

SCHEDULES

SCHEDULE 1

Article 34.

THE GENERAL TEACHING COUNCIL FOR NORTHERN IRELAND

Constitution

- 1.**—(1) The Council shall be constituted in accordance with regulations.
- (2) Without prejudice to the generality of sub-paragraph (1), regulations under that sub-paragraph—
- (a) shall provide for the membership of the Council to include persons representative of—
 - (i) teachers;
 - (ii) employing authorities;
 - (iii) transferors and trustees of grant-aided schools;
 - (iv) institutions providing for the initial and further training of teachers;
 - (v) industry and commerce; and
 - (vi) such other interests as in the opinion of the Department will enable the Council to carry out its functions more effectively;
 - (b) shall provide for—
 - (i) the appointment or election and tenure of office of, and the vacation of office by, members of the Council;
 - (ii) the appointment or election of one of the members of the Council to be chairman of the Council and the period for which the chairman is to hold office;
 - (c) may enable or require the Council to establish committees for any purpose specified in the regulations and provide for the constitution of such committees.
- (3) Regulations under sub-paragraph (1) may authorise the Council to make provision with respect to any matter.

Status

- 2.**—(1) The Council shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the property of the Council shall not be regarded as property of, or property held on behalf of, the Crown.
- (2) The Council shall be a body corporate to which, subject to the provisions of this Schedule, section 19 of the Interpretation Act (Northern Ireland) 1954 shall apply.

Powers

- 3.**—(1) The Council may do anything which is calculated to facilitate, or is incidental or conducive to, the carrying out of any of its functions.
- (2) In particular the Council may—
- (a) invest sums not immediately required for the purpose of carrying out its functions;

- (b) accept gifts of money, land or other property; and
- (c) charge for services provided by it.

Staff

4. The right of the Council under section 19(1)(a)(vi) of the Interpretation Act (Northern Ireland) 1954 to employ staff shall be exercised subject to paragraph 5 and to any directions given by the Department with respect to the number and terms and conditions of service of persons employed or to be employed by the Council.

The registrar

- 5.—(1) The Council shall have a chief officer (known as “the registrar”) who shall be appointed—
- (a) in the case of the first registrar, by the Department; and
 - (b) in the case of any subsequent registrar, by the Council with the approval of the Department.
- (2) The terms and conditions of service of the registrar shall—
- (a) in the case of the first registrar, be such as the Department may determine; and
 - (b) in the case of any subsequent registrar, be such as the Council may determine with the approval of the Department.
- (3) The registrar shall be entitled to attend and take part in meetings of the Council and its committees but not to vote on any question.

Assessors

- 6.—(1) The Department may appoint two assessors to the Council who shall be entitled to receive notice of, and attend and take part in, meetings of the Council and its committees, but not to vote on any question.
- (2) Section 18(2) of the Interpretation Act (Northern Ireland) 1954 (except so much thereof as relates to remuneration) shall apply to the appointment of assessors under sub-paragraph (1).

Delegation of functions

- 7.—(1) The Council may authorise the chairman, the registrar or any committee of the Council to exercise such of its functions as it may determine.
- (2) Sub-paragraph (1) is without prejudice to any power to authorise an officer of the Council to carry out any of the Council's functions on behalf of the Council.

Allowances to members

8. The Council may pay to any member of the Council or to any member of a committee of the Council (including persons who are not members of the Council) travelling, subsistence and other allowances at such rates as the Department may approve.

Procedure

- 9.—(1) The proceedings of the Council shall not be invalidated by any vacancy in the membership of the Council, or of any committee of the Council, or by any defect in the appointment of any member.
- (2) Without prejudice to section 19(1)(a)(v) of the Interpretation Act (Northern Ireland) 1954, the Council shall make standing orders relating to—
- (a) the convening of meetings of the Council and of committees of the Council;
 - (b) the fixing of the quorum for such meetings;

- (c) the conduct of business at such meetings;
- (d) the keeping of minutes, accounts and other records;
- (e) the signing of cheques;
- (f) the custody of deeds and other documents;
- (g) the duties of officers of the Council; and
- (h) such other matters connected with the conduct of its business as it thinks fit.

(3) In making standing orders under this paragraph the Council shall take into account any guidance given by the Department as to the provisions it regards as appropriate for inclusion in the standing orders.

Application of seal and proof of instruments

- 10.**—(1) The application of the seal of the Council shall be authenticated by the signature of—
- (a) the chairman of the Council or some other person authorised either generally or specially by the Council for that purpose; and
 - (b) one other member.

(2) Every document purporting to be an instrument made or issued by or on behalf of the Council and to be duly executed under the seal of the Council, or to be signed or executed by a person authorised by the Council to act in that behalf, shall be received in evidence and be treated, without further proof, as being so made or issued unless the contrary is shown.

Finance

11. The Department may make grants to the Council of such amounts and subject to such terms and conditions as the Department may determine.

Accounts and audit

12.—(1) The Council shall keep, in such form as the Department may direct, accounts of all moneys received and all moneys paid out by it.

- (2) In respect of each financial year—
- (a) the Council shall prepare and submit to the Comptroller and Auditor General and the Department a statement of accounts before such date, in such form and containing such information as the Department, with the approval of the Department of Finance and Personnel, may direct;
 - (b) the Comptroller and Auditor General shall examine and certify the statement of accounts submitted to him by the Council; and
 - (c) the Department shall lay before the Assembly a copy of the certified statement of accounts of the Council together with a copy of any report thereon of the Comptroller and Auditor General.

Sub-para. (3) rep. by 2003 NI 5

(4) In this paragraph “Comptroller and Auditor General” means the Comptroller and Auditor General for Northern Ireland.

Annual report

13.—(1) The Council shall, within such time after the end of each financial year as the Department may direct, prepare and submit to the Department a report on the exercise by the Council of its functions in that year.

- (2) The Department shall—

Changes to legislation: Education (Northern Ireland) Order 1998, SCHEDULE 1 is up to date with all changes known to be in force on or before 06 August 2017. 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)

- (a) lay before the Assembly copies of every report received under sub-paragraph (1); and
- (b) arrange for every such report to be published in such form as the Department thinks appropriate.

Changes to legislation:

Education (Northern Ireland) Order 1998, SCHEDULE 1 is up to date with all changes known to be in force on or before 06 August 2017. 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.

Changes and effects yet to be applied to :

- Sch. 1 para. 5(2)(b) text amended by [S.I. 2006/1915 \(N.I.\) art. 37 Sch. 3](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order words substituted by [2014 c. 12 \(N.I.\) Sch. 3 para. 1\(1\)\(b\)](#)