1992 No. 171

EDUCATION

Grammar Schools (Charges) Regulations (Northern Ireland) 1992

Made	*26th March 1992*
Coming into operation . . .	*1st April 1992*

The Department of Education, in exercise of the powers conferred on it by Articles 132, 133(2) and (5) and 134 of the Education Reform (Northern Ireland) Order 1989(**a**), Article 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**b**) 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 (Charges) Regulations (Northern Ireland) 1992 and shall come into operation on 1st April 1992.

Revocation

2. The Grammar School Pupils' (Admissions, Grants and Allowances) Regulations (Northern Ireland) 1978(**c**), the Grammar School Pupils' (Admissions, Grants and Allowances) (Amendment) Regulations (Northern Ireland) 1984(**d**), the Grammar Schools (Fees) Regulations (Northern Ireland) 1990(**e**) and the Grammar Schools (Fees) (Amendment) Regulations (Northern Ireland) 1991(**f**) are hereby revoked.

Interpretation

3. In these Regulations—

"excepted pupil" has the same meaning as in Article 127(4) of the Order, except that "excepted pupil" shall not include a pupil in respect of whom a board has given a direction under Article 127(5) of the Order;

"the Order" means the Education Reform (Northern Ireland) Order 1989;

"school" means a grammar school;

"secondary department" means that part of a school in which secondary education is provided;

"voluntary school" means a voluntary grammar school.

(**a**) S.I. 1989/2406 (N.I. 20)
(**b**) S.I. 1986/594 (N.I. 3)
(**c**) S.R. 1978 No. 217
(**d**) S.R. 1984 No. 269
(**e**) S.R. 1990 No. 302
(**f**) S.R. 1991 No. 118

Charges in voluntary schools to which Articles 128 to 131 of the Order do not apply

4.—(1) Subject to Article 133(3) of the Order and to paragraphs (2) to (4) the Board of Governors of a voluntary school to which Articles 128 to 131 of the Order do not apply may make charges in respect of any registered pupil enrolled in the secondary department of the school for the purpose of meeting expenditure required to carry on the secondary department of the school.

(2) The Board of Governors of a voluntary school to which Articles 128 to 131 of the Order do not apply shall not make a charge in respect of a pupil for the purpose of meeting expenditure which is met or is to be met by the payment of grant under Article 60 of the Order.

(3) Paragraphs (1) and (2) do not apply in relation to excepted pupils.

(4) The amount of any charge made under this regulation in respect of a pupil who is not an excepted pupil for the purpose of meeting any expenditure which is not met or is not to be met by the payment of grant under Article 60 of the Order shall not be more than the amount of any corresponding charge, or of the corresponding part of any charge, made under Article 134(1) of the Order in respect of an excepted pupil.

Charges in respect of excepted pupils other than excepted pupils in voluntary schools to which Articles 128 to 131 of the Order do not apply

5. The Board of Governors of a school, other than a voluntary school to which Articles 128 to 131 of the Order do not apply, may not make charges under Article 134(1) of the Order for the purpose of meeting—

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

(*b*) in the case of a voluntary school, expenditure incurred or to be incurred for the provision of equipment provided in connection with the provision or alteration of the premises of the school; and

(*c*) in the case of any other school, expenditure incurred or to be incurred for the provision of equipment for the school, where this is expenditure in respect of excepted heads or items of expenditure within the meaning of Article 46(4)(*b*) of the Order.

Capital charges in voluntary schools to which Articles 128 to 131 of the Order apply

6. The amount of any charge which the Board of Governors of a voluntary school to which Articles 128 to 131 of the Order apply may make under Article 132 of the Order in respect of any pupil registered at the school shall not exceed £65 per annum.

Sealed with the Official Seal of the Department of Education on 26th March 1992.

(L.S.) *J. S. Smith*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations replace the Grammar Schools (Fees) Regulations (Northern Ireland) 1990 (as amended), on the coming into operation, with effect from 1st April 1992, of Articles 127 to 135 and 137 and 138 of the Education Reform (Northern Ireland) Order 1989 (''the Order'') dealing with charges in grant-aided schools.

In relation to a voluntary grammar school to which Articles 128 to 131 of the Order do not apply, regulation 4 prescribes the purpose for which the Board of Governors may make charges in respect of pupils who are not excepted pupils (as defined in regulation 3) and provides that the amount of any such charge shall not exceed the corresponding charge for an excepted pupil. Regulation 5 restricts the power of the Board of Governors of a grammar school, other than a voluntary grammar school to which Articles 128 to 131 of the Order do not apply, to make charges under Article 134(1) of the Order in respect of excepted pupils.

In relation to a voluntary grammar school to which Articles 128 to 131 of the Order apply, regulation 6 prescribes the maximum charge which the Board of Governors may charge in respect of any pupil for the purpose of meeting expenditure on the provision or alteration of the premises of the school or the provision of associated equipment.