
STATUTORY INSTRUMENTS

1989 No. 2406

The Education Reform(Northern Ireland) Order 1989

PART IV

ADMISSION OF CHILDREN TO GRANT-AIDED SCHOOLS

Parental preferences

36.—(1) Every board shall make arrangements for enabling the parent of a child resident in the area of the board to express a preference as to the school at which he wishes education to be provided for his child and to give reasons for his preference.

(2) It shall be the duty of the Board of Governors of a grant-aided school—

- (a) to make arrangements for the admission of pupils to the school;
- (b) subject to paragraphs (3) and (4), to comply with any preference expressed in accordance with arrangements made under paragraph (1).

(3) The duty imposed by paragraph (2)(b) does not apply if compliance with the preference would prejudice the provision of efficient education or the efficient use of resources; but no such prejudice shall be taken to arise from the admission to a school in any school year of a number of pupils in the relevant age group which does not exceed the school's admissions number for that school year.

(4) The duty imposed by paragraph (2)(b) does not apply if—

- (a) the preferred school is a grammar school; and
- (b) compliance with the preference would be detrimental to the educational interests of the child concerned.

(5) A parent who makes an application for the admission of his child to, or to a person acting on behalf of, the Board of Governors of a grant-aided school shall be regarded for the purposes of paragraph (2)(b) as having expressed a preference for that school in accordance with arrangements made under paragraph (1).

(6) The duty imposed by paragraph (2)(b) in relation to a preference expressed in accordance with arrangements made under paragraph (1) shall apply also in relation to—

- (a) any application for the admission to a grant-aided school of a child who is not resident in the area of the board in which the school is situated;
- (b) any application made as mentioned in Article 44(3) or (4) for a child to be admitted to a grant-aided school;

and references in paragraphs (3) and (4) to a preference and a preferred school shall be construed accordingly.