

**EDUCATION AND LIBRARIES
(NORTHERN IRELAND) ORDER 2003**

S.I. 2003 No. 424 (N.I. 12)

EXPLANATORY MEMORANDUM

THE PROVISIONS OF THE ORDER

Part V: Miscellaneous and Supplementary

Article 29 - Determination of travelling and subsistence allowances

Article 30 – Officers of boards

Article 32 – Programme of training by boards

These amendments to existing legislation provide for greater delegation of authority from the Department to ELBs on determination of travel and subsistence allowances, appointment of officers and compilation of training programmes.

Article 31 - Principals on teaching appointments committee

Article 31 modifies Part 1 of Schedule 3 to the Education and Libraries (Northern Ireland) Order 1986 to enable an ELB to appoint one or two principals, from another ELB's panel, to its Teaching Appointments Committee, where it is not possible to do so from its own panel.

Article 33 – Terms of appointment of members of the Council for Catholic Maintained Schools

Article 33 removes the provision in paragraph 5 of Schedule 8 to the Education Reform (Northern Ireland) Order 1989 for certain members of CCMS to be appointed at a different time from the other members.

Article 34 - Provision of secondary education for pupils by institutions of further education

Article 34 and *paragraph 7 of Schedule 2*, extends the opportunity to have educational provision made in an institution of further education, to pupils who are over the age of 14 and not on the register of a school, for example pupils who have been expelled.

Article 35 - The General Teaching Council for Northern Ireland: fees and procedures

Article 35 amends certain powers in Chapter 1 of Part VI of the Education (Northern Ireland) Order 1998 regarding exemptions to the employment of unregistered teachers, regulations on the removal of teachers from the register and the determination of fees chargeable.

Article 36 - Abolition of corporal punishment

Article 36 consolidates existing legislation on corporal punishment and effectively extends the abolition to independent schools. This change is required to ensure compliance with a judgement of the European Court of Human Rights.

Article 37 – Reports and returns

Article 37 provides for specified bodies to give reports and returns and provide information to DE, DCAL and DEL and to ELBs, as the Departments and ELBs may reasonably require for the

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purposes of their functions under any statutory provision and not just under the Education Orders as at present.