1978 No. 217

EDUCATION

Grammar School Pupils (Admissions, Grants and Allowances) Regulations (Northern Ireland) 1978

Made . . . . . 1*st August* 1978

Coming into operation . . . 1*st September* 1978

The Department(a) of Education (hereinafter referred to as "the Department"), in pursuance of the powers vested in it by Articles 21, 39, 105 and 125 of the Education and Libraries (Northern Ireland) Order 1972(b) (hereinafter referred to as "the Order"), and of all other powers enabling it in that behalf, and with the approval of the Department(a) of Finance as to grants, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Grammar School Pupils (Admissions, Grants and Allowances) Regulations (Northern Ireland) 1978 and shall come into operation on 1st September 1978.

Revocation

2. The Grammar Schools (Admissions and Scholarships) Regulations (Northern Ireland) 1973(c) are hereby revoked.

Definitions

3. In these regulations—

"board" means an education and library board established under Article 3 of the Order;

"controlled school" means a controlled grammar school;

"Group A voluntary school" means a school which before 18th January 1951 elected to be classified as a Group A voluntary school or which has been subsequently so classified by the Department;

"Group B voluntary school" means a school which before 18th January 1951 elected to be classified as a Group B voluntary school and has not been subsequently reclassified;

"non-fee-paying pupil" has the meaning assigned to it in regulation 5;

"parent" includes a legal guardian or, where the board considers it to be appropriate, any other person who normally maintains the pupil;

"school" means a grammar school as defined in the Order;

"school authorities" means, in the case of a controlled school, a board, and, in the case of a voluntary school, the managers of that school;

"school year" means the year beginning on 1st August and ending on 31st July;

"secondary department" means that part of a school in which secondary education is provided;

"voluntary school" means a voluntary grammar school.

(a) Formerly Ministry: *see* 1973 c. 36 Sch. 5 para. 8(1)
(b) S.I. 1972/1263 (N.I. 12)
(c) S.R. & O. (N.I.) 1973 No. 427 (II, p. 2587)

General

4. These regulations prescribe the conditions under which pupils shall be admitted to the secondary departments of schools and the conditions under which grants and allowances may be paid to schools or parents respectively, in respect of certain pupils.

Admission of non-fee-paying pupils to schools

5.—(1) Subject to paragraphs (2), (3) and (4) a non-fee-paying pupil is a pupil ordinarily resident in Northern Ireland who is enrolled in the secondary department of a school and whom the board for the area in which the school is situated considers to be suitable for the type of education provided by that school.

(2) Where the board is satisfied that a pupil's parents are not ordinarily resident in Northern Ireland and that the pupil is resident in Northern Ireland solely or mainly for the purpose of receiving education the board may refuse to treat that pupil as a non-fee-paying pupil for the purpose of these regulations.

(3) Any pupil who held an award under the Grammar Schools (Admissions and Scholarships) Regulations (Northern Ireland) 1973 and who would have continued to hold that award had those regulations remained in operation shall for the purpose of these regulations be regarded as a non-fee-paying pupil.

(4) A board may cease at any time to treat a pupil as a non-fee-paying pupil for the purpose of these regulations if the board is satisfied, after consultation with the principal of the school concerned, that the conduct, progress or attendance of the pupil is not satisfactory.

6.—(1) The school authorities of every school, other than a Group B voluntary school, shall reserve for non-fee-paying pupils not fewer than 80% of the places available each school year for the admission of day pupils to the secondary department of the school.

(2) The school authorities of a Group A voluntary school or a controlled school shall not, without the prior approval of the Department, increase the number of places available in the school for boarding pupils in such a way as to reduce the number of places available for day pupils.

(3) Subject to paragraph (4) no non-fee-paying pupil shall be refused admission to a Group A voluntary school or controlled school on other than reasonable grounds.

(4) Where the number of non-fee-paying pupils seeking admission to the secondary department of a Group A voluntary school or controlled school is greater than the number of places reserved for such pupils in accordance with the provisions of paragraph (1) the school authorities may select for admission such of the non-fee-paying pupils as appear to them best fitted to profit by the education provided at the school.

Grants in respect of non-fee-paying pupils

7.—(1) The Department may pay each year to the school authorities of each voluntary school a grant in respect of each non-fee-paying pupil enrolled in the school.