



2022 CHAPTER 21

Meaning of “compulsory school age”

1.—(1) In Article 46 of the Education and Libraries (Northern Ireland) Order 1986 (compulsory school age), in paragraph (1), after “sixteen years”, in each place it appears, insert “or, in some deferred cases, seventeen years”.

(2) After paragraph (1) of that Article insert—

“(1A) In this Article, “deferred case” means a case in which a person who attains the age of four years on any date occurring in the period beginning on (and including) 1st April in any year and ending on (and including) 1st July in the same year does not begin to receive full-time education until the following year, having attained the age of five years.

(1B) A reference in this Article to a person who attains a specified age on any date occurring in the period beginning on (and including) 1st April in any year and ending on (and including) 1st July in the same year includes—

- (a) a reference to a person who would have attained that age on a day in that period were it not for having been born prematurely, and
- (b) a reference to a person who was born before the beginning of that period but in whose case the expected week of childbirth was after the end of that period.”.

(3) In paragraph (2) of that Article, in sub-paragraph (a), at the beginning insert “except in a deferred case,”.

(4) After paragraph (2) of that Article insert—

“(2A) In a deferred case, where a person attains the age of four years on any date occurring in the period beginning on (and including) 1st April in any year and ending on (and including) 1st July in the same year, the person shall be deemed not to have attained the lower limit of compulsory

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school age until 1st August in the year in which the person attained the age of five years.”.

- (5) In paragraph (3) of that Article—
- (a) in sub-paragraph (a), at the beginning insert “except in a deferred case,”, and
 - (b) in each of sub-paragraphs (a) and (b), for “such other date as the Department may, by order subject to affirmative resolution, prescribe” substitute “a prescribed date”.
- (6) After paragraph (3) of that Article insert—
- “(4) In a deferred case, where a person attains the age of sixteen years on any date occurring in the period beginning on (and including) 1st April in any year and ending on (and including) 1st July in the same year, the person shall be deemed not to have attained the upper limit of compulsory school age until or, as the case may be, deemed to have attained that upper limit on 30th June in the following year or on a prescribed date.”.
- (7) After paragraph (4) of that Article (inserted by subsection (6)), insert—
- “(5) In this Article—
- “full-time education” means full-time education of the kind referred to in Article 45(1);
 - “prescribed date” means such date as the Department may, by order subject to affirmative resolution, prescribe.”.