

is pleased, by and with the advice of Her Privy Council, to declare, and doth hereby declare, Her sanction of the same.

*T. M. Biddulph.*

*Bye-laws referred to in the foregoing Order.*

No. CLXVIII.

**THE ELEMENTARY EDUCATION ACT,  
1870.**

**BYE-LAWS OF THE SCHOOL BOARD OF THE  
BOROUGH OF SWANSEA.**

WHEREAS, by the 74th section of the Elementary Education Act, 1870, it is enacted that every School Board may from time to time, with the approval of the Education Department, make Bye-laws for all or any of the following purposes:—

1. Requiring the parents of children of such age, not less than five years nor more than thirteen years, as may be fixed by the Bye-laws, to cause such children (unless there is some reasonable excuse) to attend school.
2. Determining the time during which children are so to attend school, provided that no such Bye-law shall prevent the withdrawal of any child from any religious observance or instruction in religious subjects, or shall require any child to attend school on any day exclusively set apart for religious observance by the religious body to which his parent belongs, or shall be contrary to anything contained in any Act for regulating the education of children employed in labour.
3. Providing for the remission or payment of the whole or any part of the fees of any child where the parent satisfies the School Board that he is unable from poverty to pay the same.
4. Imposing penalties for the breach of any Bye-laws.
5. Revoking or altering any Bye-laws previously made.

Provided that any Bye-law under this section requiring a child between ten and thirteen years of age to attend school, shall provide for the total or partial exemption of such child from the obligation to attend school, if one of Her Majesty's Inspectors certifies that such child has reached a standard of education specified in such Bye-law.

And by the said 74th section it is further enacted, that any of the following reasons shall be a reasonable excuse, namely:—

1. That the child is under efficient instruction in some other manner.
2. That the child has been prevented from attending school by sickness or any unavoidable cause.
3. That there is no Public Elementary School open which the child can attend within such distance not exceeding three miles, measured according to the nearest road, from the residence of such child as the Bye-laws may prescribe.

And by the said 74th section it is further enacted, that any proceeding to enforce any Bye-law may be taken, and any penalty for the breach of any Bye-law may be recovered, in a summary manner; but no penalty imposed for the breach of any Bye-law shall extend such sum as, with the costs, will amount to five shillings for each offence; and such Bye-laws shall not come into operation until they have been sanctioned by Her Majesty in Council.

No. 23947.

D

And whereas by the 17th section of the said Act it is enacted, that every child attending a school provided by any School Board shall pay such weekly fee as may be prescribed by the School Board with the consent of the Education Department, but the School Board may from time to time, for a renewable period not exceeding six months, remit the whole or any part of such fee in the case of any child when they are of opinion that the parent of such child is unable from poverty to pay the same, but such remission shall not be deemed to be parochial relief given to such parent.

And whereas in pursuance of a requisition sent by the Education Department to the Mayor of the borough of Swansea, in the county of Glamorgan, a School Board for the district of the said borough was duly elected on the 5th day of December, 1870.

Now, at a meeting of the School Board of the said borough of Swansea, held at the Guildhall, in the said borough of Swansea, on Friday, the 8th day of November, 1872, at which meeting a quorum of the members of such Board are present, the said Board do hereby, in pursuance of the aforesaid powers, and subject to the approval of the Education Department, make and ordain the following Bye-laws:—

1. The parent of every child not less than five nor more than thirteen years of age, residing within the district of the said borough, shall cause such child to attend a Public Elementary School, except as hereinafter provided.
2. No child shall be required to attend a Public Elementary School—
  - (a.) If the child is under efficient instruction in some other manner.
  - (b.) If the child is prevented by sickness or any unavoidable cause.
  - (c.) If there is no Public Elementary School which the child can attend within the distance of two miles, measured according to the nearest road, from the residence of such child.
  - (d.) If the child having attained the age of ten years shall be certified by one of Her Majesty's Inspectors of Schools as having reached the fifth standard of education, as set forth in the New Code of Regulations of the Committee of Council on Education, dated the 7th day of February, 1871.

3. The time during which children subject to these Bye-laws shall attend school shall be the whole time during which the school shall be open; provided—

- (a.) That nothing herein contained shall prevent the withdrawal of any child from any religious observance or instruction in religious subjects.
- (b.) That no child be required to attend school on any day exclusively set apart for religious observance by the religious body to which his or her parent belongs.
- (c.) That no child be required to attend school on Sunday, Christmas Day, Good Friday, or any day set apart for a day of Public Fast or Thanksgiving, or on Saturday after twelve o'clock at noon.
- (d.) That no child be required to attend school on any day fixed for the inspection of the school and the examination of the scholars therein, in respect of religious subjects.

Provided also, that any requirement contained in these Bye-laws shall not be held or construed to apply to any child employed in labour and receiving instruction in conformity with the provisions