
EQUAL STATUS (ADMISSION TO SCHOOL) BILL 2016

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ACTS REFERRED TO

Equal Status Act 2000 (No. 8)

Equal Status Acts 2000 to 2015

EQUAL STATUS (ADMISSION TO SCHOOL) BILL 2016

BILL

entitled

AN ACT TO PROVIDE FOR CERTAIN CHANGES IN RELATION TO DISCRIMINATION ON GROUNDS OF RELIGION IN CERTAIN EDUCATIONAL ESTABLISHMENTS; FOR THAT PURPOSE TO AMEND THE EQUAL STATUS ACT 2000; AND TO PROVIDE FOR CONNECTED MATTERS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Short title and collective citation and construction.

1. – (1) This Act may be cited as the Equal Status (Admission to Schools) Act 2016.

(2) This Act and the Equal Status Acts 2000 to 2015 may be cited together as the Equal Status Acts 2000 to 2016 and shall be construed together as one Act.

Amendment of section 7 (“Educational establishments”) of Equal Status Act 2000.

2. – Section 7 of the Equal Status Act 2000 is amended:

(a) in subsection (3), by the substitution of the following for paragraph (c):

“(c) where the establishment is a school supported by public funds 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 –

(i) it admits persons of a particular religious denomination in preference to others, if it is proved that such a policy is essential in order to ensure reasonable access to education for children of that denomination within its catchment area in accordance with the conscience and lawful preference of their parents, or

(ii) it refuses to admit as a student a person who is not of that denomination, if it is proved that the refusal is essential to maintain the ethos of the school.”;

and

- (b) by inserting the following as subsection (3A):

“(3A) In determining for the purposes of subsection (3) (c) whether an admission policy referred to in sub-paragraph (i) or a refusal referred to in sub-paragraph (ii) is essential for the purposes referred to, due regard shall be had to –

- (a) the constitutional right of any child to attend a school receiving public money without attending religious instruction at that school, and
- (b) the concomitant obligation that every such school must be so organised as to enable that right effectually to be enjoyed.”.