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STATUTORY INSTRUMENTS

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**1995 No. 755**

**The Children (Northern Ireland) Order 1995**

**PART V**

**CARE AND SUPERVISION**

*Education supervision orders*

**Education supervision orders**

**55.**—(1) On the application of any education and library board, the court may make an order putting the child with respect to whom the application is made under the supervision of a designated education and library board (“an education supervision order”).

(2) A court may only make an education supervision order if it is satisfied that the child concerned is of compulsory school age and is not being properly educated.

(3) For the purposes of this Article, a child is being properly educated only if he is receiving efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have.

(4) Where a child is—

- (a) the subject of a school attendance order which is in force under Part I of Schedule 13 to the Education and Libraries (Northern Ireland) Order 1986<sup>(1)</sup> and which has not been complied with; or
- (b) a registered pupil at a school which he is not attending regularly within the meaning of Part II of that Schedule,

then, unless it is proved that he is being properly educated, it shall be assumed that he is not.

(5) An education supervision order may not be made with respect to a child who is in the care of an authority.

(6) The education and library board designated in an education supervision order must be—

- (a) the education and library board within whose area the child concerned is living or will live; or
- (b) where—
  - (i) the child is a registered pupil at a school; and
  - (ii) the education and library board mentioned in sub-paragraph (a) and the education and library board within whose area the school is situated agree,the latter board.

(7) Where an education and library board proposes to make an application for an education supervision order it shall, before making the application, consult—

- (a) in the case of a child who is being provided with accommodation by, or on behalf of, an authority, that authority; and
  - (b) in any other case, the authority within whose area the child concerned lives, or will live.
- (8) Schedule 4 (which makes further provision with respect to education supervision orders) shall have effect.