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STATUTORY INSTRUMENTS

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**1986 No. 594**

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

**PART VIII**

**ADMINISTRATION AND FINANCE**

*Administration*

***[<sup>F1</sup>Regulations as to employment of certain non-teaching staff***

**88A** <sup>F2</sup>.—(1) The Department may make regulations as to—

- (a) the eligibility for employment of persons to whom this Article applies; and
- (b) the terms and conditions of employment of such persons.

(2) Without prejudice to the generality of paragraph (1), regulations under that paragraph may include provision—

- (a) for imposing requirements as to the health and physical capacity of persons to whom this Article applies;
- (b) for prohibiting or restricting the employment or further employment of such persons<sup>[<sup>F3</sup> on medical grounds or on grounds of misconduct]</sup>.

(3) This Article applies to persons employed by [<sup>F4</sup>the Authority][<sup>F5</sup> or by the governing body of an institution of further education] or by the managers of [<sup>F6</sup> a grant-maintained integrated school or of] a voluntary school (other than a maintained school) in work otherwise than as teachers which brings them regularly into contact with persons who have not attained the age of nineteen years.]

**F1** 1987 NI 2

**F2** certain functions transf. by SR 1999/481

**F3** Words in art. 88A(2)(b) substituted (12.10.2009) for heads (i) - (iv) by virtue of [Safeguarding Vulnerable Groups \(Northern Ireland\) Order 2007](#) (S.I. 2007/1351 (N.I. 11)), arts. 1(3), 60(1), **Sch. 7 para. 2(2)** (with arts. 2(4), 53, 57(3), 61(4)); S.R. 2009/346, **art. 3**, Sch.

**F4** 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)

**F5** 1997 NI 15

**F6** 1989 NI 20

**Changes to legislation:**

The Education and Libraries (Northern Ireland) Order 1986, Section 88A is up to date with all changes known to be in force on or before 28 May 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.

[View outstanding changes](#)

**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\(7\)](#)