
STATUTORY INSTRUMENTS

2003 No. 424

The Education and Libraries (Northern Ireland) Order 2003

PART III

BOARDS: FINANCE AND THE DUTY OF BEST VALUE

The duty of best value

Contracts: exclusion of non-commercial considerations

14.—(1) The Department may by order provide, in relation to boards, for a specified matter to cease to be a non-commercial matter for the purposes of Article 20 of the [Education and Libraries \(Northern Ireland\) Order 1993 \(NI 12\)](#) (board contracts: exclusion of non-commercial considerations).

(2) An order under this Article may—

- (a) provide for a matter to cease to be a non-commercial matter for specified purposes or to a specified extent;
- (b) apply in relation to specified boards, functions or contracts;
- (c) amend a statutory provision;
- (d) include supplementary, incidental, consequential and transitional provisions

(3) In exercising a function regulated by Article 20 of the [Education and Libraries \(Northern Ireland\) Order 1993 \(NI 12\)](#) with reference to a matter which is the subject of an order under this Article a board shall have regard to any guidance issued by the Department.

(4) Before the Department—

- (a) makes an order under this Article; or
- (b) issues any guidance under paragraph (3),

it shall consult the other funding departments.

(5) No order shall be made under this Article unless a draft of the order has been laid before, and approved by resolution of, the Assembly.