

Education (Admission to Schools).

Report stage amendments:

(a) The role of religion in admission to primary schools.

In page 3, line 17, to insert “, the Equal Status Act 2000” after “Education (Welfare) Act 2000”.

In page 15, line 21, to insert "(amended by *section 10(a)(i)\** of the *Education (Admission to Schools) Act 2018*)" after "(7)(3)(c)".

In page 15, line 20, to delete “and”.

In page 15, lines 27 to 29, to delete “or it refuses to admit as a student a person who is not of that denomination and, in the case of a refusal, it is proved that the refusal is essential to maintain the ethos of the school.” and substitute “,”.

In page 15, between lines 29 and 30, to insert the following new paragraphs:

- “(c) a school to which section 7(3)(ca) (inserted by *section 10(a)(ii)* \* of the *Education (Admission to Schools) Act 2018*) of the Act of 2000 applies, whose objective is to provide education in an environment which promotes certain religious values, the admission statement of the school shall include a statement that the school does not discriminate in relation to the admission of students where it refuses to admit as a student a person who is not of a particular religious denomination and it is proved that the refusal is essential to maintain the ethos of the school, and
- (d) a school to which section 7(3)(cb) (inserted by *section 10(a)(ii)* \* of the *Education (Admission to Schools) Act 2018*) of the Act of 2000 applies, the admission statement of the school shall include a statement that the school does not discriminate in relation to the admission of students where it admits as a student a person in accordance with section 7A (inserted by *section 10(b)* of the *Education (Admission to Schools) Act 2018*) of the Act of 2000.”.

## **New section**

In page 34, between lines 6 and 7, to insert the following new section:

### **“Amendment of Equal Status Act 2000**

10. The Equal Status Act 2000 is amended-

(a) in section 7(3) -

(i) by the substitution of the following paragraph for paragraph (c):

“(c) where the establishment is a school (other than a recognised primary school) providing primary or post-primary education to students and the objective of the school is to provide education in an environment which promotes certain religious values, it admits persons of a particular religious denomination in preference to others,”

(ii) by the insertion of the following paragraphs after paragraph (c):

“(ca) where the establishment is a school providing primary or post-primary education to students and the objective of the school is to provide education in an environment which promotes certain religious values, it refuses to admit as a student a person who is not of a particular religious denomination and it is proved that the refusal is essential to maintain the ethos of the school,

(cb) where the establishment is a recognised primary school and it admits as a student a person in accordance with section 7A (inserted by *section 10(b)* of the *Education (Admission to Schools) Act 2018*).”, and

- (iii) by the substitution of the following subsection for subsection (6) (inserted by section 15(c) of the Equality (Miscellaneous Provisions) Act 2015):

“(6) In this section –

“member state of the European Economic Area”

means a state that is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2 May 1992, as adjusted by all subsequent amendments to that Agreement;

“recognised primary school” means a primary school-

- (a) designated by the Minister for Education and Skills under subsection (1) of section 10 of the Education Act 1998 to be a school recognised for the purposes of that Act, or

(b) deemed to be a school recognised in accordance with the said section 10.”, and

(b) by the insertion of the following section after section 7:

**“Recognised primary schools**

7A (1) When making an application for admission to a recognised primary school, an applicant may provide -

(a) a statement confirming that the student in respect of whom the application relates is a member of a minority religion and that the applicant wishes the student to be educated in a school that provides a programme of religious instruction or religious education which is of the same religious ethos as, or a similar religious ethos to, the religious ethos of the minority religion of the student concerned, and

- (b) any evidence that the applicant wishes to include to support the statement that the student in respect of whom the application relates is a member of a minority religion.

(2) A recognised primary school may, following an application in accordance with subsection (1) and in accordance with this section, give priority to the admission of a student where the school is satisfied that-

- (a) the student concerned is a member of a minority religion, and
- (b) the school provides a programme of religious instruction or religious education which is of the same religious ethos as, or a similar religious ethos to, the religious ethos of the minority religion of the student concerned.

(3) In satisfying itself in accordance with subsection (2)(a) a recognised primary school shall take into account only -

(a) the statement that the applicant has provided in accordance with subsection (1)(a), and

(b) any evidence that the applicant has provided in accordance with subsection (1)(b).

(4) (a) Subject to paragraph (b), a recognised primary school may not for the purpose of admission to the school concerned rank, in order of preference, by virtue of the particular religious denomination of a student who has satisfied the school in accordance with subsection (2) as against students of other religious denominations



who have satisfied the school concerned in accordance with that subsection.

- (b) Nothing in paragraph (a) shall preclude a recognised primary school from applying the selection criteria set out in the school's admission policy to students who have satisfied the school in accordance with subsection (2), where the number of such students is greater than the number of places available.

(5) In this section -

“Act of 1998” means the Education Act 1998;

“admission policy” has the same meaning as it has in section 2 (amended by *section 2 of the Education (Admission to Schools) Act 2018*) of the Act of 1998;

“applicant” has the same meaning as it has in Part X  
(inserted by *section 8* of the *Education (Admission to  
Schools) Act 2018*) of the Act of 1998;

“minority religion” means a religion other than a religion  
whose membership comprises in excess of 10% of the total  
population of the State based on the population as  
ascertained by the Central Statistics Office in the most recent  
census report published by that office setting out the final  
result of a census of population of the State (whether or not  
that is the most recent such census of population);

“recognised primary school” has the same meaning as it has  
in section 7;

“student” has the same meaning as it has in Part X of the Act  
of 1998.”.

In page 34, line 15, to substitute “2018” for “2017”.

In page 34, line 16, to substitute “*sections 9, 10\**” for “*section 9*”.

In page 34, between lines 17 and 18, to insert the following new subsection:

“(3) The Equal Status Acts 2000 to 2015 and *section 10\** may be cited together as the Equal Status Acts 2000 to 2018.”.

In page 34, line 18, to substitute “Subject to *subsection (4)*, this Act” for “This Act”.

In page 34, after line 21, to insert the following new subsection:

“(4) *Section 10\** shall come into operation on such day or days as the Minister for Education and Skills may, after consultation with the Minister for Justice and Equality, appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.”.

\*These are references to the new section inserted by amendment number X.

