

## SCHEDULES

### SCHEDULE 2

Article 40

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Education and Libraries (Northern Ireland) Order 1986 (NI 3)*

1. In Article 2(2) at the appropriate place in alphabetical order insert—

““the funding departments” has the meaning given in Article 10 of the Education and Libraries (Northern Ireland) Order 2003.”.
2. In Article 112(1) for the words from “expenses” to the end substitute “expenditure incurred or to be incurred by it in accordance with a resource allocation plan (or revised plan) approved under Article 10 of the Education and Libraries (Northern Ireland) Order 2003”.
3. In Schedule 15 in paragraph 3(1)(e) after “other functions” insert “as are conferred on it by any statutory provision or”.
4. In Schedule 15 for paragraphs 4 to 7 substitute—

“4.—(1) In respect of each financial year, the Staff Commission shall prepare and submit to the Department a resource allocation plan which sets out the estimated use of resources by the Commission in that year

  - (2) The plan submitted to the Department under sub-paragraph (1) shall—
    - (a) be in such form as the Department may approve; and
    - (b) contain such other information in connection with the exercise, or proposed exercise, by the Commission of its functions as the Department may direct.
  - (3) The Department may approve a plan submitted to it under sub-paragraph (1) with or without modifications.
  - (4) The Commission may, with the approval of the Department, at any time submit a revised resource allocation plan to the Department, and the Department may approve the revised plan with or without modifications.
  - (5) Resources shall not be used by the Commission otherwise than in accordance with a plan (or revised plan) approved under this paragraph.
  - (6) In this paragraph a reference to the use of resources is a reference to their expenditure, consumption or reduction in value.
5. The Department may from time to time pay to the Staff Commission such amounts as the Department thinks necessary to enable the Commission to meet expenditure incurred, or to be incurred, by the Commission in accordance with a resource allocation plan (or revised plan) approved under paragraph 4.
- 6.—(1) The Staff Commission shall keep accounts in such form as the Department may direct.
  - (2) The Commission shall prepare a statement of accounts in respect of each financial year in such form and containing such information as the Department, with the approval of the Department of Finance and Personnel, may direct.

(3) The Commission shall send copies of the statement of accounts to the Department and the Comptroller and Auditor General for Northern Ireland by such date as the Department may direct.

(4) The Comptroller and Auditor General shall—

- (a) examine, certify and report on the statement of accounts; and
- (b) send a copy of his report to the Commission and to the Department.

(5) The annual report of the Commission laid before the Assembly under paragraph 7 shall include—

- (a) the statement of accounts of the Commission for that year; and
- (b) the report of the Comptroller and Auditor General thereon.

(6) In the discharge of his functions under this paragraph, the Comptroller and Auditor General

- (a) shall have right of access to the books, accounts and records of the Commission and of the Department; and
- (b) may require from any member or officer (or former member or officer) of the Commission such information relating to the affairs of the Commission as he may consider necessary for the proper discharge of those functions.

7.—(1) The Staff Commission shall in respect of each financial year prepare a report on the exercise of its functions in that year.

(2) A report shall—

- (a) be published; and
- (b) be laid before the Assembly,

by the Commission by such date as the Department may direct.

(3) Subject to paragraph 6(5), a report under this paragraph shall contain such information as the Department may direct.

8. Articles 84 (car loans) and 86(1) (insurance against risks) apply to the Commission as they apply to a board.”.

*The Education Reform (Northern Ireland) Order 1989 (NI 20)*

5. In Article 29(2)(a) for “approved” substitute “prepared”.

6. In Article 148(1) for “approved” substitute “prepared”.

*The Further Education (Northern Ireland) Order 1997 (NI 15)*

7. In Article 14(1) for paragraph (aa) substitute—

- “(aa) to provide or secure the provision of secondary education in pursuance of arrangements made with a board under Article 83(2) of the Education (Northern Ireland) Order 1998 (registered pupils in key stage 4 or children over the age of 14 who are not registered pupils);”.

*The Education (Northern Ireland) Order 1998 (NI 13)*

8. In Article 4(2) for “Article 49A of the 1986 Order” substitute “Article 36 of the Education and Libraries (Northern Ireland) Order 2003”.

9. In Article 5(5) for “18” substitute “24”.