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## STATUTORY INSTRUMENTS

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# 1986 No. 594

## The Education and Libraries (Northern Ireland) Order 1986

### PART V

#### RIGHTS AND DUTIES OF PARENTS AND PROVISIONS RELATING TO INDIVIDUAL PUPILS

##### *Provision of food and clothing*

##### **Provision of milk, meals and related facilities**

**58.**—(1) A board shall, in accordance with arrangements approved by the Department, provide—

- (a) milk, meals or other refreshment for pupils of such description as the Department may determine in attendance at grant-aided schools, other than voluntary grammar schools<sup>F1</sup> and grant#maintained integrated schools<sup>F1</sup>... ;
- (b) such facilities as the Department may determine for the consumption of any meals or other refreshment brought to the school by pupils.

*Para. (2) rep. by 1997 NI 15*

(3) A board may, with the consent of the proprietor of any independent school <sup>F2</sup>..., and on such financial and other terms, if any, as may be agreed between [<sup>F3</sup>the Authority] and the proprietor of the school, make arrangements for securing the provision of milk, meals or other refreshment for pupils in attendance at the school but any such arrangements shall be such as to secure, so far as is practicable, that the expense incurred by [<sup>F3</sup>the Authority] in connection with the provision under the arrangements of any service or article shall not exceed the expense which would have been incurred by it in the provision thereof if the pupil had been a pupil at a grant-aided school.

(4) A board may, in accordance with arrangements approved by the Department, provide milk, meals or other refreshment for persons (including pupils) of such description as the Department may determine not being pupils for whom [<sup>F3</sup>the Authority] is required to make provision under paragraph (1) or may make provision under paragraph <sup>F4</sup>... (3).

(5) The trustees or Board of Governors of a voluntary grammar school [<sup>F1</sup> and the Board of Governors of a grant-maintained integrated school]<sup>F1</sup> ... shall, in accordance with arrangements approved by the Department, provide—

- (a) milk, meals or other refreshment for pupils of such description as the Department may determine in attendance at the school;
- (b) such facilities as the Department may determine for the consumption of any meals or other refreshment brought to the school by pupils.

(6) The trustees or Board of Governors of a voluntary grammar school [<sup>F1</sup> and the Board of Governors of a grant-maintained integrated school]<sup>F1</sup> ... may, in accordance with arrangements approved by the Department, provide milk, meals or other refreshment for persons (including pupils)

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**Changes to legislation:** *The Education and Libraries (Northern Ireland) Order 1986, Section 58 is up to date with all changes known to be in force on or before 15 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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of such description as the Department may determine, not being pupils for whom they are required to make provision under paragraph (5).

(7) A board may assist the trustees or Board of Governors of a voluntary grammar school [<sup>F1</sup> and the Board of Governors of a grant-maintained integrated school]<sup>F1</sup> ... in the carrying out of their functions under paragraphs (5) and (6).

[<sup>F1</sup>(8) Where a school has a delegated budget under [<sup>F5</sup>Part VII of the Education (Northern Ireland) Order 1998] and an allowance is made for expenditure on, or in connection with, the provision of milk, meals or other refreshment in determining the school's budget share under that Part—

- (a) paragraph (1) shall not apply in relation to pupils in attendance at the school; but
- (b) paragraphs (5), (6) and (7) and Article 59 (except paragraph (4)) shall apply to the school as those provisions apply to a voluntary grammar school.]

**F1** 1989 NI 20

**F2** Words in art. 58(3) repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), **Sch. 4** (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)

**F3** Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), **Sch. 3 para. 1(1)(a)** (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b)

**F4** 1997 NI 15

**F5** Words in art. 58(8) substituted (31.5.2009) by Education (Northern Ireland) Order 1998 (S.I. 1998/1759 (N.I. 13)), arts. 1(3)(g), 91(1), Sch. 5 Pt. II; S.R. 2009/183, **art. 3(d)**

**Modifications etc. (not altering text)**

**C1** Art. 58 power to disapply or modify conferred (temp.) (25.3.2020) by Coronavirus Act 2020 (c. 7), s. 87(1), **Sch. 17 para. 17** (with ss. 88-90)

**C2** Art. 58 expiry of earlier affecting provision 2020 c. 7, Sch. 16 para. 17 (25.3.2022) by Coronavirus Act 2020 (c. 7), **s. 89** (with s. 90)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 18 repealed in part by [S.I. 2003/435 \(N.I.\) art. 49\(2\)](#)Sch. 2
- art.77(3) revoked by [S.I. 1996/2967 reg.11\(7\)](#)