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STATUTORY INSTRUMENTS

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**1998 No. 2876**

**The Education (Grammar School Ballots) Regulations 1998**

**PART II**

**PETITIONS FOR A BALLOT**

**Meaning of “relevant eligible parent” and “parent population”**

**9.—(1)** A parent is a relevant eligible parent if he is a school registered parent at the date of the electoral list referred to in one of paragraphs (2) to (5) as appropriate.

(2) Where none of the paragraphs (3) to (5) apply the electoral list referred to in paragraph (1) is that for the current term.

(3) If—

- (a) at the time when the petition is received by the designated body they have not obtained the electoral list for the current term for the relevant school by reference to which a person is a school registered parent, and
- (b) in the light of the date on which the petition is received they do not anticipate that they will be able to do so during that term,

the electoral list referred to in paragraph (1) is that for the next term after the current term for which a list is provided to the designated body.

(4) If—

- (a) at the time when the petition is received by the designated body they have not obtained the electoral list for the current term for the relevant school by reference to which a person is a school registered parent, and
- (b) (despite a request under regulation 19(4)) the designated body does not receive an electoral list for the current term but receives an electoral list for a later school term,

the electoral list referred to in paragraph (1) is the electoral list for the later term.

(5) If—

- (a) paragraph (3) does not apply in respect of the relevant school by reference to which a person is a school registered parent, but||
- (b) paragraph (3) applies in respect of another relevant school, and
- (c) as a result of the operation of paragraph (3) in respect of that school, the electoral list which applies for the purposes of paragraph (1) is that for the school term after the summer holidays,

the electoral list referred to in paragraph (1) is the electoral list for the school term starting after the summer holidays or where (despite a request under regulation 19(4)) the designated body does not receive that list but receives a list for a later school term, the electoral list for the later school term.

(6) A parent is also a relevant eligible parent if he is a ballot registered parent on the date on which the petition is received by the designated body.

- (7) For the purposes of regulation 7(7) “the parent population” means—
- (a) in the case of an area ballot, the total of school registered parents; and
  - (b) in the case of a feeder school ballot, the total of eligible parents,
- in the case at the date determined under paragraph (8).
- (8) The date referred to in paragraph (7) is—
- (a) except in the circumstances described in sub-paragraph (b), the date of the first electoral list provided to the designated body for each relevant school for the petition period during which the petition is received, provided that if paragraph (4) applies in relation to any school and an electoral list is not provided to the designated body for that petition period, the date of the electoral list actually provided in relation to the petition in question shall, in relation to that school, be substituted for the date of the first electoral list for the petition period; and
  - (b) where paragraph (3) applies in relation to at least one school and, as a result of its application, the electoral list or lists which apply for the purpose of determining whether a parent is a relevant eligible parent is that for the school term after the summer holidays, the date of the first electoral list provided to the designated body for each relevant school for the next petition period.
- and in this paragraph an electoral list provided “for” a particular petition period is an electoral list the date of which falls within the petition period in question.
- (9) In calculating, for the purposes of paragraph (7), the total of school registered parents or eligible parents each parent shall count only once (irrespective of the number of children a parent may have or the number of schools they attend).
- (10) In this regulation—
- “the current term” in relation to any school, is the term in which the date on which the petition is received falls, or
- (a) where that date falls in any school holidays, the most recent term, except where sub-paragraph (b) applies; and
  - (b) where that date falls in the summer holidays, the subsequent term, except in a case where on that date the designated body has obtained an electoral list for that school for the term ending before the summer holidays; and
- “the first electoral list” for any petition period means the electoral list obtained by the designated body on the first occasion in any petition period on which it obtains such a list whether in compliance with its obligations under regulation 18 below or in order to determine the validity of a petition,
- and any reference to an electoral list for a particular term is a reference to the electoral list obtained by the designated body for that term whether in compliance with its obligations under regulation 18 or in order to determine the validity of a petition.