

CHAPTER 76.

An Act to facilitate the Provision of Technical Instruction.
[30th August 1889.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows :

1.—(1.) A local authority may from time to time out of the local rate supply or aid the supply of technical or manual instruc-

Power for local
authority to
supply or aid

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tion, to such extent and on such terms as the authority think expedient, subject to the following restrictions, namely:—

the supply of
technical
instruction.

- (a.) The local authority shall not out of the local rate supply or aid the supply of technical or manual instruction to scholars receiving instruction at an elementary school in the obligatory or standard subjects prescribed by the minutes of the Education Department for the time being in force ;
- (b.) It shall not be required, as a condition of any scholar being admitted into or continuing in any school aided out of the local rate, and receiving technical or manual instruction under this Act, that he shall attend at or abstain from attending any Sunday school or any place of religious worship, or that he shall attend any religious observance or any instruction in religious subjects in the school or elsewhere: Provided that in any school, the erection of which has been aided under this Act, it shall not be required, as a condition of any scholar being admitted into or continuing in such school, that he shall attend at or abstain from attending any Sunday school or any place of religious worship, or that he shall attend any religious observance or any instruction in religious subjects in the school or elsewhere ;
- (c.) No religious catechism or religious formulary, which is distinctive of any particular denomination, shall be taught at any school aided out of the local rate, to a scholar attending only for the purposes of technical or manual instruction under this Act, and the times for prayer or religious worship, or for any lesson or series of lessons on a religious subject, shall be conveniently arranged for the purpose of allowing the withdrawal of such scholar therefrom ;
- (d.) A local authority may, on the request of the school board for its district or any part of its district, or of any other managers of a school or institution within its district for the time being in receipt of aid from the Department of Science and Art, make, out of any local rate raised in pursuance of this Act, to such extent as may be reasonably sufficient, having regard to the requirements of the district, but subject to the conditions and restrictions contained in this section, provision in aid of the technical and manual instruction for the time being supplied in schools or institutions within its district, and shall distribute the provision so made in proportion to the nature and amount of efficient technical or manual instruction supplied by those schools or institutions respectively ;
- (e.) Where such other managers of a school or institution receive aid from a local authority in pursuance of this section, the local authority shall, for the purposes of this Act, be represented on the governing body of the school or institution in such proportion as will, as nearly as may be, correspond to the proportion which the aid given by the local authority bears to the contribution made from all sources other than the local rate and money provided by Parliament to the cost of the

technical or manual instruction given in the school or institution aided ;

(f.) If any question arises as to the sufficiency of the provision made under this section, or as to the qualification of any school or institution to participate in any such provision, or as to the amount to be allotted to each school or institution, or as to the extent to which, or mode in which, the local authority is to be represented on the governing body of any such school or institution, the question shall be determined by the Department of Science and Art : Provided that no such provision, out of any rate raised in pursuance of this Act, shall be made in aid of technical or manual instruction in any school conducted for private profit ; and

(g.) The amount of the rate to be raised in any one year by a local authority for the purposes of this Act shall not exceed the sum of one penny in the pound.

(2.) A local authority may for the purposes of this Act appoint a committee consisting either wholly or partly of members of the local authority, and may delegate to any such committee any powers exercisable by the authority under this Act, except the power of raising a rate or borrowing money.

(3.) Nothing in this Act shall be construed so as to interfere with any existing powers of school boards with respect to the provision of technical and manual instruction.

Provision for
entrance
examination.

2. It shall be competent for any school board or local authority, should they think fit, to institute an entrance examination for persons desirous of attending technical schools or classes under their management or to which they contribute.

Parliamentary
grants in aid of
technical in-
struction.

3. The conditions on which parliamentary grants may be made in aid of technical or manual instruction shall be those contained in the minutes of the Department of Science and Art in force for the time being.

Provisions
as to local
authorities.

4.—(1.) For the purposes of this Act the expression "local authority" shall mean the council of any county or borough, and any urban sanitary authority within the meaning of the Public Health Acts.

(2.) The local rate for the purposes of this Act shall be—

(a.) In the case of a county council, the county fund ;

(b.) In the case of a borough council, the borough fund or borough rate ;

(c.) In the case of an urban sanitary authority not being a borough council, the district fund and general district rate, or other fund or rate applicable to the general purposes of the Public Health Acts ;

(3.) A county council may charge any expenses incurred by them under this Act on any part of their county for the requirements of which such expenses have been incurred.

(4.) A local authority may borrow for the purposes of this Act—

(a.) In the case of a county council, in manner provided by the Local Government Act, 1888 :

(b.) In the case of a borough council, as if the purposes of this Act were purposes for which they are authorised by section one hundred and six of the Municipal Corporations Act, 1882, to borrow :

45 & 46 Vict.
c. 50.

(c.) In the case of an urban sanitary authority not being a borough council, as if the purposes of this Act were purposes for which they are authorised to borrow under the Public Health Acts.

5. Where the managers of a school or institution receive aid from a local authority in pursuance of this Act, they shall render to the local authority such accounts relating to the application of the money granted in aid, and those accounts shall be verified and audited in such manner as the local authority may require, and the managers shall be personally liable to refund to the local authority any money granted under this Act, and not shown to be properly applied for the purposes for which it was granted.

Audit of
accounts of
aided schools.

6. The accounts of the receipts and expenditure of an urban sanitary authority under this Act shall be audited in like manner and with the like incidents and consequences, as the accounts of their receipts and expenditure under the Public Health Act, 1875.

Audit of
accounts of
urban sanitary
authority.

7. In the application of this Act to Ireland—

(1.) The expression “local authority” shall mean the urban or rural sanitary authority, as the case may be, within the meaning of the Public Health (Ireland) Act, 1878.

Application of
the Act to
Ireland.

(2.) The local rate for the purposes of this Act shall be—

41 & 42 Vict.
c. 52.

(a) in the case of an urban sanitary authority, the rate or fund applicable to the expenses incurred or payable by such authority in the execution of the Public Health (Ireland) Act, 1878, under the provisions of the said Act ;

(b) in the case of a rural sanitary authority, the rate or rates out of which special expenses incurred in respect of any contributory place or places are payable under the provisions of the said Act.

(3.) A local authority may borrow for the purposes of this Act as if the purposes of this Act were purposes for which the sanitary authority are authorised to borrow under the Public Health (Ireland) Act, 1878.

(4.) Any reference to the Public Health Act, 1875, shall be construed as a reference to the Public Health (Ireland) Act, 1878.

8. In this Act—

The expression “technical instruction” shall mean instruction in the principles of science and art applicable to industries, and in the application of special branches of science and art to specific industries or employments. It shall not include teaching the practice of any trade or industry or employment, but, save as aforesaid, shall include instruction in the branches of science and art with respect to which grants are for the time being made by the Department of Science and Art, and any other form of instruction (including modern languages and commercial and agricultural subjects), which may for the time

Meaning of
technical and
manual
instruction.

being be sanctioned by that Department by a minute laid before Parliament and made on the representation of a local authority that such a form of instruction is required by the circumstances of its district.

The expression "manual instruction" shall mean instruction in the use of tools, processes of agriculture, and modelling in clay, wood, or other material.

Extent of Act.

9. This Act shall not extend to Scotland.

Short title.

10. This Act may be cited as the Technical Instruction Act, 1889.