspections in accordance with the Syllabus of Instruction approved by the Council :

(iv) The training of Student Teachers :

(v) Bursaries and Scholarships :

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- (vi) The annual payment to the Managers of that Voluntary School of one-half of the annual rental value of the school premises as agreed from time to time between the Council and the Managers of that Voluntary School :
- (vii) Such other matters as may from time to time be approved by the States.

(3) There shall be levied in each of the ten Parishes of this Island in the year 1935 and annually thereafter an Occupier's Rate of Three halfpence in the pound, which rate shall be levied in accordance with the provisions of the laws for the time being governing the levying of Parochial Taxation and the proceeds of which rate in each Parish shall be paid by the Constables of that Parish to the States' Treasurer as the contribution of that Parish towards the cost of Elementary Education in this Island.

(4) The expression " Les Besoins d'Education " in Section (X) of Article 1 of the Law intituled " Loi relative à la Taxation Paroissiale " sanctioned by Order of His Majesty in Council and registered on the Records of this Island on the 27th day of October, 1923, shall henceforth be construed as meaning the annual contribution of a Parish towards the cost of Elementary Education in this Island of such amount as represents the proceeds of the annual levy in that Parish of an Occupier's Rate of Three halfpence in the pound and any cost falling to be borne by a Parish under or by reason of the provisions of this law and that Section shall henceforth be read as though the words which therein follow the expression " Les Besoins d'Education " were omitted.

PREMISES.

3.—No parish premises which shall have been provided for use as or in connection with a Public Elementary School in this Island shall be diverted from

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such use, except as may be otherwise provided in this law, without the sanction of the Royal Court sitting as a Full Court being first had and obtained and the Royal Court in granting any such sanction may attach thereto such conditions and limitations as it may deem just and proper in the circumstances.

4.—Before proceeding with the alteration, extension or enlargement of any Public Elementary School premises or any part thereof not belonging to the States the Council shall inform the Parochial Education Committee concerned of its proposals in relation thereto and shall invite such Committee to express its views on the matter to the Council in writing. Should the Council decide not to accept the views expressed by such Committee in relation to the matter the Council shall advise such Committee accordingly and thereupon such Committee may apply to the Royal Court sitting as a Full Court for an order whereby the Council shall be restrained from carrying out its proposals in relation to those premises. No appeal shall lie from the decision of the Royal Court in the matter and the Royal Court shall be entitled to make such order therein and to attach thereto such conditions and limitations as it may deem just and proper.

THE EDUCATION COUNCIL.

5.—(1) The powers and duties hereinafter contained in relation to Education in the Island of Guernsey shall be vested in a Council styled “ The Education Council ”, in this law referred to as “ The Council ”.

(2) The Council shall be composed of fifteen members of whom at least twelve shall be members of the States, elected by the States, and of whom at least six shall be residents of the Parish of Saint Peter Port and at least six shall be residents of other Parishes in this Island.

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(3) A President and a Vice-President of the Council shall be elected by the Council in every calendar year from among those of its members who are members of the States. In the absence of the President and of the Vice-President a meeting of the Council shall be presided over by a member who shall be chosen for the purpose by the members present at the meeting.

(4) For the purposes of a meeting of the Council seven members shall form a quorum.

(5) The presiding member at a meeting shall have a vote as member and also, in the case of an equal division, a casting vote.

(6) At the expiration of every calendar year the three members who are senior in office to the other members shall retire provided that where there are at any time more than three members of equal seniority the Council shall determine which three of them shall retire. Every member retiring under this sub-section shall be eligible for re-election if willing to serve.

(7) A member shall cease to hold office in any of the following events, that is to say, if he shall :

- (a) Become mentally incapable ;
- (b) Be legally declared insolvent ;
- (c) Resign ;
- (d) Absent himself without reasonable excuse from six consecutive meetings of the Council ;
- (e) Absent himself without reasonable excuse from seven meetings of the Council in any series of ten consecutive meetings.

(8) When a member ceases to hold office otherwise than under subsection (6) of this section the States shall elect a new member for the unexpired portion of the term of office of the member to be replaced.

(9) The persons who at the date of the commencement of this law constitute " Le Conseil d'Education " created by the law intituled " Loi relative à

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la Constitution d'un Conseil d'Education " registered on the Records of this Island on the 29th day of July, 1916, if eligible under this law shall constitute the Council as though they had been elected by the States under this law. The seniority in office of such persons on the Council at the commencement of this law shall be in accordance with the seniority in office of such persons on " Le Conseil d'Education " hereinbefore referred to immediately before the commencement of this law.

6.—The functions of the Council shall be as follows :—

(1) To consider, consolidate and present annually to the States the Budgets of—

- (a) Elizabeth College ;
- (b) The Ladies' College ;
- (c) The Intermediate Schools ;
- (d) The Elementary Education Department ;
- (e) The Technical and Art Schools ;
- (f) The Domestic Science Centres ;
- (g) Any other States Educational Department or Service.

(2) To be the medium of all communications between Elizabeth College and the States and the Ladies' College and the States.

(3) To administer by means of Committees :

- (a) The Intermediate Schools ;
- (b) The Elementary Education Department ;
- (c) The Technical and Art Schools ;
- (d) The Domestic Science Centres ;
- (e) Any other States Educational Department or Service.

(4) To ensure the operation and observance of the provisions of this law.

(5) To provide for the training of young teachers of both sexes.

(6) To organise or re-organise upon a proper basis :

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- (a) The medical inspection and treatment of the Elementary School children ;
- (b) The education of defective children ;
- (c) Evening classes for the different sections of the community which may be benefited thereby, including science lectures of practical utility to those engaged in Agriculture and Horticulture ;
- (d) The Technical and Art Schools, in order that they may meet the needs of all sections of the community ;
- (e) Domestic Science Centres ;
- (f) Any other educational department or service which may be deemed necessary to enlarge, improve or complete the educational system of this Island.

(7) To inspect personally, or make arrangements for the inspection of all private schools in this Island, both as regards the scope and standard of education given therein and the condition and suitability of the premises in which the same are conducted and of the equipment used therein.

(8)—(a) To make arrangements for periodical examinations and inspections for the ascertainment of the educational progress and attainments of children attending the Elementary Schools and the Intermediate Schools, and this in co-operation so far as may be possible with the authorities of Elizabeth College and the Ladies' College with a view to the avoidance of unnecessary expense.

(b) To constitute a Scholarship Board for the purpose of awarding Scholarships from the Elementary Schools and from Private Schools to the Intermediate Schools, to Elizabeth College and to the Ladies' College, and from the Intermediate Schools to Elizabeth College and the Ladies'

College, and to watch over the interests of the holders of such Scholarships.

For the purposes of this paragraph, but not otherwise, after the thirty-first day of August, 1935, the expression "Private Schools" shall mean Private Schools at which the ordinary tuition fees charged do not exceed fourpence per week in the case of any child attending thereat.

(9) To control the expenses of upkeep and maintenance of the schools under its administration.

(10) To determine periodically as it may deem proper (subject nevertheless to subsisting contractual engagements) the annual salaries payable to the Teaching Staffs of the Intermediate and Elementary Schools and of the other Schools and Training Centres provided by the States.

(11) To report annually to the States on the state of repair of each school under its supervision and the suitability thereof for educational purposes.

(12) To purchase and distribute educational requisites of every description in relation to Compulsory Elementary Education.

(13) To do all such acts and things in relation to the foregoing as may from time to time be proper or expedient.

(14) To carry out such other mandates in relation to education as may be entrusted to it from time to time by the States.

PAROCHIAL EDUCATION COMMITTEES.

7.—(1) There shall be eleven Education Committees (each of which is herein styled "Parochial Education Committee") vested with the powers and entrusted with the duties hereinafter specified in relation to Elementary Education.

(2) There shall be one such Committee in respect of each of the secular Parishes of this Island other than the Parish of the Vale. The powers and duties

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of each of such Committees shall be exercisable in relation to the Public Elementary Schools situate within its parochial territory save that for the purposes of this law the Hautes Capelles Public Elementary Schools shall be deemed to be outside the territory of the Parish of Saint Sampson.

(3) There shall be one such Committee whose powers and duties shall be exercisable in relation to the Public Elementary Schools situated within the territory known as Le Clos du Valle, and there shall be one such Committee whose powers and duties shall be exercisable in relation to the Hautes Capelles Public Elementary Schools.

(4) The Saint Peter-Port Education Committee shall consist of nine members and each of such other Committees shall consist of five members.

(5) The Parochial Education Committees, Clos du Valle Education Committee and Hautes Capelles Education Committee in existence at the date of the commencement of this Law shall continue in office until the expiration of the term for which they were respectively elected and during such period such Committees shall be deemed to be Parochial Education Committees elected under the provisions of this Law.

(6) At the expiration of the respective terms of office of such Committees new Parochial Education Committees shall be elected to replace them.

(7) The Parochial Education Committees shall be elected as follows :—Those in respect of the secular parishes other than the Parish of the Vale, from among and by the ratepayers of those Parishes respectively ; that in respect of the Clos du Valle Schools from among and by the ratepayers resident within or paying parochial rates in respect of real property situate within Le Clos du Valle ; that in respect of the Hautes Capelles Schools from among and by the ratepayers of the Parish of St. Sampson and the Ratepayers resident within or paying parochial rates in respect of real property situate

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within La Vingtaine de l'Epine of the Parish of the Vale.

(8) Each Parochial Education Committee shall elect a President and a Vice-President from amongst its members. In the absence from any meeting of a Parochial Education Committee of the President and the Vice-President, the meeting shall be presided over by a member chosen for the purpose by the members present at the meeting.

(9) In the case of the St. Peter-Port Parochial Education Committee any five members shall form a quorum and in the case of the other Parochial Education Committees any three members shall form a quorum.

(10) Parochial Education Committees shall retire from office at the expiration of three years from the dates on which they are respectively elected. The members of such Committees shall be eligible for re-election if willing to serve.

(11) When a member of a Parochial Education Committee ceases to hold office otherwise than under subsection (10) of this section a new member shall be elected for the unexpired portion of the term of office of the member to be replaced.

(12) Each Parochial Education Committee shall appoint a Treasurer from among its members to whom it shall entrust the receipt and expenditure of moneys receivable by such Committee for educational purposes from the Council. It shall also have power with the consent of the ratepayers concerned to appoint one or more salaried officers to perform such duties in relation to the business of the Committee as the Committee may determine.

(13) The duties of a Parochial Education Committee in relation to the Schools within its jurisdiction shall be as follows :—

- (a) To prepare and present to the Council before such date in each year as the Council shall prescribe, the Annual Budget ;

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- (b) To arrange for the proper maintenance, heating, lighting and cleaning of the Schools ;
 - (c) To inspect at least twice in each year the school premises, furniture, furnishings and equipment ;
 - (d) To bring to the notice of the Council the need for repairs to or re-décoration of any school premises or any matter in relation to the sanitary or domestic offices of any school for which Budget provision has not been made ;
 - (e) To ensure that scholastic discipline is maintained ;
 - (f) To inspect the registers of such schools and to ensure that the proper entries are punctually and regularly made therein ;
 - (g) To report promptly to the Council on any apparent irregularity in relation to the conduct of any school ;
 - (h) To pay the salaries of Masters and Mistresses and the wages of Caretakers with moneys provided by the States through the Council ;
 - (i) To prepare and forward to the Council requisitions for books, maps and other educational requisites as and when the same shall be required ;
 - (j) Such other duties as may, after consultation between a Parochial Education Committee and the Council, be entrusted to the Committee.
- (14) At all such times during which a Parochial Committee shall not exist in respect of any Parish in this Island, the Council or a Committee of at least five members of the Council thereto nominated by the Council, may perform in that Parish the functions to be performed by a Parochial Committee under this law.
- (15) In each of the following cases :—
- (a) When a Parochial Committee shall not exist ;
 - (b) When a Parochial Committee shall refuse or neglect to act ;

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(c) When a Parochial Committee shall have acted in contravention of the provisions of this law ; the Royal Court sitting as a Full Court may at the request of the Council appoint a provisional Committee to carry out the functions of the Parochial Committee, the powers of the Parochial Committee (if in existence) being henceforth suspended.

(16) Every provisional Committee so appointed shall have the following powers and duties :—

(a) Each of its acts shall have the same force and validity as if such act had been performed by the Parochial Committee.

(b) It shall act for such period and in accordance with such conditions as the Royal Court shall prescribe.

HAUTES CAPELLES SCHOOLS.

8.—For the purposes of the Laws for the time being in force governing Parish Meetings and of this Law, a meeting of ratepayers regularly convened and held for the purpose of electing the Hautes Capelles Education Committee or any member thereof or for any matter whatsoever in relation to the Hautes Capelles Schools shall be deemed to be a Parish Meeting and any of such proceedings shall be deemed a secular matter (*Affaire Séculière*) and for such purposes the Parish of St. Sampson's and La Vingtaine de l'Epine of the Parish of the Vale together shall be deemed to form a parish and the Constables of St. Sampson and the Constables or Constable of the Vale who may reside in La Vingtaine de l'Epine shall together be deemed to be the Constables of that parish and the Members of the Douzaine of the Parish of St. Sampson and those Members of the Douzaine of the Parish of the Vale who may reside in La Vingtaine de l'Epine shall together be deemed to be the Douzaine of that parish provided that the Dean of the Douzaine of the Parish of St. Sampson shall be

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deemed to be the Dean of the Douzaine thus constituted and shall be entitled to preside at any meeting deemed by this Section to be a Parish Meeting and the Notice Box of the Church of St. Sampson shall be deemed to be the Notice Box of the Church of such parish.

CLOS DU VALLE SCHOOLS.

9.—(1) For the purposes of the Laws for the time being in force governing Parish Meetings and of this Law a meeting of ratepayers regularly convened and held for the purpose of electing the Clos du Valle Education Committee or any member thereof or for any matter whatsoever in relation to the Clos du Valle Schools shall be deemed to be a Parish Meeting and any of such proceedings shall be deemed a Secular Matter (*Affaire Séculière*) and for such purposes the Clos du Valle shall be deemed to form a separate parish.

(2) Every such meeting shall be convened by the Senior Douzenier of the Parish of the Vale who may reside in Le Clos du Valle. Such Senior Douzenier shall be the President at such meetings but in his absence from or unwillingness to preside at any such meeting the meeting shall be presided over by a President elected by and chosen from among the persons present and entitled to vote at such meeting.

PROCEDURE AT PARISH MEETINGS.

10.—(1) The President of all such Parish Meetings shall prepare a written record of the resolutions adopted thereat and shall read the same to the meeting and sign and date the same before the meeting terminates and such President shall be responsible for ensuring that such record is entered in a Register.

(2) The procedure at such Parish Meetings shall be in accordance with the provisions of the Laws for

the time being in force concerning Parish Meetings and the election of Parochial Officers.

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CONFERENCES.

11.—(1) Sub-committees appointed generally for such conferences or specifically for a particular conference by the Parochial Education Committees shall meet the Elementary Schools Committee of the Council in Conference at such times and places as the Council may deem necessary.

(2) Any such Conference may by a majority resolution resolve that any child of school age then attending or about to attend a school within the jurisdiction of a Parochial Education Committee represented at such Conference shall from such date as the Conference may decide attend any other school within the jurisdiction of that Parochial Education Committee or of another Parochial Education Committee represented at that Conference and thereupon notification in writing of the decision of the Conference in respect of such child shall be sent to the parent of such child and as on and from the date on which the decision of the Conference becomes operative in the case of such child, that child shall attend in accordance with such notification.

(3) For the purposes of this Section, a sub-committee of a Parochial Education Committee shall consist of not more than five members if such Committee is the only Parochial Education Committee represented at the Conference attended by that sub-committee and in every other case a sub-committee of a Parochial Education Committee shall consist of not more than three members.

DISTRICT CONFERENCES.

12.—(1) For the purposes of Education, the Island shall be divided into four Districts as follows:—

No. 1 District shall consist of the Parish of St. Peter-Port.

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No. 2 District shall consist of the Parishes of St. Sampson and the Vale.

No. 3 District shall consist of the Parishes of St. Martin, St. Andrew and the Castel.

No. 4 District shall consist of the Parishes of the Forest, St. Peter-in-the-Wood, St. Saviour and Torteval.

(2) The Parochial Education Committees of any District or sub-committees thereof or any two of them may meet in Conference at any time for the purpose of discussing and making representations to the Council concerning any matter affecting the wellbeing of any child attending a school within that District.

USE OF SCHOOL PREMISES.

13.—(1) Subject to the requirements for educational purposes of the Council in respect of any public elementary school the Parochial Education Committee having jurisdiction in respect of that school shall be entitled to permit use to be made of that school for such other purposes as it may deem proper.

(2) Provided that if by reason of such use damage is occasioned to the school premises or any part thereof or to the equipment, furniture or furnishings thereof or to the educational or other requisites therein then if such damage results otherwise than from reasonable wear and tear, the cost of making good such damage shall be borne by the Parish of which such Committee is the Parochial Education Committee.

(3) Provided also that any parts of such premises so permitted to be used shall be left clean and tidy and in the good order in which the same were previous to such use.

SCHOOLS AND THEIR ORGANISATION.

14.—(1) The Public Elementary Schools shall be those existing at the date of the commencement of

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this Law and those which shall be erected hereafter by the States.

(2) The States shall from time to time determine the number of Public Elementary Schools required in this Island and subject to the provisions of this Law shall determine the necessity of adding to or enlarging the then existing schools or of closing any of them as being unsuitable as public elementary schools or as being no longer required for use thereas.

(3) The supervision and direction of the Public Elementary Schools shall be vested as specified in this Law in the following bodies :—

(a) The Council ;

(b) The Parochial Education Committee on which the duty devolves under the provisions of this Law.

(4) Every child being a pupil of an Elementary School shall be eligible to compete under the conditions from time to time laid down by the Council for Scholarships for which examinations shall be held annually.

(5) The following subjects shall be taught in the Elementary Schools :—

Religious Knowledge.

The English and French Languages.

Arithmetic.

Geography.

History.

Writing.

Drawing.

Singing.

Physical Training.

And Girls attending such schools shall be taught:—

Needlework.

Provided that the Council may provide for the teaching of additional subjects.

Religious Knowledge shall mean the reading and explanation of the contents of the Holy Bible and the teaching of the Lord's Prayer and of the Ten Commandments.

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(6) Religious Knowledge shall be imparted by the Teaching Staff of a school under the supervision of the Council.

(7) Save as provided in the next succeeding subsection, no religious catechism or religious formulary which is distinctive of any particular denomination shall be taught or used in the teaching of Religious Knowledge in a Public Elementary School.

(8) In addition to the Religious Knowledge hereinbefore specified the Rector or Curate of the Secular Parish in which the Public Elementary School is situate or, if the parents of a reasonably great number of children attending a Public Elementary School so desire, Ministers of denominations other than the Church of England may apply to the Council for permission to impart knowledge in that school of the religious beliefs of their respective denominations to children whose parents are members of such denominations respectively and the Council shall so far as may be reasonably possible grant such application.

(9) No child attending a Public Elementary School shall be required to receive teaching in Religious Knowledge if the parent of such child shall have sent a request in writing to the Headmaster or Headmistress of the school which that child attends that Religious Knowledge be not taught to that child.

(10) Instruction in Religious Knowledge shall not be given in an Elementary School at times other than those set apart for such instruction in the School Time Table approved by the Inspector appointed by the Council.

(11) The teaching of Religious Knowledge in a Voluntary School shall be under the exclusive control of the Representatives of the Denomination which maintains the school. Nevertheless no child attending a Voluntary School shall be required to receive teaching in Religious Knowledge as taught at that school if the parent of such child shall have forwarded

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a request in writing to the Headmaster or Headmistress of that School that such Religious Knowledge be not taught to the child.

ELEMENTARY AND PRIVATE SCHOOL BUILDINGS.

15.—(1) Every school shall be sufficiently and properly provided with lavatory accommodation and with desks and other furniture and furnishings.

(2) School Rooms shall be healthy, well-aired and properly lighted, heated and cleaned and of a size proportionate to the number of scholars using the same.

(3) The sanitation and furnishings of Public Elementary School buildings shall be under the control of the Council who shall prescribe the necessary requirements.

COMPULSORY ELEMENTARY EDUCATION.

16.—(1) The elementary education of every child of school age residing in the Island of Guernsey is hereby declared to be compulsory. Every child of school age, with the exception of those children who come within the provisions of paragraphs 3 (b) (i) of this Section shall be given an education of a scope and standard at the least equal to the education given in the Public Elementary Schools.

(2) Subject to the provisions of this Law, education may be given either at a school other than an Elementary School or in the home by the child's parent or by a person chosen by such parent. The Council may at any time cause a child of school age who is not being educated at a school to be examined with a view to ascertaining that such child has received and is receiving the education required by this Law.

(3)—(a) The Parochial Education Committee shall have power to excuse from attendance at a Public Elementary School :—

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- (i) Children living at a distance of more than two and a half miles by the nearest road from a Public Elementary School ;
 - (ii) Children under the age of seven years living at a distance of more than one mile by the nearest road from a Public Elementary School.
- (b) The Council shall have power to excuse from attendance at a Public Elementary School:—
- (i) Children whose physical or mental state is such as to render them incapable of receiving or benefiting from education ;
 - (ii) Children in respect of whom application for exemption from attendance at school for any reason other than those specified in this subsection shall have been received by the appropriate parochial Education Committee and referred by that Committee to the Council.

Provided that no exemption shall be granted or, if granted, shall continue in force in respect of any child to whom paragraphs (a) (i) or (a) (ii) of this subsection may apply for whom the Council provides suitable means of conveyance between such distance from its home and a public elementary school as will reduce the distance to be walked by such child on its journey to or from that school by the nearest road to a distance not greater than that specified in whichever of those paragraphs is applicable to such child.

SCHOOL ATTENDANCE.

17.—(1) The Council shall appoint such School Attendance Officers as it may deem necessary to ensure the regular attendance at School of children of school age. Every School Attendance Officer so appointed shall take oath before the Royal Court well and faithfully to perform the duties of School Attendance Officer. He shall perform the duties of that

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office prescribed by this Law in accordance with the requirements of the Council.

(2) It shall be the duty of every School Attendance Officer :—

- (a) To obtain from the Headmaster or Headmistress of every Elementary School and every Private School in this Island the names, addresses and ages of the children of school age inscribed on the registers of each such school and the Headmaster or Headmistress of every such school shall furnish to a School Attendance Officer on request a list of the names and addresses of such children inscribed on the register of that school ;
- (b) To ascertain the name and address of every child of school age not receiving the elementary education required by this Law ;
- (c) To visit the residence of every child of school age residing in this Island who does not regularly attend any school and who does not receive the elementary education required by this Law, to ascertain all the relevant facts, to warn the parent that such child must be sent to school forthwith, and of the penalties for not so sending such child and to transmit to the Council a list of the children whose names appear on the registers of the schools but who do not attend such schools regularly and a list of the children who do not attend any school ;
- (d) To lodge information with the Police Inspector after obtaining the authority of the Council so to do, leading to the prosecution before the Police Court of parents who shall have infringed the provisions of this Law ;
- (e) To attend the meetings of the Council and any Parochial Education Committee when required so to do by the President of the Council or of such Committee respectively.

18.—The Headmaster or Headmistress of each

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Elementary School in this Island shall keep a record of the absences from school of every child of school age whose name appears on the School register and shall forward to the appropriate School Attendance Officer at the end of each week an extract from such record showing the number of absences and the reasons given in respect thereof. Such extract shall be signed by the Headmaster or Headmistress.

19.—Upon representations being made to the States by the Council that the provisions of clause (a) of sub-section 2 of Section 17 or of Section 18 of this Law have not been complied with in any Voluntary School, it shall be lawful for the States to reduce or to discontinue payment of the amount hitherto paid in respect of such school.

20.—Any of the following reasons, if substantiated, shall be a valid excuse for the absence from school of a child of school age :

That the child has been prevented from attending school by reason of illness.

That such absence occurred by reason of the death or funeral of a near relative of the child.

That some person living at the child's home is suffering from an infectious or contagious disease.

That the absence results from the breakdown of a passenger transport service.

Provided that on the written request of a parent the Headmaster or Headmistress of a school shall excuse the attendance at school of a child on any day specially set apart for religious observance by the religious body to which that parent belongs.

21.—The Council shall have power in case of an epidemic and in the event of any other happening of exceptional gravity to close any Intermediate School, Public Elementary School, Voluntary School or Private School or to forbid the attendance thereat of any one or more of the scholars thereof.

ATTENDANCE AT TRAINING CENTRES.

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22.—Every boy of school age attending an Elementary School may be required by the Council during the ordinary hours of tuition in that school to attend lessons in manual training as may be prescribed by the Council at any Centre provided by the States for the purpose and every girl of school age attending an Elementary School may be required by the Council during the ordinary hours of tuition in that school to attend lessons in Domestic Science as may be prescribed by the Council at any Centre provided by the States for the purpose.

Provided that no child of school age shall be required in respect of attendance at an Elementary School and at any such Centre to walk a greater distance than the maximum distance which would be appropriate under this Law in the case of that child in respect of attendance at a Public Elementary School.

PROCEEDINGS FOR NON-ATTENDANCE.

23.—(1) On the institution of proceedings against a parent for an infraction of the provisions of this Law, a written notification of the nature of the alleged infraction and of the date and time of the Police Court proceedings in respect thereof signed by a member of the States Police Force of a rank not lower than that of Sergeant shall be served not later than forty-eight hours before the time of such proceedings by a member of the Police Force at the address of the person to be charged with such infraction. Such person, upon such notification being so served, shall attend the Police Court at the date and time stated in such notification and if he fail so to do it shall be the duty of the Inspector of the States Police Force to ensure the attendance of such person, by force if necessary, at the Police Court at the next sitting thereof or at such other sitting thereof as the Police Court Magistrate may direct.

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(2) Any parent who shall refuse or neglect to send a child of school age under his care to the Public Elementary School, Manual Training Centre or Domestic Science Centre which such child is required to attend or to give such child an education of a scope and standard at least equal to that given in a Public Elementary School shall be liable in respect of a first offence to a fine not exceeding five shillings or in default of payment to two days' imprisonment with or without hard labour and in the case of any subsequent offence, whether in respect of the same or another child, to a fine not exceeding One Pound or in default of payment to eight days' imprisonment with or without hard labour.

*(3) For the purposes of this Section :—

- (a) Any parent who shall have sent a child to school in an unclean state either as regards his person or his clothing or in any state whatsoever which may prevent such child or may justify a Master or Mistress of a school in preventing such child from associating freely with other scholars ;
- (b) Any parent who shall have withdrawn a child from school without reasonable and sufficient cause shall be deemed not to have sent that child to school and shall be liable to the penalties imposed by this Section for not so doing ; and
- (c) Any parent who shall prevent or obstruct the examination referred to in Section 16 (2) of this Law of a child not being educated at a school shall be deemed not to be giving that child the education required by this Law and shall be liable to the penalties imposed by this Section for not so doing.

(4) Every parent or other person who shall knowingly employ during school hours a child of school age whose attendance at school during those school hours has not been excused in accordance with the

*New paragraph substituted by the Education (Amendment) Law (Guernsey), 1938.

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provisions of this Law shall be guilty of an offence and upon conviction shall be liable to a fine not exceeding Two pounds or in default of payment thereof to a term of imprisonment with or without hard labour not exceeding fourteen days.

PRIVATE SCHOOLS.

24.—(1) No Private School which was not in existence on the date of the commencement of this Law shall be opened unless previous notice in writing of the proposed opening of such Private School shall have been sent to the Council.

(2) It shall be the duty of the proprietor of every Private School to provide for children attending that school an education of a scope and standard at least equal to that which would be available to such children, having regard to their ages and receptivity, if such children attend a Public Elementary School.

(3) It shall be the duty of the proprietor of every Private School to keep a register in which shall be entered the full name, address and age as on its last birthday of every child of school age attending that school and in cases where the children attending that school are divided into classes, the names, addresses and ages of the children in each class shall be entered in such register separately from those of the children in any other class. Such register shall at all times during school hours be open to inspection by any member of the Council delegated thereto by the Council and by any School Attendance Officer and on the written request of the Council, the proprietor shall forward to the Council an exact extract, signed by such proprietor, of the contents of such register in respect of the particulars aforementioned which are current as on the date of such request.

(4) It shall be the duty of the proprietor of every Private School to keep an attendance register in respect of each class in which shall be entered as they

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occur the absences of each child of school age belonging to that class and to forward to a School Attendance Officer at the end of each week an extract from each of such attendance registers signed by such proprietor showing the number and the dates of the absences of each child and the reasons given to such proprietor in respect of such absences.

(5) (a) No child of school age above the age of eight years shall attend a Private School in which the daily period of tuition is habitually limited to a half-day unless the attendance of such child thereat has been sanctioned by the Council.

(b) No boy of school age above the age of eleven years shall attend a Private School in which female teachers only are employed unless the attendance of such boy thereat has been sanctioned by the Council.

(6) The Council shall have power at its discretion to determine the age range within which children of school age may attend a Private School in which only one teacher is employed and no child whose age is not within the age range so determined shall attend that Private School.

(7) In the event of an infringement of any of the provisions of this Law with regard to Private Schools the proprietor of a Private School shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding £5 and in addition, upon representations being made by the Council to the Royal Court sitting as a Full Court, the Court may order that the school be closed or may make such other order in the matter as it may deem just.

(8) The inspection of any Private School and/or of the premises in which the same is carried on for the purpose of ascertaining the scope and standard of education given therein and/or of ascertaining the suitability and sufficiency for educational purposes of such premises and/or of the equipment used therein and the state of structural decorative and

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sanitary repair of such premises and of the domestic offices thereof may be carried out without notice at any reasonable hour by :—

- (a) The Council ;
- (b) A Committee of the Council authorised by the Council to carry out such inspection ;
- (c) Any person or persons bearing a written authorisation to carry out such inspection signed by the President of the Council.

(9) Upon representations being made by the Council to the Royal Court sitting as a Full Court that the scope or standard of education given in any Private School is not at least equal to that given in the Public Elementary Schools, or that the premises in which such Private School is conducted or the equipment used therein are or is unsuitable or insufficient for educational purposes or that the state of structural, decorative or sanitary repair of such premises or of the domestic offices thereof is such as to render it inadvisable that education should be continued in such premises, if the Court finds that the facts alleged are proved, it may order that the school be closed or may make such other order in the matter as it may deem just. Four clear days at the least before the date on which the Council proposes to make representations to the Royal Court concerning a Private School, the Council shall cause an official notification to be served on the proprietor of such Private School setting out the date and time at which such representations will be made, the nature thereof and the reasons actuating the Council in making the same. If the Proprietor of a Private School shall disobey any order made by the Royal Court with regard to that school he shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding £5 in respect of each day or part of a day in which such disobedience shall occur or continue.

MISCELLANEOUS.

25.—Subject to the provisions of this Law the Council shall from time to time determine the syllabus of education to be given in each Elementary School and shall prescribe the books, maps and other educational requirements for use therein. It shall determine the qualifying examinations to be passed by those desirous of forming part of the Elementary Schools Teaching Staff and subject to the consent of the English Board of Education shall provide for the inspection of the Elementary Schools and the children attending the same by one or more of His Majesty's Inspectors of Schools. It shall also make arrangements for periodical inspections with regard to Religious Knowledge and the French language and shall appoint Inspectors to carry out such inspections, provided, however, that Inspections with regard to Religious Knowledge in the Voluntary Schools shall be carried out by Inspectors appointed by the Committee of Management of those Schools and not by the Council.

26.—The post of Student Teacher (Male and Female) is hereby recognised.

BURSARIES (CANDIDATES FOR TEACHING PROFESSION).

27.—The council in its discretion may grant Bursaries to candidates of limited means desirous of qualifying as Teachers.

Provided that the places at which the same are tenable, the period of tenure, the annual value and the total number thereof and the number thereof granted respectively to male and female candidates shall be in conformity with the directions in that behalf from time to time given by the States.

SCHOLARSHIPS.

28.—In exercising its mandate under sub-section

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(8) (b) of Section 6 of this Law the Council in its discretion shall determine the conditions upon which Scholarships shall be awarded and the schools at which and the period for which the same shall be tenable and, if the Council is satisfied that the holder of a scholarship does not attend school regularly, or that he neglects his studies or is guilty of gross misbehaviour, the Council may withdraw the scholarship of such holder.

Provided that in the exercise of such discretion the Council shall be governed by the resolutions of the States with regard to Scholarships for the time being in force which may have been passed before the commencement of this Law or which may be passed thereafter.

APPOINTMENT, TRANSFER AND DISMISSAL OF TEACHERS.

29.—(1) All appointments to the Teaching Staff of an Elementary School shall be made by the Elementary Schools Committee of the Council jointly with the appropriate Parochial Education Committee or if that Elementary School is a Voluntary School by the Elementary Schools Committee of the Council jointly with the Committee of Management of that Voluntary School.

(2) Every appointee to the staff of a Voluntary School shall belong to the religious denomination of that school unless no candidate belonging to that denomination in all respects suitable and having the necessary qualifications shall be available.

(3) A joint meeting of the Elementary Schools Committee of the Council and of the Parochial Education Committees respectively having jurisdiction in respect of the school at which a Teacher is employed and that to which it may be deemed desirable to transfer that Teacher shall have power by a majority vote of those present at that meeting to direct that such Teacher be so transferred.

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(4) Dismissals from the teaching staff of an Elementary School shall be made by the Elementary Schools Committee of the Council jointly with the appropriate Parochial Education Committee or if that Elementary School is a Voluntary School by the Elementary Schools Committee of the Council jointly with the Committee of Management of that Voluntary School.

Provided that for the purposes of any such appointment, transfer or dismissal the Parochial Education Committee or the Voluntary School Committee if its membership exceeds five shall be represented by not more than five of its members.

Provided further that power of dismissal shall be exercisable by the Elementary Schools Committee of the Council alone and without reference to any other Committee in the case of any member of the Teaching Staff of the Elementary Schools who may not have accepted in so far as the same is applicable to himself or herself any fixation of the salaries of the Elementary Schools Teaching Staff made by the Council under the provisions of sub-section 10 of Section 6 of this Law.

FINANCIAL PROVISIONS.

30.—(1) Before the first day of October in each year or such other date as the States may from time to time prescribe, the Council shall proceed to fix jointly with the Committee of Management of each Voluntary School the amount required to provide the States' portion of the ordinary expenditure in relation to that Voluntary School in respect of the calendar year next following.

(2) In the event of disagreement between the Council and the Committee of Management of a Voluntary School as to the amount required in respect of the States' portion of the ordinary expenditure in relation to that Voluntary School in the next calendar year, the matter in dispute shall be referred

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by the Council to the Royal Court, which Court after hearing the parties, shall determine the amount so required. No appeal shall lie from the decision of the Royal Court with reference thereto.

31.—This Law may be cited as the Education Law (Guernsey), 1935.

32.—The enactments specified in the Schedule hereto are hereby repealed. Provided that unless in this Law the contrary appears, the repeal shall not :—

- (a) revive anything not in force or existing at the time at which such repeal takes place : or
- (b) affect the previous operation of any of the enactments so repealed or anything duly done or suffered thereunder : or
- (c) affect any obligation or liability accrued or incurred under any of the enactments so repealed : or
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any of the enactments so repealed : or
- (e) affect any investigation, legal proceedings, or remedy in respect of any such obligation, liability, penalty, forfeiture or punishment as aforesaid :

and any such investigation, legal proceedings, or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if this Law had not been passed.

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SCHEDULE OF ENACTMENTS HEREBY REPEALED.

The Orders in Council respectively sanctioning the " Projets de Loi " hereinafter specified and registered on the Records of the Island of Guernsey on the dates hereinafter mentioned respectively :—

Title.	Date of Registration.
Loi relative à l'Education Primaire Obligatoire ..	13th October, 1900.
Loi sur l'Instruction Publique Primaire	7th March, 1903.
Loi sur l'Instruction Publique Primaire (Amendement)	29th August, 1903.
Loi relative à l'Education Primaire Obligatoire (Amendement)	2nd May, 1904.
Loi relative à l'Instruction Publique Primaire par rapport à l'Abolition de la Capitation	2nd May, 1904.
Loi supplémentaire à la Loi sur l'Instruction Publique Primaire (Séparation du Clos et de la Vingtaine de l'Epine en la Paroisse du Valle)	4th November, 1905.
Loi supplémentaire à la Loi relative à l'Education Primaire Obligatoire ..	15th April, 1912.
Loi supplémentaire à la Loi relative à l'Education Primaire Obligatoire ..	29th July, 1916.
Loi supplémentaire à la Loi sur l'Instruction Publique Primaire	29th July, 1916.

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Title.	Date of Registration.
Loi relative à la Constitution d'un Conseil d'Education.	29th July, 1916.
Loi modifiant la Loi supplémentaire sur l'Instruction Publique Primaire. . .	27th September, 1918.
Loi supplémentaire à la Loi relative à l'Education Primaire Obligatoire. . .	17th April, 1923.
Loi supplémentaire à la Loi relative à la Constitution d'un Conseil d'Education, 1925	20th July, 1925.
Loi supplémentaire à la Loi relative à l'Instruction Publique Primaire, 1925.	20th July, 1925.
Loi supplémentaire à la Loi relative à l'Instruction Publique Primaire, (Amendement), 1934 . .	10th March, 1934.