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STATUTORY INSTRUMENTS

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**1998 No. 1759**

Education (Northern Ireland) Order 1998

PART IX

MISCELLANEOUS AND SUPPLEMENTARY

*Miscellaneous*

**Recovery of wasted examination fees**

**84.**—(1) Chapter II of Part VIII of the 1989 Order (charges in grant-aided schools) shall be amended as follows.

(2) After Article 136 there shall be inserted the following Article—

**“Recovery of wasted examination fees**

**136A.**—(1) Notwithstanding Article 128(5) or Article 133(3), where—

- (a) the Board of Governors of a grant-aided school has paid or is liable to pay a fee in respect of the entry of a registered pupil at the school for a public examination in any syllabus for that examination; and
- (b) the pupil fails without good reason to meet any examination requirement for that syllabus, the Board of Governors may recover the amount of the fee from the pupil’s parent.

(2) It shall be for the Board of Governors which has paid or is liable to pay the fee in question to determine for the purposes of this Article any question whether a pupil who has failed to meet an examination requirement had good reason for the failure.”.

(3) In Article 137(6) after “135” there shall be inserted “or 136A”.