
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 91

EDUCATION

**Class Sizes in Primary Schools
Regulations (Northern Ireland) 1999**

Made - - - - - *3rd March 1999*

Coming into operation *15th March 1999*

The Department of Education, in exercise of the powers conferred on it by Articles 16 and 90(3) of the Education (Northern Ireland) Order 1998(1) 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 Class Sizes in Primary Schools Regulations (Northern Ireland) 1999 and shall come into operation on 15th March 1999.

Interpretation

2. In these Regulations—

- “Year 1 class” means a group of pupils undertaking their first year of compulsory education;
- “Year 2 class” means a group of pupils undertaking their second year of compulsory education;
- “the 1986 Order” means the Education and Libraries (Northern Ireland) Order 1986(2);
- “the 1996 Order” means the Education (Northern Ireland) Order 1996(3);
- “the 1997 Order” means the Education (Northern Ireland) Order 1997(4); and
- “the 1998 Order” means the Education (Northern Ireland) Order 1998.

Application

3. These Regulations shall not apply in relation to any school year which begins before 1st August 1999.

(1) S.I.1998/1759 (N.I. 13)
(2) S.I. 1986/594 (N.I. 3)
(3) S.I. 1996/274 (N.I. 1)
(4) S.I. 1997/866 (N.I. 5)

The class sizes statutory limit

4. For the purposes of Article 16(2) of the 1998 Order, the statutory limit in relation to pupils in Year 1 and Year 2 shall be 30.

Exceptions to the statutory limit on class sizes

5. In exercising its power under Article 16(4) of the 1998 Order, a board shall have regard to the following matters—

- (a) the requirements on a school to comply with—
 - (i) a direction of an admissions appeal tribunal, under Article 15(5)(a) of the 1997 Order;
 - (ii) a direction of a board, under Article 42 of the 1996 Order;
 - (iii) a school attendance order, under Article 45(2) of, and Schedule 13 to, the 1986 Order⁽⁵⁾;
 - (iv) a statement of special educational needs, under Article 16 of the 1996 Order;
- (b) the need to avoid unreasonable public expenditure.

Sealed with the Official Seal of the Department of Education for Northern Ireland on

L.S.

3rd March 1999.

Mrs. C. Jendoubi
Assistant Secretary

(5) As amended by Article 27 of S.I. [1996/274 \(N.I. 1\)](#)

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 16 of the Education (Northern Ireland) Order 1998 provides for a statutory limit to be prescribed by regulations on the number of pupils who may be in any class of pupils in Key Stage 1 of their compulsory education. It also provides for the Department to set out in those regulations the matters which education and library boards must have regard to when making exceptions to the class size limit.

Regulation 4 provides for a statutory limit of 30 pupils in a Year 1 (P1) and Year 2 (P2) class.

Regulation 5 specifies the matters which education and library boards must have regard to when making exceptions to the class size limit.

These Regulations apply from the school year beginning on the 1st August 1999.