
STATUTORY INSTRUMENTS

1989 No. 2406

The Education Reform(Northern Ireland) Order 1989

PART IV

ADMISSION OF CHILDREN TO GRANT-AIDED SCHOOLS

Determination of school to be named in school attendance order

44.—(1) Before serving a school attendance order on a parent under paragraph 1(2) of Schedule 13 to the principal Order, a board shall serve on him a written notice of its intention to serve the order—

- (a) specifying the school which it intends to name in the order and, if it thinks fit, one or more other schools which it regards as suitable alternatives; and
- (b) stating the effect of paragraphs (2) and (3);

but no voluntary or grant-maintained integrated school shall be specified in the notice unless the board has consulted the managers of the school.

(2) If the notice specifies one or more alternative schools and the parent selects one of them and notifies the board accordingly before the expiration of the period of fourteen days beginning with the day after that on which the notice is served, the school selected by him shall be named in the order.

(3) If before the expiration of the period mentioned in paragraph (2) the parent—

- (a) applies for the child to be admitted to a school other than the school or schools specified in the notice; and
- (b) notifies the board accordingly,

then, if as a result of the application the child is offered a place at that school, that school shall, subject to paragraph (5), be named in the order.

(4) If at any time while a school attendance order is in force with respect to a child—

- (a) the parent applies for the child to be admitted to a school other than the school named in the order; and
- (b) as a result of the application the child is offered a place at a school,

the board by which the order was served shall, subject to paragraph (5), at the request of the parent amend the order by substituting that school for the one previously named.

(5) Paragraphs (3) and (4) do not apply where the school at which the child is offered a place is an independent school unless, in the opinion of the board, the school is suitable to his age, ability and aptitude and to any special educational needs he may have.

(6) This Article does not apply to children in respect of whom a board maintains a statement of special educational needs under Article 31 of the principal Order; but, except in relation to such children,—

- (a) paragraphs (1) to (3) and (5) supersede paragraph 1(3) and (4) of Schedule 13 to the principal Order;

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- (b) paragraphs (4) and (5) supersede paragraph 2(1) and (2) of that Schedule, so far as it relates to the amendment of a school attendance order.