
STATUTORY INSTRUMENTS

2006 No. 128

**The Education (Admission of Looked After
Children) (England) Regulations 2006**

Schools which have pre-existing arrangements for selection

6.—(1) This regulation applies to an admission authority for a school which at the beginning of the 1997-1998 school year made provision in their admission arrangements for selection by ability or by aptitude and has at all times since that date continued to do so, in accordance with section 100(1) of the 1998 Act.

(2) The admission authority shall give first priority in its oversubscription criteria to all relevant looked after children who have been selected for admission by reference to ability or aptitude over all other children who have been selected for admission by reference to ability or aptitude.

(3) Where the admission authority has allocated places in accordance with paragraph (2), all relevant looked after children who have not been allocated a place on the basis of their ability or aptitude shall be given higher priority in the oversubscription criteria than all other children who have not been offered a place on the basis of their ability or aptitude.