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STATUTORY RULES OF NORTHERN IRELAND

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**2000 No. 27**

**EDUCATION**

**Class Sizes in Primary Schools  
Regulations (Northern Ireland) 2000**

*Made* - - - - - *28th February 2000*

*Coming into operation* *31st March 2000*

The Department of Education, in exercise of the powers conferred on it by Articles 16 and 90(3) of the Education (Northern Ireland) Order 1998<sup>(1)</sup> and of every other power enabling it in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Class Sizes in Primary Schools Regulations (Northern Ireland) 2000 and shall come into operation on 31st March 2000.

**Interpretation**

2.—(1) In these Regulations a reference to pupils in—

- (a) “Year 1” means those pupils undertaking their first year of compulsory education;
- (b) “Year 2” means those pupils undertaking their second year of compulsory education;
- (c) “Year 3” means those pupils undertaking their third year of compulsory education; and
- (d) “Year 4” means those pupils undertaking their fourth year of compulsory education.

(2) In these Regulations—

“the 1986 Order” means the Education and Libraries (Northern Ireland) Order 1986<sup>(2)</sup>

“the 1996 Order” means the Education (Northern Ireland) Order 1996<sup>(3)</sup>;

“the 1997 Order” means the Education (Northern Ireland) Order 1997<sup>(4)</sup>; and

“the 1998 Order” means the Education (Northern Ireland) Order 1998.

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(1) S.I.1998/1759 (N.I. 13)

(2) S.I. 1986/594 (N.I. 3)

(3) S.I. 1996/274 (N.I. 1)

(4) S.I. 1997/866 (N.I. 5)

### **Application**

3. These Regulations shall not apply in relation to any school year which begins before 1st August 2000.

### **The class sizes statutory limit**

4. For the purposes of Article 16(2) of the 1998 Order, the statutory limit in relation to pupils in Year 1, Year 2, Year 3 and Year 4 shall, in each case, be 30

### **Exceptions to the statutory limit on class sizes**

5. In exercising its power under Article 16(4) of the 1998 Order, a board shall have regard to the following matters—

- (a) the requirements on a school to comply with—
  - (i) a direction of an admissions appeal tribunal, under Article 15(5)(a) of the 1997 Order;
  - (ii) a direction of a board, under Article 42 of the 1996 Order;
  - (iii) a school attendance order under Article 45(2) of, and Schedule 13 to, the 1986 Order;
  - (iv) a statement of special educational needs, under Article 16 of the 1996 Order;
- (b) the need to avoid unreasonable public expenditure.

### **Revocation and transitional provision**

6.—(1) Subject to paragraph (2), the Class Sizes in Primary Schools Regulations (Northern Ireland) 1999(5) are hereby revoked.

(2) The Class Sizes in Primary Schools Regulations (Northern Ireland) 1999(5) shall continue to apply in relation to any school year ending on or before 31st July 2000 as if these Regulations had not been made.

Sealed with the Official Seal of the Department of Education on 28th February 2000.

L.S.

*Dr. M. Browne*  
Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

Article 16 of the Education (Northern Ireland) Order 1998 provides for a statutory limit to be prescribed by regulations on the number of pupils who may be in any class of pupils in Key Stage 1 of their compulsory education. It also provides for the Department to set out in those regulations the matters which education and library boards must have regard to when making exceptions to the class size limit.

Regulation 4 provides for a statutory limit of 30 pupils in a Year 1 (P1), Year 2 (P2), Year 3 (P3) and Year 4 (P4) class.

Regulation 5 specifies the matters which education and library boards must have regard to when making exceptions to the class size limit.

These Regulations apply from the school year beginning on 1st August 2000.