
STATUTORY INSTRUMENTS

1998 No. 1759

Education (Northern Ireland) Order 1998

PART VII

FINANCING OF SCHOOLS

CHAPTER I

FINANCING OF SCHOOLS BY BOARDS

Schemes for financing schools

Replacement and variation of schemes

48.—(1) Subject to the following provisions of this Article, a scheme may be replaced or varied by a subsequent scheme made under Article 46 by the board concerned.

(2) Subject to paragraph (5), Article 47(2) to (6) shall apply for the purposes of a scheme replacing or varying a previous scheme.

(3) A scheme prepared by a board under Article 46 which—

(a) replaces a previous scheme; or

(b) makes any significant variation of a previous scheme, shall be submitted to the Department for its approval.

(4) A scheme under Article 46 varying a previous scheme which is not required by paragraph (3) (b) to be submitted to the Department for its approval is referred to below in this Article as a “minor variation scheme”.

(5) Paragraphs (4) to (6) of Article 47 shall not apply in relation to a minor variation scheme and such a scheme shall come into operation on such date as is specified in the scheme.

(6) The Department may give directions specifying what descriptions of variation are to be regarded as significant for the purposes of paragraph (3)(b).

(7) Where a board proposes to make a scheme under Article 46 which in its opinion is a minor variation scheme, the board shall notify the Department in writing of its proposal, giving brief particulars of the nature of the variations proposed to be made by the scheme.

(8) If so required by the Department before the end of the period of two months beginning with the date on which it receives notification under paragraph (7) of the board’s proposal, the board shall send to the Department a copy of the board’s proposed scheme.

(9) It shall be for the Department to determine whether or not any variation proposed to be made by the scheme falls within any description of variation specified in directions under paragraph (6).

(10) A scheme made under Article 46 may also be varied by a direction given by the Department, as from such date as may be specified in the direction.

(11) Before giving such a direction the Department shall consult—

(a) the board concerned;

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- (b) the Council for Catholic Maintained Schools; and
- (c) such bodies or persons as appear to the Department to represent the interests of the Boards of Governors of voluntary grammar schools and grant-maintained integrated schools.