1971. No. 259 **[C]**

EDUCATION

Grammar Schools (Admissions, Scholarships and Special Allowances)

REGULATIONS, DATED 26TH JULY 1971, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND) 1947 TO 1971.

The Ministry of Education (hereinafter referred to as "the Ministry") in pursuance of the powers vested in it by Sections 48 and 76 of the Education Act (Northern Ireland) 1947(a), and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Introductory

1.—(1) These Regulations may be cited as the Grammar Schools (Admissions, Scholarships and Special Allowances) Regulations 1971, and shall come into operation on 1st August 1971.

(2) The Grammar Schools (Admissions, Scholarships and Special Allowances) Regulations (Northern Ireland) 1965(b) are hereby revoked.

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say:—

"Approved" means approved by the Ministry for the purposes to which the context relates;

"Award" has the meaning assigned to it in paragraph (1) of Regulation 8 of these Regulations;

"Boarding Allowance" means a special allowance granted under the provisions of paragraphs (2) and (3) of Regulation 8;

"Group A Voluntary School" has the meaning assigned to it in the Secondary Schools (Grant Conditions) Regulations 1965;

"Group B Voluntary School" has the meaning assigned to it in the Secondary Schools (Grant Conditions) Regulations 1965;

"Incidentals Allowance" means a special allowance under the provisions of sub-paragraph (*b*) of paragraph (1) of Regulation 8 payable until the end of the day on which a qualified pupil attains the upper limit of the compulsory school age;

"Maintenance Allowance" means a special allowance under the provisions of sub-paragraph (*b*) of paragraph (1) of Regulation 8 payable—

(i) at age 15 from the beginning of the day following that on which a qualified pupil attains the upper limit of the compulsory school age;

(ii) at age 16 from the beginning of the day following the anniversary of the date on which a qualified pupil attains the upper limit of the compulsory school age;

(a) 1947. c. 3.
(b) S.R. & O. (N.I.) 1965, No. 139; S.R. & O. (N.I.) 1969, No. 163; S.R. & O. (N.I.) 1970, No. 108; S.R. & O. (N.I.) 1970, No. 204.

(iii) at age 17 from the beginning of the day following the second anniversary of the date on which a qualified pupil attains the upper limit of the compulsory school age;

(iv) at age 18 and over from the beginning of the day following the third or subsequent anniversary of the date on which a qualified pupil attains the upper limit of the compulsory school age;

"Parent" shall include a legal guardian or, where the Committee consider it to be appropriate any other person who normally maintains the pupil;

"Qualified Pupil" has the meaning assigned to it in Regulation 4 of these Regulations;

"School" means a grammar school recognised by the Ministry for the purposes of the Secondary Schools (Grant Conditions) Regulations 1965;

"School Authorities" means, in the case of a county school, a local education authority, 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 grammar school in which secondary education is provided.

(2) Other expressions to which meanings have been assigned by the Education Acts (Northern Ireland) 1947 to 1971 shall, for the purposes of these Regulations, have the same respective meanings.

(3) The Interpretation Act (Northern Ireland) 1954 shall apply for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

3. These Regulations prescribe the conditions under which qualified pupils shall be admitted to the secondary departments of schools and the conditions under which awards tenable at schools shall be made by local education authorities.

Admission of Qualified Pupils to Grammar Schools

4. A qualified pupil is a pupil who has reached the qualifying standard in or as a result of such test or tests or other arrangements for the admission of pupils to the secondary department of a school as the Ministry may conduct, make or approve.

5.—(1) The school authorities of every Group A voluntary school or county school shall reserve for qualified pupils not fewer than 80 per cent 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 county school shall not without the prior approval of the Ministry 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) No qualified pupil shall be refused admission to a Group A voluntary school or county school on other than reasonable grounds;

Provided, however, that, where the number of qualified pupils seeking admission to the secondary department of a Group A voluntary school or county school is greater than the number of places reserved for such pupils in accordance with the provisions of paragraph (1) of this Regulation, the school authorities may select such of the qualified pupils as appear to them best fitted to profit by the education provided at the school.

6. The school authorities of a Group B voluntary school may admit each year to the secondary department of the school such and so many qualified pupils as they may think fit.

Award of Scholarships and Special Allowances

7. The local education authority shall make an award to each qualified pupil ordinarily resident in their area who is in attendance at a school. Provided that where the authority is satisfied that a pupil's parents are not ordinarily resident in their area and that the pupil is resident in the area solely or mainly for the purpose of receiving education the making of an award shall be at the discretion of the authority.

8.—(1) An award shall consist of

(*a*) a scholarship of a value equal to—

(i) in the case of a pupil who is in attendance at a Group A voluntary school or county school, the approved tuition fee of the school; or, in the case of a pupil who is in attendance at a Group B voluntary school, an amount determined by the Ministry; and

(ii) the amount of examination fees as certified by or on behalf of the school authorities and approved by the local education authority; and

(iii) such amount in respect of books, stationery and other school requisites as may be determined by the local education authority and approved by the Ministry, which amount may be paid either to the school authorities, the parent or otherwise for the benefit of the pupil as the local education authority may decide; and

(*b*) a special allowance of an amount determined in accordance with the Schedule being either an Incidentals Allowance or a Maintenance Allowance: provided that—

(i) a Maintenance Allowance shall not be payable in respect of a qualified pupil who is in receipt of a Boarding Allowance; and

(ii) where a qualified pupil was entitled to a special allowance under sub-paragraph (*b*) of paragraph (1) of Regulation 8 of the previous Regulations any such allowance shall continue to be payable subject to the provisions of the previous Regulations unless and until the pupil becomes eligible to receive a special allowance of greater amount under this sub-paragraph.

(2) In addition to the amounts payable in accordance with paragraph (1), an award may also include such special allowance as may be granted in accordance with paragraph (3).

(3) If in respect of any qualified pupil the local education authority are satisfied—

(*a*) that, where by reason of the distance between his home and the nearest suitable school, or other sufficient cause, it would be unreasonable that he should attend a school as a day pupil; and