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STATUTORY INSTRUMENTS

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**1989 No. 2406**

**The Education Reform (Northern Ireland) Order 1989**

PART VIII

SCHOOLS—GENERAL PROVISIONS

CHAPTER II

CHARGES IN GRANT#AIDED SCHOOLS

**Prohibition of charges, etc., in certain grant#aided schools**

**128.**—(1) No charge shall be made in respect of admission to any grant#aided school to which this Article applies.

(2) Subject to paragraph (3) and Article 129, no charge shall be made in respect of the education provided for <sup>F1</sup>. . . pupils at any such school during school hours.

(3) Paragraph (2) shall not apply in relation to individual tuition in playing any musical instrument.

(4) No charge shall be made in respect of education provided for a <sup>F2</sup>. . . pupil at any grant#aided school to which this Article applies where the education is education to which paragraph (2) does not apply if it is—

- (a) required as part of any [<sup>F3</sup>specification] for<sup>F4</sup> a] public examination which is a [<sup>F3</sup>specification] for which the pupil is being prepared at the school; or
- (b) provided in pursuance of any of the duties imposed by [<sup>F5</sup>Article 13 (1)(a) or (b) of the Education (Northern Ireland) Order 2006] .

(5) No charge shall be made in respect of the entry of a <sup>F6</sup>. . . pupil at any grant#aided school to which this Article applies for any<sup>F7</sup>. . . public examination in any [<sup>F8</sup>specification] for that examination for which the pupil has been prepared at the school.

(6) Neither the parent of any such pupil nor the pupil himself shall be required to pay for or supply any materials, books, instruments or other equipment for use for the purposes of or in connection with—

- (a) education provided for the pupil at the school in respect of which by virtue of this Article no charge may be made; or
- (b) any [<sup>F9</sup>specification] for<sup>F4</sup> a] public examination which is a [<sup>F9</sup>specification] for which the pupil has been prepared at the school.

(7) No charge shall be made in respect of transport provided for a <sup>F10</sup>. . . pupil at any such school where the transport is either—

- (a) incidental to education provided for the pupil at the school in respect of which by virtue of this Article no charge may be made; or

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- (b) provided for the purpose of enabling him to meet any examination requirement for any [F11specification] for[F4 a] public examination which is a [F11specification] for which he has been prepared at the school.
- (8) For the purposes of paragraph (7)(a) transport is incidental to education provided for F12 . . . pupils at any such school if it is provided for the purpose of carrying such pupils—
- (a) to or from any part of the school premises in which education is provided for those pupils, from or to any other part of those premises; or
- (b) to or from any place outside the school premises in which education is provided for those pupils under arrangements made by or on behalf of the Board of Governors of the school or [F13the Authority] , from or to the school premises or any other such place.
- (9) Nothing in this Article shall be read as prohibiting the making of a charge in respect of board and lodging provided for a F14 . . . pupil at any such school on a residential trip.
- (10) In this Chapter “residential trip” means any trip—
- (a) which is arranged for F15 . . . pupils at any grant#aided school to which this Article applies by or on behalf of the managers of the school; and
- (b) which requires the pupils taking part to spend one or more nights away from their usual overnight accommodation.
- (11) For the purposes of this Chapter, a pupil shall be regarded as having been prepared at a school for a [F16specification] for anyF7 . . . public examination if any part of the education provided with a view to preparing him for that examination in that [F16specification] has been provided for him at that school.

- F1** Word in art. 128(2) repealed (23.3.2007) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(4), 44, Sch. 2 para. 30, **Sch. 3 Pt. III**; S.R. 2007/197, **art. 2**, Sch.
- F2** Word in art. 128(4) repealed (23.3.2007) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(4), 44, Sch. 2 para. 30, **Sch. 3 Pt. III**; S.R. 2007/197, **art. 2**, Sch.
- F3** Word in art. 128(4) substituted (1.8.2006) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(2), 44(1), **Sch. 2 para. 8(a)**
- F4** 1993 NI 12
- F5** Words in art. 128(4) substituted (1.8.2006) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(2), 44(1), **Sch. 2 para. 8(b)**
- F6** Word in art. 128(5) repealed (23.3.2007) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(4), 44, Sch. 2 para. 30, **Sch. 3 Pt. III**; S.R. 2007/197, **art. 2**, Sch.
- F7** 1993 NI 12
- F8** Word in art. 128(5) substituted (1.8.2006) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(2), 44(1), **Sch. 2 para. 8(a)**
- F9** Word in art. 128(6) substituted (1.8.2006) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(2), 44(1), **Sch. 2 para. 8(a)**
- F10** Word in art. 128(7) repealed (23.3.2007) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(4), 44, Sch. 2 para. 30, **Sch. 3 Pt. III**; S.R. 2007/197, **art. 2**, Sch.
- F11** Word in art. 128(7) substituted (1.8.2006) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(2), 44(1), **Sch. 2 para. 8(a)**
- F12** Word in art. 128(8) repealed (23.3.2007) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(4), 44, Sch. 2 para. 30, **Sch. 3 Pt. III**; S.R. 2007/197, **art. 2**, Sch.
- F13** Words in Order substituted (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), **Sch. 3 para. 1(1)(a)** (with [Sch. 2 para. 4\(3\)](#), [Sch. 3 para. 1\(2\)](#)); S.R. 2015/35, art. 2(b)
- F14** Word in art. 128(9) repealed (23.3.2007) by [Education \(Northern Ireland\) Order 2006 \(S.I. 2006/1915 \(N.I. 11\)\)](#), arts. 1(4), 44, Sch. 2 para. 30, **Sch. 3 Pt. III**; S.R. 2007/197, **art. 2**, Sch.

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- F15** Word in art. 128(10) repealed (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4), 44, Sch. 2 para. 30, **Sch. 3 Pt. III**; S.R. 2007/197, **art. 2**, Sch.
- F16** Word in art. 128(11) substituted (1.8.2006) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(2), 44(1), **Sch. 2 para. 8(a)**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 13\(3\)\(b\) words repealed by S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)