



2022 CHAPTER 21

Consequential amendments

2.—(1) In Article 46A of the Education and Libraries (Northern Ireland) Order 1986 (commencement of secondary education), in paragraph (1), in sub-paragraph (a), after “where” insert “, except in a deferred case,”.

(2) In paragraph (1) of that Article, after sub-paragraph (a) insert—

“(aa) in a deferred case, where the child attains the age of eleven years on a 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, on 1st August in the following year, with the child having attained the age of twelve years;”.

(3) In paragraph (1) of that Article, in sub-paragraph (b), after “1st August in the following year” insert “, with the child having attained the age of twelve years”.

(4) In paragraph (9) of that Article (interpretation), at the appropriate place insert—

““deferred case” has the meaning given in Article 46 and paragraph (1B) of that Article applies for the purposes of this Article as it applies for the purposes of that Article;”.

(5) In regulation 2 of the Pre-School Education in Schools (Admissions Criteria) Regulations (Northern Ireland) 1999 (interpretation), in paragraph (1), for the definition of “final pre-school year” substitute—

““final pre-school year”, in relation to a child, means—

(a) in the case of a child born in the period beginning on (and including) 2nd July in a year and ending on (and including) 31st March in the following year, the school year immediately prior to the school year in which the child is of compulsory school age;

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- (b) subject to paragraph (c), in the case of a child born in the period beginning on (and including) 1st April in a year and ending on (and including) 1st July in the same year, the next school year beginning after the child attains the age of 3 years;
 - (c) in the case of a child born in the period referred to in paragraph (b), but whose application for admission to pre-school education indicated the intention to defer that admission for one year or who has not previously had a funded pre-school education place (as to which, see paragraph (b)), the next school year beginning after the child attains the age of 4 years;”.
- (6) In regulation 2 of those Regulations, after paragraph (1) insert—
- “(1A) Paragraph (b) of the definition of “final pre-school year” in paragraph (1) is to be read with Article 46(1B) of the Education and Libraries (Northern Ireland) Order 1986.
- (1B) In paragraph (c) of the definition of “final pre-school year” in paragraph (1), “funded pre-school education” has the meaning given in Article 21 of the 1998 Order.”.
- (7) The amendments made by subsections (5) and (6) do not affect the power to make regulations amending or revoking the provision made by those amendments.