

1990 No. 302**EDUCATION****Grammar Schools (Fees) Regulations (Northern Ireland) 1990**

Made 8th August 1990

Coming into operation 1st September 1990

The Department of Education, in exercise of the powers conferred on it by Articles 26 and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(a) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Grammar Schools (Fees) Regulations (Northern Ireland) 1990 and shall come into operation on 1st September 1990.

Revocation

2.—(1) The Grammar Schools (Fees) Regulations (Northern Ireland) 1984(b) and the Grammar Schools (Fees) (Amendment) Regulations (Northern Ireland) 1986(c) are hereby revoked.

(2) Regulations 5, 6(1), 6(3), 6(4), 8, 9, 10, 11 and 12 of the Grammar School Pupils' (Admissions, Grants and Allowances) Regulations (Northern Ireland) 1978(d) are hereby revoked.

Interpretation

3. In these Regulations—

“Group A voluntary school” means a school which before 18th January 1951 elected to be classified as a Group A voluntary school or which has been subsequently so classified by the Department;

“Group B voluntary school” means a school which before 18th January 1951 elected to be classified as a Group B voluntary school and has not been subsequently reclassified;

“preparatory department” means the part of a school in which primary education is provided;

“specified pupil” has the meaning assigned to it in regulation 4;

“the Order” means the Education and Libraries (Northern Ireland) Order 1986;

(a) S.I. 1986/594 (N.I. 3)

(b) S.R. 1984 No. 268

(c) S.R. 1986 No. 205

(d) S.R. 1978 No. 217 as amended by S.R. 1984 No. 269

“school” means a grammar school;

“secondary department” means the part of a school in which secondary education is provided;

“voluntary school” means a voluntary grammar school.

Specified pupils

4. A specified pupil is—

(a) any pupil who is not resident in Northern Ireland;

(b) in the case of a school having a preparatory department, any pupil in that department of the school;

(c) any pupil who—

(i) was admitted to the school or, in the case of a school having a preparatory department, admitted to the secondary department of the school before 1st August 1990; and

(ii) on that day was not a non-fee-paying pupil, as defined by regulation 5 of the Grammar School Pupils' (Admissions, Grants and Allowances) Regulations (Northern Ireland) 1978.

School fees other than Group B voluntary school fees

5.—(1) Subject to paragraph (2), the managers of a school, other than a Group B voluntary school, may charge a fee in respect of any pupil enrolled in the preparatory department or secondary department of the school for the purpose of meeting expenditure required to carry on the preparatory department or, as the case may be, the secondary department of the school except—

(a) expenditure incurred or to be incurred for the provision or alteration of the premises of the school; and

(b) expenditure incurred or to be incurred for the provision of equipment for the school.

(2) Paragraph (1) shall not apply in respect of a pupil who is not a specified pupil.

Group B voluntary school fees

6.—(1) Subject to paragraphs (2) and (3), the managers of a Group B voluntary school may, for the purpose of meeting expenditure required to carry on the school, other than the boarding department of the school, charge a fee in respect of any pupil enrolled in the school.

(2) The managers of a Group B voluntary school shall not charge a fee in respect of a pupil who is not a specified pupil for the purpose of meeting any expenditure in respect of which grant is payable under Article 117 of the Order or Article 60 of the Education Reform (Northern Ireland) Order 1989(a).

(3) The amount of any fee, or part of a fee, charged in accordance with the provisions of this regulation in respect of a specified pupil for the purpose of meeting any expenditure in respect of which grant is not payable under Article

(a) S.I. 1989/2406 (N.I. 20)

117 of the Order or Article 60 of the Education Reform (Northern Ireland) Order 1989 shall be not less than the amount of any fee charged in accordance with the provisions of this regulation in respect of a pupil who is not a specified pupil.

Fees towards building and equipment expenditure in Group A voluntary schools

7.—(1) Subject to paragraph (2), where the managers of a Group A voluntary school incur, or intend to incur, expenditure for the provision or alteration of the premises of the school or for the provision of equipment for the school other than expenditure in respect of a boarding department they may, for the purpose of meeting such expenditure, charge a fee in respect of any pupil enrolled in the school.

(2) The amount of any fee charged in accordance with the provisions of paragraph (1) in respect of any pupil enrolled in the secondary department of a school shall not exceed £65 per annum.

Boarding fees

8. Where a pupil attends a school as a boarder, the managers of the school may, for the purpose of meeting expenditure required to carry on the boarding department of the school, charge a fee in respect of that pupil.

Sealed with the Official Seal of the Department of Education on 8th August 1990.

(L.S.)

T. Smyth

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations prescribe the purposes for which the managers of grammar schools may charge fees and the pupils in respect of whom each type of fee may be charged. The Regulations also prescribe the maximum fee which the managers of a Group A voluntary grammar school may charge, in respect of any pupil enrolled in the secondary department, for the purpose of meeting expenditure incurred or to be incurred for the provision or alteration of the premises of the school or for the provision of equipment for the school other than expenditure in respect of a boarding department.