
STATUTORY INSTRUMENTS

1989 No. 2406

The Education Reform (Northern Ireland) Order 1989

PART VI

INTEGRATED EDUCATION

CHAPTER III

CONTROLLED INTEGRATED SCHOOLS

Procedure for acquisition of controlled integrated status

Effect of pending procedure for acquisition of controlled integrated status

93.—(1) This Article applies to a controlled or voluntary school during any period when the procedure under this Chapter for acquisition of controlled integrated status is pending in relation to the school.

(2) For the purposes of this Article that procedure is pending in relation to a school when it has been initiated in relation to the school on any occasion and not terminated (as initiated on that occasion).

(3) For those purposes that procedure is to be regarded as initiated in relation to any school on any occasion^[F1] on receipt by the ^[F2]Authority], in the case of a controlled school, or the trustees of the school, in the case of a voluntary school, of notice under Article 69(4)(b)].

^{F1}(4) For those purposes, that procedure, as initiated on any occasion, is to be regarded as terminated if—

- (i) the result of the ballot to which the notice under Article 69(4)(b) relates] does not show a majority in favour of seeking controlled integrated status for the school;
- (ii) a proposal for acquisition of such status for the school which is required to be submitted under Article 92 by reference to the result of that ballot, or any proposal required in substitution for that proposal, is rejected by the Department or withdrawn; or
- (iii) the school becomes a controlled integrated school.

(5) Where Article 70(8) applies in the case of any such ballot, the references in^[F1] paragraph (4)] to the result of that ballot shall be read as references to the result of the second ballot required by that paragraph.

(6) The reference in paragraph (4) to a proposal required in substitution for any proposal for acquisition of controlled integrated status for any school which is required to be submitted under Article 92 by reference to the result of a ballot held in accordance with Article 70 (“the original proposal”) is a reference to any proposal required to be submitted under paragraph (8) of Article 92 on the rejection of—

- (a) the original proposal; or

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(b) any further proposal required to be submitted under that paragraph with respect to the school without a further ballot;

and a proposal under that Article with respect to a school shall not be treated for the purposes of paragraph (4) as rejected in any case where the Department imposes a requirement under paragraph (8) of that Article.

(7) Except with the consent of the Department, the trustees of a voluntary school to which this Article for the time being applies shall not—

(a) dispose of any property used wholly or partly for the purposes of the school; or

(b) enter into a contract to dispose of any such property.

(8) Paragraph (7) does not apply in relation to a disposal which is made in pursuance of a contract entered into, or an option granted, before the procedure mentioned in paragraph (1) was initiated in relation to the school.

(9) A disposal or contract shall not be invalid or void by reason only that it has been made or entered into in contravention of this Article and a person acquiring property, or entering into a contract to acquire property, from the trustees of a voluntary school shall not be concerned to enquire whether any consent required by this Article has been given.

(10) During any period when this Article applies to a school—

(a) no resolution shall be passed by the Board of Governors under Article 69(1)(a); and

(b) no request shall be made to the Board of Governors under Article 69(1)(b).

(11) In this Article (except paragraph (10)) references to Articles 69 and 70 are references to those Articles as applied by Article 91.

F1 1996 NI 1

F2 Word in art. 93(3) substituted (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\), Sch. 3 para. 11\(10\)](#) (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, art. 2(b)

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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):

- [art. 13\(3\)\(b\) words repealed by S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)