

SCHEDULES

SCHEDULE 9

AMENDMENTS

The Education and Libraries (Northern Ireland) Order 1986 (NI 3)

131. For paragraph 6 of Schedule 13 substitute the following paragraph—

“**6.**—(1) The court before which a prosecution is brought for an offence under paragraph 4 may direct the board to apply for an education supervision order unless the board, having consulted the appropriate authority, decides that the child’s welfare will be satisfactorily safeguarded even though no education supervision order is made.

(2) Where, following such a direction, the board decides not to apply for an education supervision order, the board shall inform the court of its reasons for the decision.

(3) Unless the court directs otherwise, the board shall so inform the court within eight weeks from the date on which the direction was given.

(4) Where—

(a) a board applies for an education supervision order with respect to a child who is the subject of a school attendance order; and

(b) the court decides that Article 55(2) of the Children (Northern Ireland) Order 1995 prevents it from making the order,

the court may direct that the school attendance order shall cease to have effect.

(5) In sub-paragraph (1) “the appropriate authority” means the appropriate authority within the meaning of paragraph 9 of Schedule 4 to the Children (Northern Ireland) Order 1995.”.