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## STATUTORY INSTRUMENTS

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# 1986 No. 594

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

### PART III **N.I.**

#### PROVISION OF EDUCATION

##### *School management*

#### **Approval or imposition of scheme of management by Department **N.I.****

**9C.**—(1) Every body or person required by Article 9B to prepare a scheme of management shall, on or before such date as the Department may direct, submit the scheme to the Department for its approval, and in this Article and Article 9D “the submitting authority”, in relation to a scheme, means the body by which or person by whom the scheme is required to be prepared.

(2) In the case of a scheme prepared under paragraph (1) or (3) of Article 9B the submitting authority shall also submit to the Department such information as to the results of consultations under that paragraph as the Department may require.

(3) A scheme of management submitted under paragraph (1) shall not come into operation until it has been approved by the Department or until such date as the Department may, in giving its approval, specify; and the Department may approve such a scheme either without modifications or with such modifications as it thinks fit after consulting the submitting authority.

(4) Where—

- (a) a submitting authority fails to submit a scheme to the Department as required by paragraph (1); or
- (b) it appears to the Department that a scheme submitted by a submitting authority as required by that paragraph does not accord with any guidance given by it for the purposes of Article 9B and cannot be made to do so merely by modifying it,

the Department may impose a scheme of management making such provision of a description required or authorised to be made by a scheme of management as it considers appropriate.

(5) A scheme of management imposed by the Department by virtue of paragraph (4)—

- (a) shall be treated for all purposes as if it had been prepared by the submitting authority and approved by the Department under this Article; and
- (b) shall come into operation on such date as may be specified therein.

(6) Before imposing a scheme under paragraph (4) the Department shall consult the submitting authority and—

- (a) in the case of a scheme of management applying to a controlled school or controlled schools, the Board of Governors of the school or schools to which the scheme applies;
- (b) in the case of a scheme of management applying to a maintained school (other than a Catholic maintained school) the managers or trustees of the school; and

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**Changes to legislation:** *The Education and Libraries (Northern Ireland) Order 1986, Section 9C is up to date with all changes known to be in force on or before 30 March 2024. 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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(c) in the case of a scheme of management applying to a Catholic maintained school or schools, the managers or trustees of the school or schools to which the scheme applies and [<sup>F1</sup>the Authority]<sup>F2</sup>....

(7) The Council for Catholic Maintained Schools shall provide [<sup>F1</sup>the Authority] with a copy of the scheme or schemes of management approved under this Article and applying to [<sup>F3</sup>Catholic maintained schools] .

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| <p><b>F1</b> Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), <b>Sch. 3 para. 1(1)(a)</b> (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b)</p> <p><b>F2</b> Words in art. 9C(6)(c) repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), <b>Sch. 4</b> (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)</p> <p><b>F3</b> Words in art. 9C(7) substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), <b>Sch. 3 para. 9(4)</b> (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)</p> |
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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\(7\)](#)