
STATUTORY INSTRUMENTS

1997 No. 866

The Education (Northern Ireland) Order 1997

PART IV

MISCELLANEOUS

Provision of transport for, and payment of travelling expenses of, certain pupils

23.—(1) For Article 52 of the 1986 Order there shall be substituted—

“Provision of transport for, and payment of travelling expenses of, certain pupils

52.—(1) A board shall make such arrangements for the provision of transport and otherwise as it considers necessary or as the Department may direct for the purpose of facilitating—

- (a) the attendance of pupils at grant-aided schools; and
- (b) the attendance of relevant pupils at institutions of further education;

and any transport provided under such arrangements shall be provided free of charge.

(2) Arrangements made by a board under paragraph (1) (other than arrangements made in pursuance of a direction of the Department) shall be subject to the approval of the Department.

(3) A board may, in accordance with arrangements approved by the Department, provide transport for, or pay the whole or part of the reasonable travelling expenses of.

- (a) pupils attending grant-aided schools; and
- (b) relevant pupils attending institutions of further education,

for whom the board is not required to make provision under arrangements made under paragraph (1).

(4) In paragraphs (1) and (3) “relevant pupils” means pupils of a class or description specified by the Department for the purposes of this Article.

(5) Any arrangements under paragraph (3) shall include provision—

- (a) for the board to make charges (payable by the parents of the pupils concerned) in respect of transport provided under that paragraph; and
- (b) as to the cases in which, and the extent to which, such charges are to be remitted by the board.

(6) With a view to assisting in the prevention of accidents, a board may carry into effect such measures as may be set out in a scheme framed by the board and approved by the Department.”.

(2) In Schedule 13 to the 1986 Order in paragraph 3(2) for head (b) there shall be substituted—

“(b) if the parent proves—

- (i) that the school at which the child is a registered pupil is not within walking distance of the child’s home; and

- (ii) that the child is one for whom the board is required to make provision under Article 52(1), but no suitable arrangements have been made by the board for his transport to and from school; and
- (iii) that no suitable arrangements have been made by the board for boarding accommodation for the child at or near the school or for enabling him to become a registered pupil at a school nearer to his home;”.

(3) In paragraph 3(6) of Schedule 13 to the 1986 Order for the words “who has not attained the age of eleven years” there shall be substituted the words “who is a registered pupil at a primary school”.

(4) In Article 130(1)(a) of the 1989 Order for the words from “other than” to the end there shall be substituted

“other than—

- (i) education or transport in respect of which by virtue of Article 128 no charge may be made; or
- (ii) transport provided by a board under Article 52 of the principal Order.”.

(5) In Article 137 of the 1989 Order after paragraph (4) there shall be inserted—

“(4A) Nothing in the provisions of this Chapter relating to charges applies in relation to charges made by a board under Article 52 of the principal Order.”.