

SCHEDULES

SCHEDULE 1

Article 9

FUNDING OF GRANT-AIDED SCHOOLS: CONSEQUENTIAL AND SUPPLEMENTARY AMENDMENTS

The 1989 Order

1. Omit Articles 46 to 59.
- 2.—(1) Article 60 (grants to voluntary grammar schools) shall be amended as follows.
 - (2) For paragraph (3) substitute—
 - “(3) The amount of a grant to be paid under paragraph (1) to the Board of Governors of a voluntary grammar school in any financial year shall be the sum of—
 - (a) an amount equal to the budget share of the school for that year; and
 - (b) such other amount determined by or in accordance with the common funding scheme as, in accordance with that scheme, falls to be paid by way of grant under paragraph (1).”.
 - (3) Omit paragraphs (4) to (7E).
 - (4) At the end add—
 - “(9) This Article shall be construed as if it were contained in Part I of the Education and Libraries (Northern Ireland) Order 2003.”.
- 3.—(1) Article 61 (financial statements for voluntary grammar schools) shall be amended as follows.
 - (2) In paragraph (2) for the words from “the following particulars” to the end substitute “such particulars as the Department may determine with respect to the financial provision the Department plans to make in that year for voluntary grammar schools”.
 - (3) Omit paragraph (7).
4. Omit Articles 62 and 63.
- 5.—(1) Article 77 (maintenance grants to grant-maintained integrated schools) shall be amended as follows.
 - (2) For paragraph (2) substitute—
 - “(2) The amount of the maintenance grant to be paid under paragraph (1) to the Board of Governors of a grant-maintained integrated school in any financial year shall be the sum of—
 - (a) an amount equal to the budget share of the school for that year; and
 - (b) such other amount determined by or in accordance with the common funding scheme as, in accordance with that scheme, falls to be paid by way of grant under paragraph (1).”.
 - (3) Omit paragraphs (3) to (7D) and (12).

Status: This is the original version (as it was originally made).

(4) At the end add—

“(14) This Article shall be construed as if it were contained in Part I of the Education and Libraries (Northern Ireland) Order 2003.”.

6.—(1) Article 78 (financial statements for grant-maintained integrated schools) shall be amended as follows.

(2) In paragraph (2) for the words from “the following particulars” to the end substitute “such particulars as the Department may determine with respect to the financial provision the Department plans to make in that year for grant-maintained integrated schools”.

(3) Omit paragraph (7).

The 1998 Order

7. Omit Articles 44 to 54.

8.—(1) Article 55 (suspension of financial delegation) shall be amended as follows.

(2) In paragraph (1) for the words from the beginning to “a scheme” substitute “Where it appears to a board, in the case of any relevant school with a delegated budget,”.

(3) In paragraph (7) for “Article 54(2)” substitute “Article 6(1) of the 2003 Order”.

9.—(1) Article 59 (application to special schools) shall be amended as follows.

(2) In the heading to the Article and in paragraph (1) for “schemes” and “a scheme” substitute “the common funding scheme”.

(3) In paragraph (2)(a) after “this Chapter” insert “or Part I of the 2003 Order”.

(4) In paragraph (2)(b) for “any scheme” substitute “the common funding scheme”.

10.—(1) Article 61 (maintenance grants to voluntary grammar schools) shall have effect as follows.

(2) For paragraph (2) substitute—

“(2) The amount of the maintenance grant payable in respect of a voluntary grammar school for a financial year shall be the sum of—

(a) an amount equal to the budget share of the school for that year; and

(b) such other amount determined by or in accordance with the common funding scheme as, in accordance with that scheme, falls to be paid by way of maintenance grant.”.

11.—(1) Article 63 (maintenance grants to grant maintained integrated schools) shall have effect as follows.

(2) For paragraph (2) substitute—

“(2) The amount of the maintenance grant payable in respect of a grant-maintained integrated school for a financial year shall be the sum of—

(a) an amount equal to the budget share of the school for that year; and

(b) such other amount determined by or in accordance with the common funding scheme as, in accordance with that scheme, falls to be paid by way of maintenance grant.”.

12. Omit Articles 65 and 66.

13.—(1) Article 67 (financial statements in respect of special schools) shall be amended as follows.

(2) In the heading to the Article and in paragraph (1) for “Article 66” substitute “Article 7 of the 2003 Order”.

14. After Article 67 there shall be inserted—

“Interpretation of this Chapter

67A.—(1) In this Chapter “the 2003 Order” means the Education and Libraries (Northern Ireland) Order 2003.

(2) In this Chapter—

- (a) references to a school which has a delegated budget are references to a school managed by a Board of Governors to which a board has for the time being delegated the management of the school’s budget share in pursuance of the common funding scheme;
- (b) the Board of Governors of a school to which the board is required by the scheme to delegate the management of the school’s budget share is said to have a right to a delegated budget.

(3) In this Chapter—

“the common funding scheme” means the common funding scheme under Article 3 of the 2003 Order;

“the board”, in relation to a school, means the board for the area in which the school is situated.

(4) References in this Chapter—

- (a) to a school’s budget share are to be construed in accordance with Article 4(3) of the 2003 Order;
- (b) to a relevant school are to be construed in accordance with Article 3(2) of that Order.

(5) The Department may by order subject to affirmative resolution substitute for references in this Chapter to a financial year references to such other period as the Department may determine.

(6) Directions and guidance given by the Department under this Chapter shall—

- (a) be in writing; and
- (b) be published in such manner as the Department thinks fit.”.

15. In Article 72(7) for “Article 52(4)(b)” there shall be substituted “Article 67A(2)(a)”.

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.”.

Status: This is the original version (as it was originally made).

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”.

SCHEDULE 3

Article 40

REPEALS

PART I

REPEALS COMING INTO OPERATION ON 1st APRIL 2003

Short Title	Extent of repeal
The Education and Libraries (Northern Ireland) Order 1986 (NI 3).	Article 49A.

Status: This is the original version (as it was originally made).

Short Title	Extent of repeal
	In Article 79(1) the words “, on such conditions and at such rates as the Department may determine,”.
	In Article 92(2)(b) the words “at such rates as the Department may determine,”.
	Article 103.
	Article 113.
	Article 114.
	Article 119.
	In Schedule 3, in paragraph 1(a) the words “under the management of the board”.
The Education (Corporal Punishment) (Northern Ireland) Order 1987 (NI 6).	The whole Order
The Education Reform (Northern Ireland) Order 1989 (NI 20).	In Article 149(1) the words “, at such times and in such form as the Department may direct,” and “and submit to the Department”.
	Article 149(3) and (4).
	Article 161.
	In Schedule 8, in paragraph 3(11) the words “(except paragraph 5(2))”, in paragraph 5(1) the words “Subject to sub-paragraph (2),”, paragraph 5(2) and in paragraph 5(3) the words “or (2)” and “or (as the case may be) sub-paragraph (2)”.
	In Schedule 9, the amendments to Articles 83 and 103(1) of the 1986 Order.
The Education and Libraries (Northern Ireland) Order 1993 (NI 12).	Part II.
	Article 29.
	Schedule 1.
	In Part II of Schedule 4, the amendments to Article 80 of, and Schedule 15 to, the 1986 Order.
The Education (Northern Ireland) Order 1996 (NI 1).	Article 32.

Short Title	Extent of repeal
The Education (Northern Ireland) Order 1997 (NI 5).	In Article 15(10) the words “, on such conditions and at such rates as the Department may determine,”
The Further Education (Northern Ireland) Order 1997 (NI 15).	In Schedule 4, the amendments to Articles 49A and 103(2) of the 1986 Order and Schedule 1 to the Education and Libraries (Northern Ireland) Order 1993.
The Education (Northern Ireland) Order 1998 (NI 13).	Article 83(1).

PART II

REPEALS COMING INTO OPERATION ON DAYS TO BE APPOINTED UNDER ARTICLE 1(3)

Short Title	Extent of repeal
The Education Reform (Northern Ireland) Order 1989 (NI 20)	Articles 46 to 59. Article 60(4) to (7E). Article 61(7), Articles 62 and 63. Article 77(3) to (7D) and (12). Article 78(7).
The Education (Northern Ireland) Order 1998 (NI 13).	Articles 44 to 54. Articles 65 and 66.