

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Ladies' College Ordinance, 1962 *

[CONSOLIDATED TEXT]

NOTE

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* Recueil d'Ordonnances Tome XIII, p. 236; as amended by the Ladies' College (Amendment) Ordinance, 1985 (Recueil d'Ordonnances Tome XXIII, p. 233); the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016). See also the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009 (No VII of 2010).

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(Made on the 12th December, 1962.)

The Ladies' College Ordinance, 1962

THE STATES, in exercise of the powers conferred upon them by section twelve of the Ladies' College (Guernsey) Law, 1962, and of all other powers thereunto them enabling, hereby order: –

PART I

Interpretation

Interpretation.

1. In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"the Board" means the Board of Governors constituted under the provisions of section seven of the Law,

"the Bursar" has the meaning assigned to it by subsection (1) of section thirteen of this Ordinance,

"the College" has the meaning assigned to it by subsection (1) of section six of the Law,

"the Company" has the meaning assigned to it by section one of the Law,

"the [Committee for Education, Sport & Culture]" means the States [Committee for Education, Sport & Culture],

"the Law" means the Ladies' College (Guernsey) Law, 1962,

"the Lower School" has the meaning assigned to it by subsection (2)

of section six of the Law,

"parent", in relation to any pupil, includes a guardian and every person who has the actual custody of the pupil,

"pupil" means a person for whom education may be provided in the College under the provisions of the Law and of this Ordinance,

"the Upper School" has the meaning assigned to it by subsection (2) of section six of the Law.

NOTES

In section 1, the words in square brackets in the definition of the expression "the Committee for Education, Sport & Culture" were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 3, with effect from 1st May, 2016.¹

The functions, rights and liabilities of the Education Department and its Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the Committee for Education, Sport & Culture and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 3, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the reference in this section to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 2, with effect from 4th January, 2010, and having regard to the references in this section to "guardian", a guardian or person referred to as such has parental responsibility in respect of a child if the conditions in paragraph (a) or paragraph (b) of that section are satisfied.

PART II

Staff of the College

Principal, Vice-Principal and assistant teachers.

2. There shall be a Principal of the College, a Vice-Principal of the College and such number of assistant teachers as the Board from time to time considers necessary for the purpose of providing adequate instruction in each subject of the curriculum.]

NOTE

Section 2 was substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(a), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance.

[Principal] and assistant teachers to be employed under written contract of service.

3. The [Principal] and every assistant teacher shall be employed under a contract of service with the Board which shall, in the case of appointments made after the coming into force of this Ordinance, be reduced to writing.

NOTE

In section 3, and the marginal note thereto, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance.

Appointment of [Principal].

4. The [Principal] shall be appointed by the Board and shall be a graduate of a university in the United Kingdom or have such other equivalent qualification as may be approved by the Board.

NOTE

In section 4, and the marginal note thereto, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance.

Termination of contract of service of [Principal] and suspension of [Principal] from office.

5. (1) The contract of service of the [Principal] shall not be terminated otherwise than in accordance with the provisions of the next two succeeding subsections except by agreement between the Board and the [Principal].

(2) The contract of service of the [Principal] may be terminated by the Board or by the [Principal] at pleasure and without assigning any cause at the end of any school term upon written notice being served by the Board on the [Principal] or by the [Principal] on the Board, as the case may be, on or before the commencement of that school term.

(3) The contract of service of the [Principal] may be terminated by the Board at any time without notice for misconduct or other good and urgent cause:

PROVIDED that the Board shall not terminate the contract of service of the [Principal] in pursuance of the provisions of this subsection unless and until –

- (i) the resolution of the Board to terminate her contract of service has been confirmed at a meeting of the Board held not less than fourteen days after the date of the meeting at which the resolution was passed,
- (ii) the Board has used every reasonable means of informing her of any charge against her, and
- (iii) she has been given an opportunity of explanation at a meeting of the Board and accompanied, if she so desires, by her legal adviser or by a friend.

(4) The Board may suspend the [Principal] from her office for misconduct or any other good and urgent cause for any period not exceeding four weeks pending the decision of the Board on the question of the termination of her contract of service.

NOTE

In section 5, and the marginal note thereto, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of, first, section 2(1) and, second, section 3(1) of the 1985 Ordinance.

[Principal] not to have other employment.

6. The [Principal] shall give her personal attention to her duties as [Principal] and shall not undertake any office or employment which may interfere with the proper performance of her duties as [Principal].

NOTE

In section 6, and the marginal note thereto, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of, first, section 2(1) and, second, section 3(1) of the 1985 Ordinance.

Attendance of [Principal] at Board meetings.

7. The [Principal] shall be entitled to attend throughout every meeting of the Board except on such occasions and for such times as the Board may for good cause otherwise determine.

NOTE

In section 7, and the marginal note thereto, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance.

[Vice-Principal].

8. (1) The Board shall, from time to time, after consultation with the Principal, appoint a Vice-Principal.

(2) A person appointed under this section as Vice-Principal shall, unless, in any particular case, the Board otherwise directs, during the absence of the

Principal or pending the appointment of the Principal, carry out the functions of the Principal; and in any such case the provisions of this Ordinance shall apply in all respects as if any reference therein to the Principal included a reference to the Vice-Principal.

(3) Sections 3, 4, 5 and 11 of this Ordinance apply in relation to the contract of service, appointment, termination of contract of service, suspension and salary of a person appointed as Vice-Principal as if for the word "Principal", wherever in those sections that word appears, there were substituted the word "Vice-Principal".]

NOTE

Section 8 was substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(c), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance.

Appointment of assistant teachers.

9. Every assistant teacher shall be appointed by the [Principal], after the approval of the Board to the appointment has been obtained, and shall have such qualifications as the Board shall deem necessary for providing adequate instruction in at least one subject of the curriculum.

NOTE

In section 9, the word in square brackets was substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance.

Termination of contract of service of assistant teachers and suspension of assistant teachers.

10. (1) The contract of service of any assistant teacher shall not be terminated otherwise than in accordance with the provisions of the next two succeeding subsections except by agreement between the Board and the assistant teacher.

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(2) The contract of service of any assistant teacher may be terminated by the Board or by the assistant teacher at pleasure and without assigning any cause at the end of any school term upon written notice being served by the Board on the assistant teacher or by the assistant teacher on the Board, as the case may be, on or before the commencement of that school term.

(3) The contract of service of any assistant teacher may be terminated by the Board at any time without notice for misconduct or other good and urgent cause:

PROVIDED that the Board shall not terminate the contract of service of any assistant teacher in pursuance of the provisions of this subsection unless and until –

- (i) the Board has used every reasonable means of informing her of any charge against her,
- (ii) she has been given an opportunity of explanation at a meeting of the Board and accompanied, if she so desires, by her legal adviser or by a friend.

(4) The Board or the [Principal] may suspend any assistant teacher from her employment by the Board for misconduct or any other good and urgent cause for any period not exceeding four weeks pending the decision of the Board on the question of the termination of her contract of service.

(5) In any case where any assistant teacher has been suspended by the [Principal] from her employment by the Board –

- (a) the [Principal] shall, as soon as may be, report the matter to the Board,
- (b) the Board may countermand the decision of the [Principal] to suspend that teacher.

NOTE

In section 10, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of, first, section 2(1) and, second, section 3(1) of the 1985 Ordinance.

Salaries of [Principal] and assistant teachers.

11. The [Principal] and every assistant teacher shall be paid a salary in accordance with such scales as shall be prescribed from time to time by the Board and approved by the [Committee for Education, Sport & Culture].

NOTES

In section 11,

the words in the first pair of square brackets, and in the square brackets in the marginal note thereto, were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance;

the words in the second pair of square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 3, with effect from 1st May, 2016.³

Saving in respect of occasional teachers.

12. The provisions of this Part of this Ordinance, other than the provisions of the last preceding section, in so far as they apply in relation to assistant teachers, shall not apply in relation to any assistant teacher employed by the Board for the period of any one term or for any shorter period.

Bursar and other non-teaching staff.

13. The Board shall employ a person to act as bursar of the College (hereinafter referred to as "**the Bursar**") and may employ such other persons as may be necessary for any of the purposes of the College, other than the instruction of the pupils in the College.

PART III

Organisation and curriculum of the College

General conduct of the College.

14. The College shall be kept at a level of efficiency satisfactory to the [Committee for Education, Sport & Culture].

NOTE

In section 14, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 3, with effect from 1st May, 2016.⁴

Organisation and curriculum.

15. (1) Subject to the provisions of this Ordinance, the Board shall have the general direction of the conduct and curriculum of the College.

(2) Subject to the provisions of this Ordinance, the [Principal] shall have under her control the choice of books, the method of teaching, the arrangement of classes and arrangements for school meals so far as may be necessary for the purposes of the College, and generally the whole internal organisation, management and discipline of the College.

(3) The [Principal] shall have the power to expel any pupil or to suspend any pupil from attendance for any cause which she considers adequate and shall, upon expelling any pupil or suspending any pupil from attendance, as soon as may be reasonably practicable –

- (a) inform the parents of that pupil that they may appeal, to the Board from the decision of the [Principal], and
- (b) report the case to the Board.

(4) The Board may confirm, vary or reverse the decision of the [Principal] to expel any pupil or suspend any pupil from attendance, having regard to any representations made to it by the [Principal] and the parents of that pupil.

(5) There shall, be full consultation at all times between the

[Principal] and the Board in connection with any matter affecting the conduct and curriculum of the College.

(6) Suitable arrangements shall be made for enabling assistant teachers to submit their views and proposals to the Board through the [Principal].

NOTES

In section 15, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of, first, section 2(1) and, second, section 3(1) of the 1985 Ordinance.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the references in this section to "parents" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, fathers or mothers who have parental responsibility in respect of the child.

School sessions, terms and holidays.

16. The Board shall determine the times at which the school session shall begin and end on any day, the times at which the school term shall begin and end and the school holidays and shall have power to grant such mid-term holidays and other occasional holidays as they think fit.

Medical inspection and treatment of pupils.

17. The Board shall make adequate provision by arrangement with the [Committee for Education, Sport & Culture] for the medical inspection of all pupils in the College and for the medical and dental treatment of any such pupil under any scheme for the time being maintained by the [Committee for Education, Sport & Culture].

NOTE

In section 17, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 3, with effect from 1st May, 2016.⁵

Religious worship and instruction.

18. (1) Subject to the provisions of this section, every school day shall begin with collective worship on the part of all pupils in attendance at the College.

(2) Subject to the provisions of this section, religious instruction shall be given to every pupil in attendance at the College in accordance with a syllabus prescribed by the Board.

(3) The collective worship required by subsection (1) of this section shall not be distinctive of any particular religious denomination and the religious instruction given to any pupils in attendance at the College shall not include any catechism or formulary which is distinctive of any particular religious denomination.

(4) If the parent of any pupil requests in writing that she be wholly or partly excused from attendance at religious worship at the College or from attendance at religious instruction at the College, or from both religious worship and religious instruction at the College, then, until the request is withdrawn, the pupil shall be excused from such attendance accordingly.

(5) Where any pupil has been wholly or partly excused from attendance at religious worship or instruction at the College in accordance with the provisions of the last preceding subsection, and the [Principal] is satisfied that the parent of the pupil desires her to receive religious instruction of a kind which is not provided at the College and that arrangements have been made for her to receive religious instruction elsewhere than at the College, the pupil shall be allowed to receive religious instruction in accordance with such arrangements as, in the opinion of the [Principal], shall not interfere unreasonably with the pupil's education at the College.

(6) It shall not be required, as a condition of any pupil being admitted to or remaining in the College, that the pupil shall attend or abstain from attending any Sunday School or any place of religious worship.

NOTES

In section 18, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the references in this section to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

Fees.

19. (1) Subject to the provisions of this section, the Board shall be entitled to charge fees in respect of the education provided for every pupil in the College and such fees shall be payable at such yearly rates as the Board shall determine from time to time with the approval of the [Committee for Education, Sport & Culture] and different rates may be so determined in respect of different categories of pupils.

(2) The Board may exempt the parent of any pupil in the Upper School from liability to pay the whole or any part of the fees payable in respect of that pupil in any case where the Board is satisfied that owing to exceptional circumstances the parent of that pupil is no longer able to pay the full amount of those fees and that the withdrawal of that pupil from the Upper School would be detrimental to the education of that pupil.

- (3) The whole of the fees payable in respect of any pupil –
- (a) admitted to the Upper School in pursuance of the provisions of subsection (1) of section twenty-three of this Ordinance,
 - (b) admitted to the Upper School in pursuance of the provisions of subsection (2) of section twenty-six of this Ordinance and in respect of whom fees were paid to the Company by the States immediately before the

coming into force of this Part of this Ordinance,

shall be paid to the Board by the States during the whole of the period that the pupil remains in the Upper School.

NOTES

In section 19, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 3, with effect from 1st May, 2016.⁶

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the references in this section to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

Admission of pupils to the Lower School.

20. (1) Any reference in this section to the admission of pupils shall be deemed to be a reference to the admission of pupils to the Lower School and the expression "**admitted**" shall be construed accordingly.

(2) Subject to the provisions of subsection (1) of section twenty-six of this Ordinance, a pupil shall not be admitted otherwise than in pursuance of the provisions of this section.

(3) The parent of any pupil who desires to obtain the admission of that pupil shall make a written application in that behalf to the Bursar in such form and containing such particulars as the Board may from time to time prescribe.

(4) Subject to the following provisions of this section, pupils shall be admitted at the discretion of the [Principal].

(5) Where an application for the admission of a pupil has been made in accordance with the provisions of this section, the [Principal] shall, as soon as may be reasonable having regard to the school term at the beginning of which or during which, as the case may be, it is desired to obtain the admission of the pupil,

serve on the applicant a notice in writing stating –

- (a) whether the application has been accepted or rejected,
- (b) if the application has been accepted, the date on which the pupil may be admitted,
- (c) if the application has been rejected –
 - (i) the reasons why it has been rejected,
 - (ii) that the applicant may appeal to the Board against the decision of the [Principal].

(6) In any case where the [Principal] has rejected an application for the admission of a pupil, the Board may, upon an appeal made to it by the applicant against the decision of the [Principal], confirm or reverse the decision of the [Principal].

(7) An application for the admission of a pupil shall not be rejected other than on reasonable grounds.

(8) A pupil who has attained the age of eleven years shall not be admitted during any school year if that pupil attained that age before the day on which that school year commenced.

(9) A pupil who has attained the age of eleven years shall not be allowed to remain in the Lower School:

PROVIDED that a pupil who has attained that age during any school year shall be allowed to remain in the Lower School until the end of that school year.

NOTES

In section 20, the words in square brackets were substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985

Ordinance.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the reference in this section to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

Admission of pupils to the Upper School.

21. (1) Any reference in this section to the admission of pupils shall be deemed to be a reference to the admission of pupils to the Upper School and the expression "**admitted**" shall be construed accordingly.

(2) Subject to the provisions of subsection (1) of section twenty-three and of subsection (2) of section twenty-six of this Ordinance, a pupil shall not be admitted otherwise than in pursuance of the provisions of this section.

(3) The parent of any pupil who desires to obtain the admission of that pupil shall make a written application in that behalf to the Bursar in such form and containing such particulars as the Board may from time to time prescribe.

(4) An application for the admission of a pupil shall not be accepted unless –

(a) the pupil has been found fit for admission by the [Principal] in an examination held under the direction of the Board, and

(b) the pupil is capable of profiting from the education provided in the Upper School.

(5) For the purposes of the last preceding [subsection] –

(a) preference shall be given to pupils who by reason of their ability and aptitude are most likely to profit from the education provided in the Upper School, and

- (b) the minimum educational standard qualifying a pupil for admission shall be the same for pupils of the same age.

(6) Where upon an application having been made for the admission of a pupil, the pupil has undergone an examination in pursuance of the provisions of paragraph (a) of subsection (4) of this section, the [Principal] shall, as soon as may be after the examination, serve on the applicant a notice in writing stating –

- (a) whether the application has been accepted or rejected, and
- (b) if the application has been accepted, the date on which the pupil may be admitted,
- (c) if the application has been rejected –
 - (i) the reasons why it has been rejected, and
 - (ii) that the applicant may appeal to the Board against the decision of the [Principal].

(7) In any case where the [Principal] has rejected an application for the admission of a pupil, the Board may, upon an appeal made to it by the applicant against the decision of the [Principal], confirm or reverse the decision of the [Principal].

NOTES

In section 21,

the word "Principal" in square brackets, wherever occurring, was substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance;

the word in square brackets in subsection (5) was substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(d), with effect from 1st February, 1985.

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the reference in this section to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

Register of applications for admission.

22. The Bursar shall keep a register of all applications for the admission of pupils to the Lower School or to the Upper School made in pursuance of the provisions of section twenty or section twenty-one of this Ordinance, as the case may be, and there shall be entered in such register the particulars of every application so made and a statement as to whether the application was accepted or rejected and, if it was rejected, of the reasons why it was rejected.

Free places in the Upper School.

23. (1) There shall be admitted to the Upper School at the commencement of each school year such number of pupils, not exceeding thirty or such other number as the States may from time to time by Resolution prescribe, as shall have –

- (a) been found fit by the [Committee for Education, Sport & Culture] for admission to the Upper School in an examination held under the direction of the [Committee for Education, Sport & Culture], and
- (b) satisfied the [Committee for Education, Sport & Culture] that they are capable of profiting from the education provided in the Upper School.

(2) In determining which pupils shall be admitted to the Upper School in pursuance of the provisions of subsection (1) of this section the [Committee for Education, Sport & Culture] shall give preference to pupils who by reason of their ability and aptitude are most likely to profit from the education

provided in the Upper School.

NOTE

In section 23, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 3, with effect from 1st May, 2016.⁷

Admission of boy pupils to the College.

24. No boy pupil shall be admitted to the College after he has attained the age of eight years and no boy pupil shall be allowed to remain in the College after he has attained that age:

PROVIDED that if any boy pupil attains that age during any school year he shall be allowed to remain in the College until the end of that school year.

Withdrawal of pupils from the Upper School.

25. The Board shall make arrangements for the withdrawal from the Upper School of any pupil who, in the opinion of the [Principal], from idleness or incapacity to profit from the education provided in the Upper School is materially below the standard of attainment proper to the pupil's age.

NOTE

In section 25, the word in square brackets was substituted by the Ladies' College (Amendment) Ordinance, 1985, section 1(1)(b), with effect from 1st February, 1985, subject to the provisions of section 3(1) of the 1985 Ordinance.

Saving.

26. (1) The provisions of section twenty of this Ordinance, other than the provisions of subsection (9) thereof, shall not apply in relation to any pupil –

- (a) who was immediately before the coming into force of this Ordinance a pupil in the school conducted by the Company, and

- (b) who shall not have attained the age of eleven years before the commencement of the school year next following the coming into force of this Ordinance,

and any such pupil shall, if the parent of that pupil so desires, be admitted to the Lower School.

(2) The provisions of section twenty-one of this Ordinance, shall not apply in relation to any pupil –

- (a) who was immediately before the coming into force of this Ordinance a pupil in the school conducted by the Company, and
- (b) who has or shall have attained the age of eleven years before the commencement of the school year next following the coming into force of this Ordinance,

and any such pupil shall, if the parent of that pupil so desires, be admitted to the Upper School.

NOTE

In accordance with the provisions of the Children (Consequential Amendments etc.) (Guernsey and Alderney) Ordinance, 2009, section 1, with effect from 4th January, 2010, the references in this section to "parent" shall mean, in relation to a child and subject to the conditions in paragraph (a) and (b) of subsection (1) and the exceptions in paragraph (a) and (b) of subsection (2) of that section, a father or mother who has parental responsibility in respect of the child.

PART IV

Service of notices, citation and commencement

Service of notices.

27. A notice required by this Ordinance to be served upon any person may be served by delivering it to that person, or by leaving it, or by sending it by

post addressed to that person, at his usual or last known place of abode.

Citation and commencement.

28. (1) This Ordinance may be cited as the Ladies' College Ordinance, 1962.

(2) This Ordinance shall come into force on the first day of January, nineteen hundred and sixty-three.

¹ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 13, with effect from 6th May, 2004.

² The functions, rights and liabilities of the Education Department and its Minister arising under or by virtue of this Ordinance were previously transferred to and vested in them, respectively, from the Education Council and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 13, with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.

³ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 13, with effect from 6th May, 2004.

⁴ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 13, with effect from 6th May, 2004.

⁵ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 13, with effect from 6th May, 2004.

⁶ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 13, with effect from 6th May, 2004.

⁷ These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1,

paragraph 13, with effect from 6th May, 2004.